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**The Impact of September 11th events on the
American Domestic Affairs**

تأثير أحداث 11 سبتمبر 2001 على السياسة الداخلية
للولايات المتحدة الأمريكية.

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Abstract: The terrorist attacks of 9/11 have had extensive consequences on American policy, especially in the field of national security. 9/11 hate crime backlash substantiated the apprehensions and fears of Arab and Muslim Americans because the attacks of such amplitude have propagated nationwide waves of hate crimes directed towards individuals, organizations and all institutions perceived to be Arab or Muslim. The attacks have made indelible marks in the American minds; unfortunately, they have also had a terrible legacy which is to forget the principles on which the United States was built and conflate between revenge and justice. In their obsession for safety, terrorized Americans scarified their arduously gained civil liberties in the name of security. In spite of the great criticism, American lawmakers passed the USA Patriot and Terrorism Reauthorization Acts in March 2006. These acts violate the Fourth Amendment by allowing the government to access the private information of US citizens in the name of terrorism prevention. This article is predominantly devoted to the analysis of the most important impacts of 9/11 on national security and daily life of the Americans, mainly those from Arab and Muslim origins. Aiming at a conceptual clarification, this article is based on a comprehensive literature review and historical analysis to find out how and when the United States has turned into a totalitarian democracy misusing terror to the detriment of freedom. Our analysis shows that, despite sectarian and other

differences between various groups, their final purpose is to face terrorism while striving to maintain freedom through various strategies and initiatives.

Keywords: Arab American; Muslim Americans; Civil Liberties; Immigration Policy; September 11th attacks; The Patriot Act; 4th amendment; Terrorism.

الملخص: كانت لهجمات الإرهابية للحادي عشر لستمبر عواقب واسعة النطاق على السياسة الأمريكية، وخاصة في مجال الأمن الداخلي. أدت الهجمات إلى تحقيق مخاوف العرب والمسلمين وهي انتشار موجات وطنية من جرائم الكراهية الموجهة ضد هم. كما كان للهجمات تأثير رهيب على المبادئ والدستور التي بنيت عليه الولايات المتحدة والذي يعد مصدر افتخار لشعب الأمريكي وعدم تمييزهم بين الانتقام والعدالة. وفي هوسهم للأمن ضحى الأمريكيون بحريتهم التي كافح من أجلها آبائهم. وعلى الرغم من الانتقادات الكبيرة، أقر المشرعون السياسيون الأمريكيون بعض القوانين منها "باتريوت أكت" و"ترورزم ريفوثررايزشن أكت" في شهر مارس 2006. سمحت هذه القوانين باسم مكافحة الإرهاب بانتهاك الدستور الرابع الذي يحمي المعلومات الخاصة والشخصية للمواطن الأمريكي باسم الحماية ضد الإرهاب. يقدم هذا المقال لمحة موجزة عن أهم التأثيرات لتعديلات الأمن الداخلي بعد أحداث 11 سبتمبر على الحياة اليومية لمعظم الأمريكيين، خاصة أولئك الذين ينحدرون من أصول عربية ومسلمة. لدراسة مفاهيمية كانت هناك دراسة معتمدة على مراجع أدبية و فكرية واسعة و تحليل تاريخي لمعرفة كيفية وزمن تحول الولايات المتحدة الأمريكية إلى ديمقراطية شمولية بسوء استعمال الرعب على حساب الحرية. هذه الدراسة توضح ان رغم الاختلافات الموجودة منها الطائفية بين معظم المجموعات على ان الهدف الرئيسي هو مواجهة الارهاب بينما المحافظة على الحرية بعدة طرق واستراتيجيات

الكلمات المفتاحية: العرب الأمريكيون؛ الأمريكيون المسلمون؛ الحريات المدنية؛ سياسة الهجرة؛ هجمات 11 سبتمبر 2001؛ السياسة الوطنية؛ الدستور الرابع؛ الإرهاب؛

Introduction: Millions of Americans have been concerned with the nearly 3,000 people who passed away in the hijacking of four airplanes and their collapse into the Twin Towers of the World Trade Centre, the Pentagon and in a field outside Philadelphia¹. Nevertheless, few of them are conscious that many others were also killed in days, weeks, and months as a result of the attacks of September 11th hate backfire. These

1 Combs, Cynthia C., *Terrorism in the Twenty-First Century*, (Taylor & Francis, 2022), 325.



attacks will be forever remembered as the most shocking event of the twenty first century, but it will also mark the beginning of a long-lasting backlash against Arab and Muslim Americans. From the moment President Bush chose to label the attacks of September 11th as an act of war rather than abominable crimes, he paved the way to several misdemeanors.

Thereby, Congress and the White House responded with an exceptional amplification of military, law constraint and intelligence powers intended at uprooting and restraining terrorism, at home and abroad. Political feedback to the attacks proved that subjective responses to terrorism had a great impact in modeling domestic security policy in the aftermath of the attacks. Moreover, those Americans who felt threatened, apprehended further future acts, thus, they were more receptive than others to sustain drastic foreign and domestic national security actions.

For members of the Arab and Muslim community, the events conducted an epoch branded by discrimination and racial profiling directed toward the Arabs. Since the attacks' perpetrators were Arab Muslims, rage of millions of Americans targeted the Arab and Muslim communities. Moreover, security and how to counter terrorism became the primary focus of the United States. This article focuses on the reverberations of the attacks of 9/11 and the ensuing War on Terrorism at the national level and how it has affected the whole world.

I. Immigration under the Threat of Terrorism: After the horrific event of September 11th, lots of Arab Americans have been detained and held without any charge against them. These people have been suspected to have a link with Al Qaeda or a terrorist activity. The Arab American Institute reports that approximately 5,000 individuals were detained in weeks following the attacks, and almost all were deported. Professor of law David Cole at Georgetown University and Jules Lobel a professor of law at the University of Pittsburgh severely criticized the U.S. approach to combating terrorism in their controversial book *Less Safe, Less Free*.



The book argues that the strategies employed by the U.S. government, particularly under the Bush administration, have not only failed to enhance national security but have also undermined civil liberties and constitutional rights: *The administration called in 80,000 foreign nationals for fingerprinting, photographing, and 'special registration,' simply because they came from predominantly Arab or Muslim countries, sought out another 8000 young men from the same countries for FBI interviews, and placed more than 5000 foreign nationals here in preventative detention. Yet as of January 2007, not one of these individuals stands convicted of a terrorist crime. The government's record, in what is surely the largest campaign of ethnic profiling since the Japanese internment of World War II is zero for 93,000¹.*

It is dismal to notice that these immigration enforcement law policies are plainly discriminatory since they are based on stereotypes or simple ethnic, religious or national identities. Registrations and new restrictions of aliens from Muslim countries and the Middle East did not encourage assimilation as it did in the past. After September 11th George W. Bush announced his determination to do whatever was necessary to prevent future terrorist attacks against the United States. His government has tightened its immigration laws and has increased the protection of the American borders in ports and infrastructures that tore down the wall between intelligence and law enforcement agencies which had crippled counter terrorist efforts for decades. Among these regrettable actions done by the U.S. government, there is the Homeland Security Act which became a law in November, 25th, 2002. The act displaced the Immigration and Naturalization Services (INS) activities to the recently established U.S. Department of Homeland Security (DHS). Since 2003, the act carried out a special registration program also known as the National Security Entry-Exit program (NSEERS), the FBI's voluntary interviews, the American "No Fly List", and the forbidden surveillance

1 Cole, David and Jules Lobel, *Less Safe, Less Free, Why America is Losing the War on Terror*, (New Press, 2007), 10.



of electronic communication¹. America, the so called “nation of immigrants”, has been undergoing a period of confusion since the attackers of the World Trade Centre were immigrants who took advantages of the American freedom and civil liberties. The NSEERS has been a source of worries for lots of Arabs and Arab Americans. It has been associated with many civil penalties, including arrest, detention, and removal from the United States. Moreover, under this program, men older than 16 who penetrated the American soil since October 2002 from certain countries were asked to report to immigration offices to be photographed and fingerprinted on an annual basis.²

This covers immigrants from Afghanistan, Algeria, Bahrain, Bangladesh, Egypt, Eritrea, Indonesia, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, North Korea, Oman, Pakistan, Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tunisia, United Arab Emirates, and Yemen. The system required adult males from twenty-five Arab and Muslim countries to be interviewed, fingerprinted, and photographed at United States ports of entry. The authorities arrested hundreds of Iranian and other Muslim men in Los Angeles who showed up at the registration office in December 2002 which is a clear demonstration of the abuses associated with this system³. The NSEERS obviously was just an additional tool used in immigration law enforcement, engendering serious constitutional issues, since the program categorizes people on the basis of national origin. Moreover, the measures consist of the finger printing of high-risk foreign visitors and the obligation of foreign nationals to register their residence with authorities.

The American-Arab Anti-Discrimination Committee (ADC) has assiduously tried to cast a public light on the NSEERS program. It has kept a discussion with the organization hoping to curb abuses of the

1 Samuels, Richard J, Homeland Security Act, Britannica, November 25, 2002, www.britannica.com/topic/Homeland-Security-Act.

2 Morgan, Matthew J. *The Impact of 9/11 on Politics and War: The Day that Changed Everything?*. Palgrave Macmillan, 2009, 105.

3Azul, Rafael, US immigration authorities detain hundreds of Middle Eastern men in Los Angeles, WWSWS, 23 December 2002, <https://www.wsws.org/en/articles/2002/12/immi-d23.html>



program and ultimately seeing it cancelled. The ADC has struggled against the American government in order to repair the mistakes committed after September 11th. The committee urged American leaders to do more to stop mistreating Arab and Muslim communities. Detainees and prisoners who were accused to have a link with Al Qaeda without evidence remain a serious concern for the organization. In months, following the 9/11, the ADC declared that it received 120 to 130 reports of ethnically motivated attacks each year between 2003 and 2007, a distinct decrease from the 700 violent incidents registered in the weeks following the 2001 attacks¹. Anti-Muslim hate crimes used to be the second least reported, but since 2001, they became the second highest reported among religious discriminatory crimes. Arab and Arab-American detainees have faced meaningful discriminations and abuses in both prisons and immigration detention facilities. The forms of discrimination included denial of religious adjustments. There have been also lots of instances of transfer without notice.

Furthermore, the Council on American-Islamic Relations (CAIR) has also drew attention on the significant impact of the 9/11 attacks on Arab Americans. In fact, according to the organization, the aftermath of 9/11 paved the way to a rise in hate crimes, discriminatory policies, and a deep psychological effect on the Arab American community. The organization received an unprecedented number of reports of assaults and property damage incidents across the United States since 9/11. CAIR polled 945 Muslim Americans on how the attack of 9/11 and its aftermath impacted them, divulging the aggregate impression generated by the terrorist attack among the Arab and Muslim communities.²

2. U.S. Immigration Policy after September 11th: Today, immigration policy in the United States is indissolubly tied to national security and

1 Singh, Amardeep. *We are Not the Enemy: Hate Crimes Against Arabs, Muslims, and Those Perceived to be Arab or Muslim After September 11*, (Human Rights Watch, 2008), pp.13-16.

2 (“Majority of U.S. Muslims suffered post 9/11 bias”), CAIR, August 21, 2002, https://www.cair.com/press_releases/poll-majority-of-u-s-muslims-suffered-post-9-11-bias/.



border regulation policies, even if it was not the case in the past. The attacks of 9/11 have provoked a significant shift in the manner the nation manages immigration, constituting unprecedented government perspectives and strengthening restrictions on those who want to put a foot on the American soil. After 9/11, immigration officials' rigors have been especially harsh with Arab and Muslim nationals.

Since 2001, security officials have seriously attempted by all means to slow down Arab immigration to the United States. Consequently, U.S. immigration authorities contributed to the targeting of Arabs and Muslims which contributed to a rise of rejection of their visa applications. Lots of activists and human rights advocates have related this selective enforcement to the use of racial profiling. After 9/11, the American government settled a number of derogatory and sometimes controversial immigration policy methods to face future terrorist attacks.

After 9/11, to identify and anticipate terrorist activities became the paramount goal of the American government through immigration policies. Such policies include changes in visa issuance and refugee admissions, expansion of immigration enforcement powers and additional scrutiny and security measures for those seeking to enter the United States. Years after the terrorist attacks, immigration policy has been seen mainly through the lens of national security, a reform that has given birth to essential new frontier measures and law imposition initiatives, improving visa controls and depicting international travelers or new immigrants. The noticeable reforms within the immigration system appear to arise practically overnight and marked the inauguration of new methods of appropriating immigration law and relevant immigration-related organizations to cope with domestic security aspirations.

In addition to the collecting and accumulation of personal information in large, new databases available for law enforcement and intelligence agencies were used for immigration enforcement. Because the hijackers of the planes were all Muslims, heightened supervision and screening in the immediate aftermath of the attacks was directed on Muslims or those who were viewed to be Muslims. Hundreds of men were arrested and detained for months without being charged with



crimes, and many were deported for insignificant infractions. Arab and Muslim charities were targeted by intelligence agencies, and many of them were persecuted. Furthermore, student visas were harder to obtain. Many Muslim and Christian Arabs felt intimidated about speaking out loud about U.S foreign policy or criticizing it mainly about its impact on civil liberties and the war in Iraq. On the other hand, all the jihadists who were responsible of a destructive assault on the American soil in the post 9/11 era were either citizens or legal residents. No lethal attacks were conducted by terrorists from the countries restricted by the president travel ban. The citizenship status of all people implied in American jihadist terrorism situations since 9/11; 190 of them, or 82 percent, are citizens and permanent residents.¹ Refugees and illegal immigrants in particular have been involved in very few terrorist incidents. Nevertheless, since the attacks of 9/11, there was a certitude that terrorism and domestic security were without no doubt, related to immigration.

The attacks of 9/11 prepared the ground for extensive law enforcement initiative because since the attacks, immigration policy has been seen mainly through the lens of national security. Consequently, excessive and unlawful suspensions in immigration procedures, particularly naturalization processes, have affected millions of Arabs. Negative repercussions resulting from the ongoing registration process persist to haunt large numbers of Arab Americans. One of the most striking modifications after the attacks of September 11th was the establishment of the Department of Homeland Security in November 2002 which was created through the Homeland Security Act². In fact, the organization substituted the Immigration and Naturalization Service (INS) and started to be in charge of implementing and strengthening

1 McCarthy, Niall, Most Terrorists in the U.S. Since 9/11 Have Been American Citizens or Legal Residents, Forbes, Jan 31, 2017, www.forbes.com/sites/niallmccarthy/2017/01/31/most-terrorists-in-the-u-s-since-911-have-been-american-citizens-or-legal-residents-infographic/?sh=2b90fa0d3d89.

2 Biddle, Wendy E. *Immigrants' Rights After 9/11*, Facts On File, Incorporated, 2009, 43.



national security and protecting the country from potential acts of terrorism.

Considered as being the first agency supervising different immigration issues, The INS was virtually abrogated as an independent federal agency, reorganized in February 2003 under the new Department of Homeland Security as the Office of Citizenship and Immigration Service. Among the major policy changes, local and state law enforcement agencies along with their federal counterparts are being required to use rigorous characteristics in seeking out and detaining illegal immigrants. The majority of these problems implied officers with the Customs and Border Protection (CBP) services. Difficulties have been especially notable for Arab-Americans on the American and Canadian borders, particularly the border crossing near Detroit, Michigan which is the residence of one of the largest Arab-American communities in the United States.

These are among frequent obstacles that Arab-Americans have encountered due to the numerous government watch lists developed as part of national security and law enforcement efforts. After September 11th, another agency was created which was the Terrorist Screening Centre (TSC)¹. It was intentionally created to consolidate the terrorism-based watch lists into central files and make it accessible to a number of different government agencies. Intelligence and law enforcement agencies appoint individuals to be put on the watch list found on well-organized characteristics. Both the No-Fly list and the Selectee list belong to the Terrorist Watch list; the first one comprises people who are not allowed boarding an airplane, and the second one contains a list of people who should be subjected to further security investigations before being allowed to board an airplane. Civil libertarian organizations such as the American Civil Liberties Union (ACLU) have described the inclination of the government toward gaining additional powers after September 11, 2001, as an “*insatiable appetite*,” characterized by

1 Corn, Geoffrey S., Jimmy Gurule and Jeffrey D. Kahn, National Security Law and the Constitution, (Wolters Kluwer, 2020), 113.



government secrecy, lack of transparency, rejection of equality under the law, and “*a disdain and outright removal of checks and balances.*”¹

In post September 11th, lots of innocent victims have gone through wrongful hate because of their physical appearances and religious beliefs. The U.S. Equal Employment Opportunity Commission (EEOC) organized an assembly to get information on the discriminatory acts targeted against Arab and Muslim people in their workplace. Besides, the U.S. Department of Justice created the Civil Rights Division National Origin Working Group and both joined together to challenge the discrimination and racial profiling that emerged after the attacks. In addition, they endeavored to fight violations of federal civil rights affecting people of Arab descent, Muslims and those perceived to be so. These initiatives reflect a proactive approach to combating discrimination in a sensitive era. By addressing the specific challenges that arose in the wake of the attacks, the EEOC and other civil rights’ activists aimed to uphold the principles of equality and justice for all individuals, regardless of their background.

The terrorist attacks of September 11, 2001, caused major tremor that has altered many aspects of American life, ranging from national security policy to the American foreign relations with other governments. All the above-mentioned reforms have played an important role in reconfiguration of the U.S. immigration system. The form that exists today is controlled by national security and frontier-control analysis; an archetype almost assured to persist for future years.

Furthermore, during the last several years, there has been a tumultuous polemic concerning the question of the refugees and whether it has an ethical responsibility to welcome immigrants with the guarantee that they wouldn’t represent a national threat. Since the attacks, the American government has allowed more than 800,000 refugees to enter

1 (“Insatiable Appetite: The Government’s Demand for New and Unnecessary Powers After September 11,”) ACLU Report, October 15, 2002, <https://www.aclu.org/documents/insatiable-appetite-governments-demand-new-and-unnecessary-powers-after-september-11>.



its soil;¹ only three have been arrested being suspected of terrorist activities. Geographic position, resources, and a common aversion against extremism have helped the United States to be spared against Iraq and Syria's refugees' resettlement. But this impregnability does not discharge Americans to join the international community in sustaining refugees.

In the aftermath of 9/11 attacks, entering the United States as a refugee has become the last alternative for radicalized people mainly because refugee biometric data are meticulously examined and it generally takes about two years of investigation by the FBI, Department of Homeland Security, State Department, and national intelligence agencies. Criticized for its little implication concerning the question of refugees, the American government let European and Middle East countries manage this issue on their own. Being highlighted during the Presidency of Donald Trump, immigration has taken a bad turn. Indeed, President Trump had never hidden his resentment concerning immigrants going as far as to call Mexican immigrants "rapists" and asked his administration to set up an entry ban to all Muslims after the terrorist attacks of Paris in 2015.² Going even too far, President Trump has started constructing a wall (called by some the wall of shame) between the American and Mexican borders, basically declaring that immigration is out of control and calling for additional restriction which has nothing to do with 9/11 attacks.

3. Security to the Detriment of Freedom: When we speak about rights in the United States, we often refer to constitutional and human Rights. In times of national crisis, constitutional, legal or human rights are usually flouted. People are often ready to sacrifice certain rights in times of crisis to ensure their own security. Calumny and exaggeration in the Media about potential attacks have been used by the government to keep

1 Katulis, Brian and Peter Juul. "The Lessons Learned for U.S. National Security Policy in the 20 Years Since 9/11," American Progress, Sep 10, 2021, <https://www.americanprogress.org/article/lessons-learned-u-s-national-security-policy-20-years-since-911/>

2 Shang Ndi, Gilbert and N. Gomia, Victor, *Re-writing Pasts, Imagining Futures*, (Spears Media Press, 2017), 172.



the people terrorised and willing to yield increasing power to the state. Americans have been facing hard choices and their government is presenting them with a fait accompli, to choose freedom or security.

Moreover, after September 11th, both the executive and the legislative branches of the federal government have taken the liberty to transgress some civic rights for two main reasons. The first reason was to enable the government to arrest, detain, persecute and punish a person implicated with terrorist activities, while the second one was to prevent further attacks. American politicians were facing a dilemma: how could they preserve Americas' security without violating Americans' civil liberties. Throughout U.S history, the first president who was obliged to suspend the rights of his citizens was Abraham Lincoln. Indeed, during the Civil War, he exploited the U.S. Constitution Emergency Provision which gave him the right to delay the use of the Habeas Corpus.¹

After 9/11 attacks, George W. Bush's' government proved with the "War on Terror" that in time of national crisis, the law remains silent and civil liberties defenders have been afraid that racial and ethnic profiling worsen the violation of citizens' rights. Many wondered to what extent their rights of privacy would be challenged by new measures of surveillance aimed at preventing acts of terrorism.

Domestic security is a primordial element of any operational nation, so as freedom. After the terrorist attacks of 9/11, security in America has taken a new dimension with reinforcement of airport security procedures, a drastic frontier control and new bills being passed. It seems that in the aftermath of the attacks, the sacred limits fought for during the Revolutionary War have lost their value. But to what extent have other rights of Americans been affected by the attacks of 9/11, and who was really targeted, the Americans, Arab-looking or Muslim suspected of terrorism. If Americans agreed on the fact to scarify some of their rights, the questions that would arise would be how much, for how long and where the limits stand.

1 Stewart L. Winger and Jonathan W. White, *Ex Parte Milligan Reconsidered Race and Civil Liberties from the Lincoln Administration to the War on Terror*, (University Press of Kansas, 2020), 4.



While answering these questions, we have two outstanding points of views; civil libertarians and the conservatives. The first side tends to cite Benjamin Franklin caution concerning civil liberties “Any society that would give up essential liberty to obtain a little security will deserve neither and lose both.”¹ They also argue that if any government focuses too much on security matter, it will certainly overwhelm individual freedom. The conservatives on the other hand, claim that guaranteeing a nation’s safety necessitates forgoing some rights.

Scarifying some freedom is the price to pay to live in security. Externally, both groups seem right, but actually it is more complicated than that. Freedom is worthy, so is security; and it is impossible to appreciate one without the other. More obsessed by the threat of an authoritarian government rather than the threat of terrorism, civil libertarians, tend to take the risk to tolerate potential possibility of escalation of terrorism. They refuse categorically to fight terrorism with severe restrains such as wiretapping and the Patriot Act. The conservative assert that a severe and rigid government is the key to Islamic terrorism’s threat and that a government should not be confined by commissions, judicial laxity, and constitutional requirements such as habeas corpus.

The re-election of Donald Trump could have significant implications for Arab and Muslim American communities. Even though, recent trends indicate a notable shift among Arab and Muslim American voters towards Trump, many in these communities remain wary of Trump's past policies. these latter, includes his travel ban targeting predominantly Muslim countries, which had a profound impact on the Muslim community in the United States. This ban not only affected immigration but also fostered a climate of fear and discrimination. The memories of such policies could lead to increased activism and mobilization against Trump, especially among those who feel marginalized by his rhetoric and actions. To sum up, Trump's re-election could lead to a complex landscape for Arab and Muslim Americans, characterized by shifting allegiances, heightened activism, and ongoing debates about

1 Lynch, Andrew, Edwina MacDonald and George Williams. *Law and Liberty in the War on Terror*. (Federation Press, 2007), 5.

representation and policy impact.

CONCLUSION: In the wake of 9/11 attacks, many Americans began to grapple with the complex relationship between freedom and security. Rather than trying to analyse the perennial dilemma whether to sacrifice freedom or security, it would have been more judicious to come to a compromise. People are free in the absence of bounds and threat and at the same time it is with the lack of security that people loose freedom. It means that security and freedom are interchangeable.

While we are driving, we have all to follow strict high way code for our and others' security. Rejecting this assumption, Americans are taking the risk to think that freedom tolerates terrorism, and that security tolerates the government violation of their rights and liberties. As the U.S. government implemented measures such as the Patriot Act, which expanded surveillance and law enforcement powers, many citizens felt that their rights were being compromised in the name of safety.

Moreover, the post-9/11 era has been characterized by heightened suspicion towards certain groups, particularly those perceived to be associated with terrorism. This environment has fostered a culture where individuals may feel pressured to sacrifice their freedoms for the sake of collective security. Americans should rather maintain and chase both freedom and security by authorizing their government to fiercely fight terrorists in a way compatible and harmonious with freedom. If they are used correctly and legitimately, security measures such as wiretapping, profiling, and behavioural analysis at the airports are not a danger to freedom, but procedures and techniques to secure it.

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