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A Partially Elided Examination of United States Muslim  
Immigration Policy and Persecution Before and After 9/11

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This essay will argue there is and has been a concerted government effort to repress and punish Muslim Immigration in the United States. The argument for this essay will be assisted by government documents, books, monographs, university reports, online news entries, newspapers and journals. Whenever possible this essay will quote authoritative scholarly resources since the author of this essay is not an expert in Muslim immigration policy. This essay will demonstrate an ongoing, public, concerted effort by the United States to aggressively target, repress and punish Muslim immigration and landed Muslims mainly because of religious identification with Islam and not because of any overt or covert behavior against the best interests of the United States.

The felling of the World Trade Center towers on September 11, 2001 is a one-off example of terrorism in the United States by Muslims of Arab descent. Since 9/11 no other significant Muslim threat to democracy on American soil, but the agenda of United States immigration policy has been, and continues to be, the identification of and the punishment of those who share the faith of Islam. This government-sponsored blanket policy of religious accusation and persecution will be analyzed in three parts. Part One will examine Muslim immigration from a historical background in order to frame the context of the argument developed in Part Two. Part Two will investigate the Patriot Act, Homeland Security, claims for refugee status and asylum, and Real ID as central cores of anti-Muslim immigration policies of the United States. Part Three will examine the Muslim experience in the United States from an educational, professional, intellectual, spiritual and cultural point-of-view in the midst of sustained political coercion via measures of punishment that are enforced beneath the veil of

American immigration policy. It is difficult to gauge even through a partially elided history of the United States just how many Muslims have landed or applied for entry because the U.S. Immigration and Naturalization Service only identifies country of origin and not religious status (Aguirre, U.S. Citizenship and Immigration Services), and the U.S. Census Bureau's Race information is too general to suggest a specific religious identity (Pipes & Duran, 2002), and Public Law 94-521 actually prohibits the Census Bureau from asking any questions regarding religious affiliation ("Census bureau faq: Questions and answers", 2005). Muslims are scattered across the globe so narrowing down the data to only Arab states fails to provide an accurate immigration pattern for analysis, though this essay does provide a table as a methodological argument demonstrating repressed refugee data immediately after September 11. Islam, before September 11, was one of the most robust and growing religions in America. In 1996, an estimated 10 million Muslims were in the United States and that number was expected to treble in 35 years (Haddad, 2002). However, in the wake of September 11, Muslim immigration numbers stopped growing and shrank as new Muslim immigrants were denied entry (Rabasa *et al.*, 2004) as the unstated, but enforced, policy of the United States.

*Part One: A Historical Frame for Muslim Immigration*

Edward Said, a professor of Comparative Literature at Columbia University before his untimely death 18 months ago, contextualized the history of Christian and Muslim interaction after Mohammed's death in 632:

One constraint acting upon Christian thinkers who tried to understand Islam was an analogical one; since Christ is the basis of Christian faith, it was assumed – quite incorrectly – that Mohammed was to Islam as Christ was to Christianity. Hence the polemic name 'Mohammedanism' given to Islam, and the automatic epithet 'imposter' given to Mohammed. Out of such and many other misconceptions there 'formed a circle which was never broken by imaginative exteriorisation [sic]... The Christian concept of Islam was integral and self-sufficient.' Islam became an image whose function was not

so much to represent Islam in itself as to represent it for the medieval Christian (Said, 1979).

Said's historical explanation concerning the longtime misunderstanding between Christianity and Islam creates context for the conflict between modern day Muslim immigration and a "one nation under God" America. Muslims in the United States have been recorded in America as early as 1501 when they were brought to the United States as slaves but they were not allowed to practice the tenets of Islam and if they did they were whipped and punished (Pipes & Duran, 2002). Muslim descendents of the Moors who were forced from Spain landed in the Carolinas and Florida in the 17<sup>th</sup> Century; the 18<sup>th</sup> and 19<sup>th</sup> centuries. Muslims in the United States came from Syria, Lebanon, Palestine and Jordan and many settled in the Midwest; one of the first mosques on American soil was founded in the historically Republican enclave of Cedar Rapids, Iowa (Ali, 1996). The Nation of Islam was created in 1930 and it became a major entry point for landed American Black slaves who were labeled "indigenous Muslims" by the organization (X & Haley, 1965). The relaxation of immigration laws in 1965 (M. J. Khan, 1987) and provided even more Muslim immigration into the United States where they found purchase in new mosques and communities as a means of acceptance and expression (Ali, 1996). The 1980 Census data revealed the immigrant Muslim American nation was rapidly expanding into major cities in California, Illinois and New York as well as in modest communities along the eastern seaboard; Muslim immigration numbers were projected to double by the end of the century (Haddad *et al.*, 1991). Many immigrant Muslims who view living in the United States as signing a "behavior treaty" which may add to their disinterest in assimilating into mainstream America; Muslims "will retain their Islamic moral rights and religious independence from Christianity while still honoring the laws, tax requirements and interactive cues of the United States" (M. A. M. Khan, 2000) and if they are unable to abide the American rules for living they will break the

treaty and return to their homeland instead of distancing themselves from the abiding Muslim American community core: “Christianity is the predominant religion in North America. Islam being another Abrahamic religion, the two have several commonalities. Both faiths are missionary in nature, but they can co-exist ideologically. The experience being new, it will take time to find out how” (Ali, 1996). Winter 2002 estimates suggested there were between 5.4 million and 6 million Muslims living in the United States (Telhami, 2002), (Smith, 2002).

The February 26, 1993 bombing of the underground parking garage in the World Trade Center was a major terrorist event in the United States. Many Americans at that time ultimately brushed off that bombing as factor of living and not as a precursor of more terror promised to come. That bombing slowly initiated changes in United States Muslim immigration policy that also affected all people seeking refugee status or political asylum. The new laws restricting immigration went into effect in 1995 and 1996 (Gamboa, 2005) but two other events, one in 1995 and the other in 1996, were experiences that would begin to influence Muslim immigration into the United States. The aftermath of the September 11 restrictions against Muslim immigration had roots constructed in those two events. At 9:02am on April 19, 1995 a truck bomb exploded in Oklahoma City, Oklahoma and the Alfred P. Murrah Federal Building was destroyed. 168 people were killed ("Oklahoma city national memorial history", 2004) and on July 17, 1996 TWA Flight 800 crashed killing all 230 people on board (Cobb & Primo, 2003). In the rush to punish those responsible for the Murrah bombing and the Flight 800 explosion the Muslim community was immediately made the terrorist locus of the tragedies even though, in the end, no Muslim extremists nor any other member of or entity of Islam were to blame. The United States passed the Anti-Terrorism and Effective Death Penalty Act and the Immigration Bill in 1996 to combat future possible terrorist attacks against Americans. The Effective Death

Penalty Act of 1996, signed into law by President William Jefferson Clinton, was especially vicious because it violated the civil rights of foreign nationals -- especially Muslim immigrants -- because it permitted the use of secret evidence as proof for punishment and deportation ("The antiterrorism and effective death penalty act", 1996). The Federal Bureau of Investigation and the Immigration and Naturalization Service used secret evidence to arrest, detain and deport non-citizens and neither entity had to disclose their evidence. (Masood, 2000). On February 10, 2000 the House Judiciary Committee's Immigration and Claims Subcommittee held a hearing on H.R. 2121, the Secret Evidence Repeal Act ("Secret evidence repeal act of 1999", 1999):

Calling use of secret evidence 'an obnoxious practice,' Sheila Jackson Lee (D-TX) said that almost all secret evidence involved Arabs and Muslims in the United States and seemed to result from negative stereotyping of an entire community. She recalled that the law was passed in the wake of the Oklahoma City bombing tragedy, when Arab Americans were targeted and harassed until it turned out that the bomber had no Middle Eastern connection. Rep. David Bonior (D-MI) called the 1996 anti-terrorism legislation that codified secret evidence practices the 'most pernicious' law he'd ever seen (Hanley, 2000).

A continued United States policy of ongoing use of secret evidence and the signing of even more pernicious laws were on the horizon for the Muslim community beginning September 12, 2001.

#### *Part Two: A Policy of Prosecution*

"There are good Arabs (the ones who do as they are told) and bad Arabs (who do not, and are therefore terrorists)" (Said, 1979).

On October 24, 2001 H.R. 3162 was introduced by the Senate of the United States and it later became to be known colloquially as the "Patriot Act" ("Uniting and strengthening america by providing appropriate tools required to intercept and obstruct terrorism (USA patriot act) act of 2000", 2001). Senator Russ Feingold was the only vote against the Patriot Act (Cole, 2002). Feingold felt the civil liberties of immigrants would suffer and he was concerned about the new ability for official, but secretive, government profiling and surveilling of Muslims:

Now here is where my caution in the aftermath of the terrorist attacks and my concerns over the reach of the anti-terrorism bill come together. To the extent that the expansive new immigration powers that the bill grants to the Attorney General are subject to abuse, who do we think that is most likely to bear the brunt of the abuse? It won't be immigrants from Ireland. It won't be immigrants from El Salvador or Nicaragua. It won't even be immigrants from Haiti or Africa. It will be immigrants from Arab, Muslim and South Asian countries. In the wake of these terrible events our government has been given vast new powers and they may fall most heavily on a minority of our population who already feel particularly acutely the pain of this disaster (Feingold, 2002).

The Patriot Act, inspired by the Alien Enemies Act of 1798, broadened the definition of “terrorist activity” by including a wide range of community activities, wire transfers and bank deposits. The rules for evidence previously considered inadmissible were allowed; it also defined a “terrorist organization” as anything the Secretary of State named to be; it mandated detention of non-citizens (Sinnar, 2003) the Attorney General believed would engage in “any activity that endangers national security” (Ghori, 2003); and it allowed the use of race, religion and ethnicity as targets for arrest, detention and removal. The Plenary Power Doctrine was invoked as well to disallow “substantive constitutional protections to non-citizens on entry, admission and deportation” (Akram, 2002). “After September 11, 8,000 Arab, Muslim men were interrogated by the government and thousands were held in secret custody. The Patriot Act provided broad power to investigate and prosecute [Muslim Men] and resulted in over 400 investigations, 177 search warrants, 79 arrests and 70 indictments” (Orfield, 2003). In 2001 Attorney General John Ashcroft made a public statement concerning racial profiling as a law enforcement policy after being accused by Democrats (Sinnar, 2003) that the Patriot Act punished immigrants, especially Muslims, by race and religion:

[Racial Profiling] is a lose-lose situation.... We'll only have good law enforcement in the country to the extent that the people participate. As soon as you start to peel off groups of people and say 'We're not going to participate with law enforcement, we don't trust it,' we erode the fabric of justice that's necessary to sustain a free culture (Ramirez *et al.*, 2003).

While the Attorney General's office formally claimed the intent of his department's policies was not to punish, the public position of his department suggested otherwise. Seven months after September 11 the INS, at the instruction of the Attorney General's office, clamped down on foreign students from predominantly Arab and Muslim countries (*Unity review: Vdare.Com anthology*, 2004) who wanted to study in the United States. Students were required to have confirmation of acceptance before trying to gain entry; students were not allowed to apply to a different school from the one they were already attending unless they returned to their home country first and re-applied later (Wiph, 2005) and students from traditionally Muslim countries were especially hard hit with detention and deportation (Rabasa et al., 2004). The extension of 245(i) – which allowed certain illegal aliens to come forward to be repatriated as a permanent American resident if they had a sponsor -- did not include those who were attending school ("245i immigration policy update", 2001). The Administration for Children and Families in the U.S. Department of Health and Human Services provides an online searchable database that contains refugee resettlement determined by country of origin. Using the traditional Muslim countries of Afghanistan, Iran and Iraq – other countries remained steady throughout the period indicated in the following table – one can see the effects of a hardened immigration policy on refugee movement (requests for asylum status were not included in these numbers) into the United States. The “run dates” are listed precisely as they are logged on the ACF website. The invasion of Afghanistan by the United States and Britain commenced on October 7, 2001 and one might believe those seeking refugee status would be reflected in higher numbers from countries directly caught in the area conflict but the table suggests otherwise. The invasion of Iraq on March 20, 2003 is beyond the scope of the table:

Table 1: U.S. Department of Health and Human Services Office of  
Refugee Resettlement Monthly Data Reports

<u>Run Date</u>	<u>Country</u>	<u>Year to Date</u>
April 17, 2001	Afghanistan	937
	Iran	2,823
	Iraq	1,065
May 18, 2001	Afghanistan	965
	Iran	3,294
	Iraq	1,161
<b>10/2001-12/2001</b> <b>(Post – 9/11)</b>	Afghanistan	13
	Iran	67
	Iraq	6
01/2002	Afghanistan	71
	Iran	180
	Iraq	15
May 21, 2002	Afghanistan	696
	Iran	314
	Iraq	55

Table 1 Source: ("Administration for children & families office of refugee resettlement – arrivals by country of origin", 2001-2002)

Visa approvals in the Diversity Immigrant Visa Program – more commonly known as the “Visa Lottery” – started by the INS in 1990 dropped by 14% between October 1, 2000 and February 28, 2002 for those associated with traditionally Muslim countries (Ritthichai, 2002).

On April 1, 2002 the “Automatic Revalidation of Visa” program was restructured to deny that benefit to citizens of Iraq, Iran, Syria, Libya, Sudan, North Korea and Cuba and that meant citizens from those countries had to retrieve a new visa validation every 30 days from their home country in order to re-enter the United States. The re-approval process for entry can take up to 120 days (“Us department of state amends “automatic revalidation of visa” benefit”, 2005) and that policy effectively identifies and deports foreign nationals from mainly traditionally Muslim countries who may have reasonable schooling or business to do in the United States (“Visa waiver program”, 2004). During October 2004 the Visa Waiver Program was adjusted to disallow that benefit for students or foreign nationals from traditionally Muslim countries while 27 other countries considered friends of the United States were white listed (*Visa waiver program and terrorist screening: Robert s. Leiken*, 2004), (“Visa waiver program”, 2004). The biggest change in immigration policy was the dissolution of the INS after 69 years on April 25, 2002 (National Commission on Terrorist Attacks upon the United States. *et al.*, 2004). The replacement for the INS initially became the Agency for Immigration Affairs (AIA) under the Department of Justice and responsibilities the INS handled were now split between two divisions: The Bureau of Immigration Enforcement and the Bureau of Immigration Services and Adjudications (Wiph, 2005). On March 1, 2003 everything the former INS had become the Department of Homeland Security (DHS) and became finally known as the U.S. Citizenship and Immigration Services (USCIS) where 18,000 federal employees in 250 headquarters (“About uscis”, 2005) and field offices around the globe now controlled visa petitions, naturalization petitions, refugee applications and anything else formerly done by the INS and its short-lived AIA (Aguirre, U.S. Citizenship and Immigration Services) afterbirth. Many Muslim activist groups believed the name changes and departmental shuffling were manipulated to fog the

historical responsibility for an ever-increasing effort to reduce the number of Muslims in America (Rabasa et al., 2004). The Real ID Act, H.R. 418, proposed by House Judiciary Committee Chairman James Sensenbrenner in February 2005 and co-sponsored by 149 Republicans and one Democrat was passed by the House on February 10, 2005 (Brosnan, 2005). That Act provided even more power to punish and track not only immigrants, but natural citizens of the United States, as well (Turnbull, 2005). The bill gives the Secretary of Homeland Security the authority create a National ID system where state driver licenses would no longer be acceptable for air travel or for federal identification requests (Gamboa, 2005). Only U.S. citizens or completely vetted immigrants would be allowed to apply to for a Real ID and the Act gives the DHS Secretary the most powerful oversight of federal laws including child labor, Davis-Bacon wage determinations, FOIA, ethics laws, OSHA, Whistleblower protection, and procuring and contracting laws for small businesses ("Bill would place homeland security above all law", 2005). The Real ID Act also forces state databases to be pooled together into one national database. Citizens of Mexico and Canada are included in that pool. Samina Faheem, founding Executive Director of the American Muslim Voice provided this call for action against the Real ID Act on February 16, 2005:

While our current administration and some of our fellow Americans are trying to divide us by creating a culture of fear, suspicion and anxiety between us they are simultaneously destroying faith in humanity. We need to replace this mistrust with a culture of understanding, mutual respect, friendship, faith, peace and harmony in our world and hope for a better future. On behalf of the targeted community American Muslim Voice would like to thank all of our fellow Americans who have been standing by us since 9/11 (Sundas, 2005).

*Part Three: The Persecuted Experience*

“Mohammed is no legend, no shameful sensualist, no laughable petty sorcerer who trained pigeons to pick peas out of his ear. Rather he is a man of real vision and self-conviction, albeit an author of a book, the Koran” (Said, 1979).

This part of the essay will reflexively align the immigrant Muslim experience and the effervescence of the Muslim culture under the umbrella of United States immigration policy from January, 2002 until March, 2005. 73% of Muslim immigrants were from Middle Eastern countries in the year 2000 (Cainkar, 2002). In early January, 2002 the INS created a plan to identify and deport 6,000 males from traditionally Muslim countries for visa violations even though those men were less than 2% of all immigration violations. The United States government responded to accusations of racial profiling by stating other non-Muslim community crackdowns would be forthcoming (Cainkar, 2003). That promised extended crackdown never happened. On January 30, 2002 a group of 14 charter schools under the GateWay Academy banner in Fresno, California had their charters revoked in response to community concerns related to September 11 because the GateWay Academy was founded by a “Pakistani Terrorist” (“Baladullah”, 2002). Authorities with the Fresno Unified School District claimed there were safety violations and the schools were teaching religion via the Koran, which was not allowed at charter schools while supporters of the school claimed they were never warned in the way non-Muslim charter schools were notified of violations and were given an adequate opportunity to remedy the violations (L. Jacobson, 2002). In Minnesota during February 2002 a group of Muslim Somali refugees who arrived in the United States a decade earlier were arrested as supporters of the Taliban because they had wired money back to their homeland and the United States government claimed the company transferring their money was skimming money off the top of the transfer and giving it to the Taliban (Losure, 2002). No direct connection was made between the individuals sending the money and the Taliban profit but ten Muslim Somalis were deported anyway for “abrogating immigration rules” (Beatrice, 2002).

In June, 2002 over 600,000 Muslims in California (Reza, 2005) dotted the landscape in cultural enclaves and communities stretching from Los Angeles down to Orange County and into San Diego. After the September 11 bombing of the World Trade Center in New York City 100 Muslim immigrants were taken into federal custody for interrogation and 3,000 more Muslims were wanted for questioning. That political profiling – where Muslims had to prove their patriotism (McCaffery, 2005), (Ronczkowski, 2004) – was worse than ethnic profiling (Cole & Dempsey, 2002) because proving loyalty to a legal standard is impossible to achieve (Stephens, 2004). After September 11, membership in Muslim organizations diminished; relief efforts for Muslims abroad dried up; many Muslim students at UCLA and USC simply packed up and went home (Kurth, 2002), instead of risking interrogation where bail for minor immigration forms violations were valued at over \$500,000 where non-Muslim bail for the same infraction was routinely \$20,000 (Rooney, 2003). Muslims who could not afford the high bail were, in effect, indeterminately incarcerated by their inability to pay. The Justice Department urged the LAPD to cease compliance with Special Order 40 that disallowed police officers from asking for immigration status during routine arrests. The LAPD, as a welcome surprise to many in the Los Angeles community, refused to comply with the Justice Department's request to breach Special Order 40 (Cooper, 2002). The government also refused to identify the Muslims it had detained after September "in the interest of national security" (Salyer, 2002) so families were left to wonder what happened to their sons and if an inquiry were made as to arrest or detention status no response was forthcoming from the government. Those sons of Islam simply disappeared from their American communities as if they had never existed. Over two million student documents were waiting to be vetted by the INS in August 2002 and the backlog indefinitely placed all future applications on hold (Nanji, 2002) resulting in a sustained backlash against

Muslims who sought educational asylum in the United States (Mekay, 2003), (Bernstein & Santora, 2005). November 6, 2002 dawned as a dark day for American Muslims when Attorney General John Ashcroft's "call-in" registration (Leone & Anrig, 2003) and National Security Entry-Exit Registration System (NSEERS) fingerprinting went into effect (Buchanan, 2003) for immigrants and visitors from Iran, Iraq, Libya, Syria and the Sudan (Baker, 2005) who had come into the United States and been inspected by the INS prior to September 11, 2002 (Nanji, 2002).

On November 22, 13 more countries were added (Sergeant, 2002) to the call-in list:

Afghanistan, Lebanon, Bahrain, Eritrea, Tunisia, Yemen, Morocco, North Korea, Oman, Algeria, Qatar, Somalia (Howell, 2002), and the United Arab Emirates (Arnone, 2003b). On December 16 Saudi Arabian and Pakistani nationals were called in for re-registration (Cainkar, 2002). The addition of Pakistanis to the call-in list sent hundreds of Pakistani families across the Canadian border seeking political asylum; the Canadians sent them back to the United States and the INS detained them and deported the males back to Pakistan (Rifaat, 2004). "900 Southern California Iranians were arrested and detained during the December call-in period; on January 16, 2003 Egypt, Bangladesh, Kuwait and Jordan were added to the call-in list while North Korea was the only predominantly non-Muslim country on the list" (Cainkar, 2003). During the week of March 19, 2003 the Department of Homeland Security announced Operation Liberty Shield and asylum detainees were at its center:

Asylum applicants from nations where al-Qaeda, al-Qaeda sympathizers, and other terrorist groups are known to have operated will be detained for the duration of their processing period. This reasonable and prudent temporary action allows authorities to maintain contact with asylum seekers while we determine the validity of their claim.

DHS and the Department of State will coordinate exceptions to this policy ("Department of homeland security - operation liberty shield", 2004).

The original deadline for Operation Liberty Shield asylum compliance was delayed three months in order to give an additional 30,000 Saudi and Pakistani men a greater opportunity to

come forward (Brewington, 2003). Before Operation Liberty Shield when asylum had been requested the a decision was made on the spot by an immigration officer if asylum should be granted or not (Cronin *et al.*, 2004). During April 2003 Arab and Muslim students who returned home from the United States during their school's spring break period were unable to re-enter the United States (J. Jacobson, 2003). The Student and Exchange Visitor Information System (Sevis) monitors and catalogues the lives of students but researchers, visitors, professors and counselors from all countries, but those from "terrorist nations" are flagged in the system for special attention and this policy immediately slowed Muslim student immigration by over 20% in undergraduate applications at the University of Kansas, George Mason University, the State University of New York at Buffalo, The University of Wisconsin at Madison and at the University of Colorado (J. Jacobson, 2003). The Sevis policy that marked Muslim students resulted in a diminishing of the \$12 billion (Kless, 2004) foreign students and their families pour into the United States economy every year because most of those students pay their own way (Paden & Singer, 2003). In April 2003 the FBI arrested a Ph.D. student from Saudi Arabia on visa fraud because, as a computer scientist, he had friends who worked on a website that supported suicide bombers and of the "62 federal indictments for international terrorism issued during 2002 in New Jersey, 60 were not terrorism. They related to a scam run by Middle Eastern students to score high on English-proficiency tests, which are a part of the student visa process" (Arnone, 2003a). "Of the 100,000 immigrants who have registered under the NSEERS programme [sic], roughly 13,000 still have deportation cases pending and the majority of them are Arabs and South Asians and they will be forced to leave the country" (Duncan, 2003). On December 1, 2003 the mandatory NSEERS registration program that targeted men from Middle Eastern countries was abolished by the Department of Homeland Security, but DHS

Undersecretary Asa Hutchinson said the change was “not because of racial profiling complaints” from the Muslim community; Hutchinson said US-VISIT would replace NSEERS and it required biometric identification of left and right index fingers along with digital photographs by the end of 2005 (Hudson, 2003). While Sevis was still in effect for students, the Arab and Muslim communities believed the removal of NSEERS was a direct result of their protesting against the unfair re-registration policy (Arnone, 2003c). In August 2004 the State Department revoked Muslim scholar Tariq Ramadan’s work visa and had him removed from a Notre Dame professorship for the Fall 2004 semester. The request for the revocation came from the Department of Homeland Security and neither the State Department nor DHS would provide a public reason for the revocation other than stating the Swiss citizen was a “public safety risk or a national security risk” (Knight, 2005).

### *Conclusion*

After Mohammed’s death in 632, the military and later the cultural and religious hegemony of Islam grew enormously. First Persia, Syria, and Egypt, then Turkey, then North Africa fell to the Muslim armies; in the eighth and ninth centuries Spain, Sicily, and parts of France were conquered. By the thirteenth and fourteenth centuries Islam rules as far east as India, Indonesia and China. And to this extraordinary assault Europe could respond with very little except fear and a kind of awe. (Said, 1979).

This essay has argued there is a clear connection between United States immigration policy and its negative effect on Muslim immigration, settlement and movement in the United States, but one may wonder what the American people believe about Muslims and their immigrations habits and wants, and if government policy dictates public opinion or if public opinion for national policy. Those questions are difficult to address quantitatively but in a 2001 October/November survey taken after September 11, 33% of Americans felt Muslim immigration levels should remain the same while 52% wanted Muslim immigration decreased and only 8% were in favor of increasing current levels; general American attitudes towards

immigration has been steadily on the decline since 1965 when the National Origins Quota System was abolished and 33% of Americans favored decreased immigration compared to 1986 where 49% wanted diminished immigration and in 1995 that preference for immigrant decrease struck 66% (Moore, 2002). In December 2004 the Media & Society Research Group at Cornell University released the results of a special report concerning American attitudes on Muslim immigration (Shabazz, 2005). The Cornell poll revealed 47% of respondents supported more powerful monitoring of Muslim Americans activity on the internet and also the idea of indefinitely detaining terrorist suspects; 46% believed Islam was more likely to encourage violence compared to other religions (the number rose to 65% for respondents who identified themselves as “highly religious”); 44% wanted some form of restriction placed on Muslim Americans civil liberties and 42% of “highly religious” respondents wanted Muslim Americans to regularly report their location to federal authorities (Nisbet & Shanahan, 2004). The Cornell survey failed to identify the ethnicity of the respondents even though that information was collected. The continued refusal of the Cornell Media & Research Group to fully disclose that information makes one wonder how and who Cornell chose as their respondents. White House Counsel Alberto Gonzales was nominated on November 10, 2004 to replace John Ashcroft as the Attorney General of the United States. As a co-author of the Patriot Act and as the sole author of a January 2002 memo warning the Bush White House that the administration could be guilty of “war crimes” if they could not convince the world that the Guantanamo Bay al-Qaeda and Taliban detainees did not deserve Geneva Convention protection (“Rights groups call for 'scrutiny' of gonzales”, 2004). Gonzales’ nomination immediately caused continued distress over the withering of civil rights in the Muslim community (“American muslim council (amc) draws concern to the potential head of department of homeland security and attorney general”, 2005).

Some feel there is a plan to “demonize Muslims in America” (Shabazz, 2005) with President Bush’s nomination of Michael Chertoff to replace Tom Ridge as the next Secretary of the Department of Homeland Security (“Profile of homeland security nominee michael chertoff”, 2005). Chertoff was, as an assistant Attorney General in the criminal division, the major intellectual force behind the idea of indefinitely detaining men from predominantly Muslim nations after September 11 (“American muslim council (amc) draws concern to the potential head of department of homeland security and attorney general”, 2005), even after he had been admonished by the Inspector General of the Department of Justice in 2003 that his actions raised serious legal liability issues (Cassel, 2003) for the United States and its Muslim immigrants. One can hope Muslim immigration policy in the United States will become more transparent and tempered in the future despite past policy prejudices. When the worldwide terrorist threat to global safety pulls beyond the horizons of Islam and the Middle East perhaps then all Americans will begin to conflate as a country and universally welcome immigrants from traditionally Muslim nations as our newest citizens by removing the historical shadow of mistrust and fear that spurs onward current immigration policy.

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