



**Watching the Watchmen:
The State of Policing in US
Cultural Production**



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THE STATE OF POLICING IN U.S. CULTURAL PRODUCTION

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THE POST-9/11 SECURITY STATE: SURVEILLING AMERICAN ARABS AND MUSLIMS IN THE 21ST CENTURY

Andrea Carosso
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ABSTRACT

A “silent minority” until the end of the 20th century, Arab and Muslim Americans became, literally overnight, a “problem” ethnic group in the US consensus after the terrorist attacks of 9/11, when on the one hand Islamophobia was adopted as the leading trope of national grievance, while on the other hand a massive surveillance apparatus was put in place in order to ostensibly address the risk of internal radicalization, resulting in visible loss of civil rights for Arab and Muslim minorities in the US. This paper explores the deployment of the US security state against America Arabs and Muslims after 9/11, and sets it within the complex history of Middle Eastern and South Asian immigration to the US in the 20th century.

Keywords: Arab American; Surveillance; 9/11; Islamophobia; Civil rights.

TWENTY YEARS ON

As I write this, in the late summer of 2021, it has been twenty years since a man named Ziad Jarrah was pulled over by a Maryland State Trooper, a few miles from the Delaware state line, in the early hours of September 9, 2001. After a routine license and registration check, the man received a 270 dollar fine for speeding over the 65mph limit, and was left to continue his journey to an unknown destination. Two days later, September 11, 2001, Jarrah, a Lebanese national, participated in the hijacking of United Airlines flight 93, one of four planes taken by a group of 19 Middle Eastern terrorists in a coordinated sequence of terrorist acts that went down in history as “the 9/11 attacks.” UA 93 was the only plane that did not make it to its final target—supposedly the White House or the US Capitol—as it crashed en route onto a field near Shanksville, Pennsylvania, killing all 44 people on board. The 9/11 Commission Report placed Jarrah as the pilot of the hijacked plane (9/11 Report, 21-25).

In the annals of 9/11, Jarrah’s failed apprehension during that traffic stop twenty years ago became symptomatic of everything that went wrong with the attacks. He and his Al-Qaeda associates had entered the US legally on student, tourist or business visas, their identities, motives and whereabouts for the most part unknown to the authorities.

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Therefore, the reasoning went, the attacks that had brought America to its knees had been first and foremost the result of a colossal failure of national security, which US administrations, in bipartisan agreement, set out to redress in the years and decades that followed.

THE BACKLASH, AT HOME AND ABROAD

America responded to the attacks of 9/11 by waging some of the longest wars in its history. Some of these grabbed media headlines in the years and decades to come, especially those in Afghanistan and Iraq. Others drew less attention, but were by no means less consequential: Pakistan, Yemen, Somalia, Libya, Syria, Niger are only some of many places where the US conducted antiterrorism operations after 9/11. In 2017–18 alone, just to quote recent data, the US had active military operations—all terrorism related—in 80 countries around the world (Savell 2019). But foreign wars and military operations were just one aspect of the gigantic security state built to respond to America's returning obsession with national security after the end of the Cold War. In the years following the attacks, the US also went on to assemble, institutionalize, and maintain an unprecedented architecture of mass surveillance meant to correct the alleged security failures of 9/11. By no means benign, this escalation of a surveillance society—closely associated with the coeval emergence of so-called “surveillance capitalism” (more on this later)—presided over the erosion of civil liberties not only outside but also inside the US. At home, this meant the institution of a completely new paradigm for understanding the relations between the state and its subjects, especially for certain groups of people, most notably minority groups of Middle Eastern origin.

In his recent *Reign of Terror: How the 9/11 Era Destabilized America and Produced Trump* (2021), Spencer Ackerman has pointed out that what came to be dubbed as “the war on terror” of the early 21st century produced a remarkable backlash on the individual and group liberties of Arab and Muslim minorities in the US, which have included “indefinite detention without charge . . . law-enforcement infiltration of communities, businesses, and even houses of worship to generate informants; expansive categories of criminal association, but only for certain people . . . secret prisons, torture”

(Ackerman 2021, 15). Alongside the social costs, came the unprecedented economic cost of the War on Terror, which has been estimated, according to an analysis by the Costs of War project at Brown University released this fall, to a staggering \$8 trillion, \$1.1 billion of which has been spent on preventing terrorism at home (Brown.edu 2021).

The years that followed the 9/11 attacks saw a particularly harsh overhaul of immigration policies in the US, in ways that the famed “land of immigrants” suddenly came to view foreigners as a national security threat. The fact that the 9/11 attacks had been perpetrated by aliens who had legally entered the country immediately translated into a sense that terrorism was the result of loose immigration policies. Law enforcement, which until that point had been directed mostly at Latino and African American minorities, was repurposed to target American Arabs and Muslims, two groups virtually unknown to most Americans prior to 2001. The sudden heightening of scrutiny for these communities, as well as repeated incidents targeting their communities across the country, turned Arabs and Muslims in America, in the words of Moustafa Bayoumi, to “the new blacks,” two groups now holding “the dubious distinction” of being a “problem” in American society in the new century (Bayoumi 2008, 2-3).

At home, the War on Terror particularly affected communities of Middle Eastern and South Asian origin, whose participation to civic life became particularly problematic within the security state and its pervasive surveillance apparatus that explicitly targeted them as the new communities of suspicion after the attacks. After the communist spy of the Cold-War-era-lore, the trope of the Islamic terrorist came to conjure up images of endangered national security, and was quickly extended to include *all* Muslim—or Muslim looking—individuals, in a guilt by association mood that would dominate the national psyche for years to come. That mood targeted individuals of Arab origin and/or Muslim faith, notwithstanding obvious differences between these two groups—nuances that western publics chose to ignore in the frenzy of the backlash.¹

¹ In this paper, I alternate references between “Arabs” and “Muslims,” as a shorthand to include two groups that in reality only partially overlap. These groups have been treated in an indistinct continuum in much of the post-9/11

Only nine days after the 9/11 attacks, as president George W.B. Bush delivered his “Why Do They Hate Us?” speech to Congress, a “clash of civilizations” rhetoric took center stage in the national discourse: “Americans are asking—Bush said in that speech—, ‘Why do they hate us?’” Answering: “They hate our freedoms—our freedoms of religion, our freedoms of speech, our freedoms to vote, and assemble, and disagree with each other” (President Bush Addresses the Nation 2001). In Bush’s presumption of American innocence as opposed to enemy’s guilt, “they” was a generically worded marker to identify an adversary at large that went well beyond Al-Qaeda, the material perpetrators of the attacks. “They” very quickly expanded, by association, to all, or most, Arabs and Muslims, both outside and *inside* the US. In the months and years following the attacks, an industry of Islamophobes—which included people from all walks of life—sprung into a constant, high-intensity demonization of Arabs and Muslims, leading many in America to blame 9/11 on Islam itself (Salam 2021).

“MODEL MINORITY” TO “PROBLEM MINORITY”

I argue that, by the end of the Cold War, there was fertile ground in the US for an all-out ideological attack on Islam. The history of Middle Eastern minorities in the US is one of constant oscillation between assimilation within the white majority and rejection from it. The early Arab migrants that came to America, mostly from present day Lebanon, in the late 19th century were placed in a racial limbo that made participation in civic life highly contested. Neither white nor black—the only racial categories for which naturalization was admissible in the early 20th century—Arabs were seen as belonging to those “other” or “in-between” ancestries, like the Japanese, Chinese, and American Natives, who were excluded from citizenship by law. For Arabs, this meant being placed in a vast gray area where citizenship was granted or denied based on

debate. More precisely, scholarship has oscillated in focus between the two, not for lack of subtlety, but possibly because of the changing nature of the debate over the last 20 years. In the first decade after 9/11, scholarship focused mostly on the backlash on Arabs and Arab American communities (whose majority are of Christian, not Muslim, ancestry). Over the last ten years, however, also due to the increase of the Muslim population in the US, the debate has focused mostly on American Muslims.

discretionary decisions of the courts, which adopted “shifting standards of whiteness” on a case-by-case basis (Bayoumi 2015, 49). John Tehranian and others have argued that the racial status of Middle Easterners in the US has always been determined by a process of “selective racialization,” a “complex hermeneutics of whiteness” according to which assessments on their “racial performance” always prevailed over the application of pseudoscientific categories of race as such (Tehranian 2009, 39). Middle Easterners in America were naturalized based on their willingness to assimilate with the rest of society, i.e. their readiness to submit to a “racial dramaturgy,” choreographed by the white majority (Tehranian 2009, 184). For Arabs, most of whom were Christian, this entailed emphasizing any Christian ancestry while erasing their oriental features, so as to appear as members of a “model minority” within the American melting pot. They often westernized their looks and, if Muslim, gave up religious practices and other elements of their culture alienating them from the assimilationist melting pot: in other words, they enacted a “strategic covering” of their Middle Eastern identity, eager to show potential for assimilation within mainstream (i.e. white) American culture—a textbook case of racial passing.

The “model minority” paradigm entered a crisis in the second half of the twentieth century, when the resurgence of Arab nationalisms, especially in the aftermath of the Arab-Israeli war of 1967, drove Arabs in the US, especially younger ones, to identity politics and pan-ethnic activism in response to the one-sided, blatantly pro-Israeli attitude of US politicians and media in that conflict. Arab-American associations (such as the Arab-American University Graduates and the Organization of Arab Students) openly protested Israeli policies in the Middle East and raised public attention to the Palestinian question. As a result, people of Middle Eastern descent suddenly became the target of discourses and policies of exclusion from the American consensus, questioning the tenability of the white, assimilationist paradigm. Starting in the 1970s, the FBI and the CIA placed Arab American communities under enhanced surveillance and debates emerged on the assimilability of Muslims to the American Way of Life. The Iranian revolution of 1979 was a turning point: this is when Islam in America became—in the words of Edward Said—synonymous with “bearded clerics and mad

suicidal bombers . . . unrelenting Iranian mullahs, fanatical fundamentalists, and kidnappers, remorseless turbaned crowds who chant hatred of the US, ‘the great devil,’ and all its ways” (Said 1988, 47).

In the 1990s, as more and more Muslim immigrants arrived in the US from the Arab world and South Asia, the Clinton administration authorized law enforcement agencies to arrest without evidence and deport “also on the basis of secret evidence” aliens from eight Middle Eastern countries suspected of “abetting terrorism” (Kundnani 2014, 45). Concurrently, the Antiterrorism and Effective Death Penalty Act of 1996 introduced the doctrine of the “material support statute,” which became the basis of prosecution of Arab and Muslim Americans “for expressing an ‘ideology.’” It also allowed government evidence “to be heard in secret detention hearings and trials”—thus effectively removing the rights of defendants to challenge the prosecution (Kundnani 2014, 47). These policies translated into practice notions of cultural essentialism that historians such as Bernard Lewis (“The Roots of Muslim Rage,” 1990) and Samuel Huntington (“The Clash of Civilizations?” 1993) had been promoting since the end of the Cold War: that the West and Islam were in fact incompatible, because stemming from opposite and irreconcilable world views.

An iteration of specific modes of marginalization of minorities that has marked key moments in US history—from slavery and racial segregation since the Reconstruction era, to anti-Semitism, to the backlash on Asian immigrants in the 20th century and the recent criminalization of Latino migrants—this pattern of “assigning derogatory meaning to particular bodies distinguished by ethnicity, nationality, biology, or geography” is known as *racialization* (Alsultany 2008, 208). Postulated on the assumption that all Arabs are Muslims and Islam is a cruel, backward, and uncivilized religion, this form of cultural essentialism—also known as “culturalist Islamophobia”—has resulted in what Nadine Naber has referred to as a “racialization of religion” (Naber 2000, 53), i.e. the assumption that, by virtue of an inner, fixed cultural essence, Muslims are potentially violent.

ISLAMOPHOBIA AND THE DEPLOYMENT OF THE SECURITY STATE

9/11 was the perfect catalyst to escalate a latent American Islamophobia (Carosso 2018, 13-14) to a whole different level. As G.W. Bush proceeded to declare the War on Terror as nothing short of a religious war, a “crusade” against “evil” (his own words), its obvious yet never clearly defined enemy became an unspecified number of Muslims around the world. At home this resulted in the social construction of the Arab/Muslim/Middle Eastern as terrorist, in a transitive logic postulating each Arab and Muslim as a potential threat to national security. Commentators, and not limited to those on the right, pathologized Arabs and Muslims, whose critiques of America were proof of their conspiratorial thinking, and turned them, in the eyes of some Americans, into dangerous outsiders no longer qualified for the American Dream. Within days of 9/11, the right-wing radio host Dennis Prager told the Fox News host Bill O’Reilly: “It is very sad to say, but a significant percentage of the Muslim world hates us.” Before September ended, O’Reilly suggested, “I think we should put troops on the border right now” (cited in Ackerman 2021, 20). A whole ethnic group had turned, in the eyes of many, into a mass of co-conspirators.

One of the defining books of the first decade of the 21st century, Mohsin Hamid’s novel *The Reluctant Fundamentalist* (2007), clearly captures that new sentiment. Returning from a business trip overseas a few days after the attacks, the novel’s protagonists, a Muslim and Pakistani national with a Princeton degree and a prestigious job at a top Wall Street firm, experiences first-hand the nation’s “growing and self-righteous rage” after the attacks, the sudden emergence of its Islamophobic obsession:

At the airport, I was escorted by armed guards into a room where I was made to strip down to my boxer shorts . . . and I was, as a consequence, the last person to board our aircraft. My entrance elicited looks of concern from many of my fellow passengers. I flew to New York uncomfortable in my own face: I was aware of being under suspicion; I felt guilty. . . . When we arrived, I was separated from my team at immigration. They joined the queue for American citizens; I joined the one for foreigners. The officer who inspected my passport was a solidly built woman with a pistol at her hip and a mastery of English inferior to mine; I attempted to disarm her with a smile. “What is the purpose of your trip to the United States?” she asked me. “I live here,” I replied. “That is not what I asked you, sir,” she said. “What is the purpose of your trip to the United States?” Our

exchange continued in much this fashion for several minutes. In the end I was dispatched for a secondary inspection in a room where I sat on a metal bench next to a tattooed man in handcuffs. (*The Reluctant Fundamentalist*, 74)

After September 11th, the national consensus embraced the profiling of Muslims in the name of the security state. Hate crimes against Muslims—or those, like Sikhs, *perceived* to be Muslims—skyrocketed. By January 2002, four months after the attacks, CAIR, the Council on American–Islamic Relations, an advocacy group established in the 1990s to challenge stereotypes of Islam and Muslims in the US, said that it had received 1,658 reports of discrimination, profiling, harassment, and physical assaults against persons appearing Arab or Muslim, a threefold increase over the prior year (Cole 2005, 47). A USA Today/Gallup poll from 2006 showed that 39 percent of Americans admitted to holding prejudice against Muslims and believed that all Muslims, US citizens included, should carry Special IDs (Grewal 2014, 8).

Congress, the FBI, the NSA (National Security Agency), and other governmental agencies were quick to act on those biases. Non-naturalized immigrants provided the ideal targets: as aliens, they could claim little constitutional protection. On October 25th 2001, six weeks after the attacks, the USA P.A.T.R.I.O.T. Act was promulgated,² granting law enforcement sweeping authorities to detain noncitizens without charge for up to a week (and, in certain cases, indefinitely). In an effort to tighten US national security, it weakened legal safeguards against unreasonable searches and seizures, and brought forth what Giorgio Agamben has defined, after Carl Schmitt, a “state of exception” from constitutionally guaranteed protections.

Domestic law enforcement responses to the attacks on the Twin Towers and the Pentagon operated on different levels: after initial impromptu measures, mostly relying on tips from “concerned citizens,” and revolving around the questionable figure of the “suspicious immigrant” (Shiek 2011, 11-12), the US government relied both on stepped up

² An acronym for “Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism” the USA PATRIOT Act of 2001 had the stated goal of dramatically tightening US national security, particularly relative to foreign terrorism.

(and often illegal) technology-based measures of data mining, as well as concerted efforts to infiltrate ethnic neighborhoods and community spaces. The newly instituted Department of Homeland Security was placed in charge of domestic anti-terrorism. Its key role was—as the name suggested—securing the national (now “the Homeland”) borders. Consolidating domestic security functions and immigration enforcement (through the creation of its ICE—Immigration and Customs Enforcement—division, which replaced the Immigration and Naturalization Services—INS—and removed it from the control of the Department of Justice), the DHS underlined that national security was first and foremost dependent on strict policing of immigration.

The DHS delivered some of the most infamous mass surveillance initiatives of the post 9/11 era. In September 2002, it enacted a Special Registration program, the National Security Entry-Exit Registration System (NSEERS), mandating men aged sixteen to sixty-four from twenty-five majority-Muslim countries (except one, North Korea), who were present in the US or planning to enter on nonimmigrant visas, to be interviewed under oath, fingerprinted, and photographed by a federal official. Of the 80,000 individuals from majority Muslim countries believed to pose a “risk to national security” who underwent special registration, over thirteen thousand faced deportation as a consequence of registration, mostly over minor visa violations, resulting in the largest mass deportation in American history (Alsultany 2012, 5; Bayoumi 2015, 85).

Arab and Muslim businesses and charities became targets of ICE, the FBI, and Justice Department investigations and raids. ICE in particular sought out undocumented immigrants: in 2005 alone it raided thirteen hundred businesses; the next year, it tripled its pace to forty-four hundred and began a years-long, nationwide roundup of illegal immigrants, Operation Return to Sender, which arrested twenty-three thousand people, most of whom had no previous criminal record. (Ackerman 2021, 90) Likewise, the US Justice Department detained tens of thousands of Muslim, South Asian, and Middle Eastern men, through various initiatives. At least a thousand were jailed without charge; tens of thousands US citizens of Arab and Muslim ancestry were questioned by the FBI, and hundreds of thousands were placed under surveillance.

As of 2004, at least 100,000 Arabs and Muslims living in the United States had personally experienced one of the various post-9/11 state security measures, including arbitrary arrests, secret and indefinite detentions, prolonged detention as “material witnesses,” closed hearings, the production of secret evidence, government eavesdropping on attorney-client conversations, FBI home and work visits, wiretapping, seizures of property, removals for technical visa violations, and mandatory special registration. Women wearing head scarves were especially at risk of harassment and discrimination. After 9/11, the hijab was taken to signify that its wearer was, in the words of Arun Kundnani, “sympathetic to the enemy, presumptively disloyal, and forever foreign.” Women faced discrimination in employment and violence on the streets, often involving attempts to pull off their head scarves. According to a post-9/11 study of young, college-educated Arab-American Muslim women in Chicago, “all of those interviewed had been the victims of physical or verbal abuse, or knew someone close to them who had been” (Kundnani 2014, 61).

Extensive measures of surveillance and racial profiling of American Muslims and Arabs (in airports, in the workplace, in the media) were deployed, spawning among these communities “a state of uncertainty and peril more common to refugees living on the borders of war zones and global migrants without documents” (Cainkar 2009, 3). In some urban centers, up to 25% percent of Muslims and Arabs in the US began to consider leaving the country (Cainkar 2009, 117), as depression and fear over the hostile atmosphere surrounding them led many to isolate themselves, stopping to attend mosques and community events (Alsultany 2012, 5), in a blatant erosion of their constitutional right of association. Fearful of being targeted by the US government, Pakistani Muslims in particular “voluntarily” returned to their country of origin by the thousands (ibid.).

As the FBI established, in the ten years following 9/11, a network of fifteen thousand informants, operating in mosques, infiltrating businesses and communities, the NSA proceeded to create special programs to spy on ordinary people in the US and abroad. While relying on the one hand on the post-9/11 state of exception, these programs also relied on the emergence of what Shoshana Zuboff has defined, in her

seminal book bearing the same name, as “surveillance capitalism,” i.e. a constellation of ever larger and more influential internet corporations whose core business lay in the commodification of personal data for the purpose of profit making. These surveillance programs, long hidden from the American public, relied on almost unrestricted access to the infrastructure and metadata owned by the surveillance capitalism corporations. One among the first, STELLARWIND, launched in October 2001, consisted of a warrantless data mining operation of the communications of American citizens, including e-mails, telephone conversations, financial transactions, and internet activity. Even larger in scope was another program, code-named PRISM, launched in 2007, in which the NSA targeted, without any court warrants, “any customers of participating firms [which included Microsoft, Apple, Facebook, Google, YouTube, and Skype, among others] who live outside the US, or those Americans whose communications include people outside the US” (Greenvald and MacAskill 2013).

These programs remained secret for long periods of time, with the consequence that the public was unable to ascertain whether any legal safeguards were being implemented around them. *The New York Times* lifted the veil on STELLARWIND four years after its launch, which meant that the program had been free to operate away from public scrutiny for 48 months. Five years went by before a disaffected NSA contractor, Edward Snowden, revealed the hidden complicity between state security agencies and the tech companies: the public learned of the existence of PRISM and, with it, the fact that the US was in fact controlling a large portion of the world’s communication stream—including those of many public officials (Fidler and Ganguly 2015, 97). The primary targets of these programs were Arabs and Muslims, among whom the government was seeking out the so-called “homegrown enemies,” i.e. radicalized domestic terrorists who became the focus of sprawling counterterrorism structures of policing and surveillance in the United States and across Europe.

Other surveillance measures were less high tech, yet no less pervasive. The US government’s “countering violent extremism” (CVE) program, launched in major US cities beginning in 2011, mobilized community leaders and social service providers as proxy national security agents (Nguyen 2019, 30). A case in point was the DHS campaign

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“If you see something, say something,” which tried to enroll Arabs and Muslims in a sweeping surveillance program of their own communities. It had been the belief of the Obama administration, which designed CVE as a replacement for NSEERS, that communities were best placed to recognize and confront the threat of terrorism. According to Nicole Nguyen’s assessment in *Suspect Communities: Anti-Muslim Racism and the Domestic War on Terror*, an in-depth study of the program, CVE sought to use minority community members “as key national security operatives tasked with countering terrorist propaganda as well as identifying, reporting, and working with individuals perceived to be at risk of or in the process of radicalizing” (Nguyen 2019, 2).

CONCLUSION

This late summer of 2021, as the media marks the 20th anniversary of 9/11, the American disorderly retreat from Afghanistan has reminded the world that 9/11 is not yet relegated to the history books, and its effects are with us to this day. Arabs and Muslims in America remain, to borrow a phrase from a recent book, “outsiders at home,” within a context that is ever quick to instrumentalize them for political purposes, when the very negative attitudes of western publics are recurrently reignited, especially coinciding with election cycles. During the 2007 US presidential primaries, major media outlets (including Fox News) uncritically circulated a story according to which Barack Obama was a Muslim who had attend a Madrasa as a child. Leading up to the 2010 elections, the so-called “Victory Mosque” campaign dominated the discourse of Republican politicians, who tried to paint the desire of moderate Muslims to build a house of worship in lower Manhattan, not far from Ground Zero, as an act of support for Al-Qaeda’s attack. In his presidential campaign of 2015-16, Donald Trump capitalized on America’s Islamophobia when he repeatedly called for a “Muslim ban,” a “total and complete shutdown” of Muslims entering the United States. Within two weeks of Donald Trump’s election, civil rights groups and news organizations reported a surge of crimes on Muslims, with many perpetrators invoking the name of the incoming

president.³ These are only some of the most prominent cases of the political exploitation of Islamophobia in America.

According to Abdulkader H. Sinno, and other commentators, the reason Republican politicians and right-wing media have extensively used attacks on Arabs and Muslims is that “they knew from long-existing studies that voters tend to vote more for Republicans when concerned about matters of security and threat” (Sinno 2012, 217). Although two US Muslims women now sit in the US Congress and the post-9/11 decades have “birthed a generation determined to define their place in American life on their own terms” (Dias 2021), the perception of the Middle Eastern as a problem within the American melting pot still persists. In her recent *Outsiders at Home: The Politics of American Islamophobia*, Nazita Lajevardi makes the point that, in spite of the growing chronological distance from 9/11, hostility towards has grown especially acute since 2016, and today American Arabs and Muslims face “rampant discrimination,” while being “deprived of fair treatment in the sociopolitical context and are acutely aware of their worsening situation in the American political arena” (Lajevardi 2020, 192-93).

In 2020, two Muslim American organizations that work on issues of surveillance submitted a paper to the Human Rights Council of the United Nations denouncing that “surveilling Muslim and other communities of color has resulted in a wide range of consequences including chilling free speech rights, disrupting community cohesion, and criminalizing the community in ways that have led to detention or worse.” The paper positions surveillance as “part of a larger infrastructure in the War on Terror” and laments “*the continued* use of surveillance by various institutions—local and national—in the United States” (United Nations Universal Periodic Review of United States of America 2020). Muslim American organizations have taken issue with the expansion of grant monies from the DHS to local communities willing to collect information about US citizens that might shed light on any suspicious activity or potentially reveal domestic terrorist plots. Programs such as the DHS’ Targeted Violence & Terrorism

³ See Lichtblau (2016); Miller and Werner-Winslow (2016); Dana, Karam et al. (2018).

Prevention (TVTP) Grant Program end up, claim activists, impacting Muslims and Blacks as their primary targets (Khan and Ramachandran 2021), while operating under the “false and unconstitutional premise: that Muslim religious belief and practices are a basis for law enforcement scrutiny” (American Civil Liberties Union 2021). Often cited as proof of the inherent danger, and ultimate uselessness, of these programs is the fact that surveillance of Arab and Muslim communities have never produced any significant security breakthroughs: according to the NYPD’s own admission, for example, a 15 year-program of mapping and surveilling Muslims in New York City resulted in zero leads related to terrorism.

In *The Age of Surveillance Capitalism*, Shoshana Zuboff has argued that it was exactly the “exceptionalism” of the War on Terror era that offered the necessary institutional protection for surveillance capitalism to take root and flourish. It was under the auspices of the post-9/11 exceptional legislation that, according to Zuboff, the US government’s attention shifted “from privacy legislation to an urgent interest in the rapidly developing skills and technologies of Google and other rising surveillance capitalists” (Zuboff 2019, 340). In the post-9/11 years, governments—the US government in particular—protected the unregulated expansion of the massive data mining that regulates our lives today in the belief that this would produce benefits for the security state. Those benefits never really materialized, but surveillance capitalism is more pervasive than ever.

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