

Immigration & Insecurity: Post-9/11 Fear in the United States

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Following the attacks of September 11, 2001, the attention of U.S. law enforcement and intelligence services focused sharply on Arab and Muslim communities in the United States, as one would expect. That continues, but the focus of the public’s attention has changed, and it is that shift that I address today.

Those Arab and Muslim communities—perhaps as many as 5 million people— included many citizens whose families had been in America for generations, a significant number of whom were Christian Arabs; more recent arrivals about equally from South Asia, the Middle East and north Africa, and Southeast Asia, a mix of citizens and legal, permanent residents; and a small number of transnational migrants who moved back and forth from their homelands, working occasionally in the U.S. but not permanently settled. These people had gravitated to places like New Jersey and New York, Detroit and its environs, Chicago, Los Angeles, and a few other mostly urban areas. Those who had not assimilated into the mainstream culture constructed social institutions, mosques and churches, schools, political organizations, small businesses, civil society organizations, and so on, reflecting their national, cultural, and religious origins: in other words, they acted like normal immigrants.

The ferocious reaction to 9/11 overwhelmed many of these people and their institutions. Several hundred men were detained for months or longer without being charged with crimes, and a large number of them were deported for minor infractions. Muslim charities were targeted by the FBI, with many of them closed

down and a number of them prosecuted. Transnational labor migration was sharply curtailed. Student visas were more difficult to obtain. Mosques were and are under constant surveillance. Many Muslims and Arabs felt intimidated about speaking out on foreign policy and security issues, particularly the Iraq war and the Palestinian conflict, given that some activists were being prosecuted.

The rationale for the U.S. Government's action was that these people and institutions were aiding and abetting terrorism. Yet we now know, through the 9/11 Commission, that there were no domestic conspiracies of any significance at the time of the attacks, and there have been none revealed since. We examined (at the Social Science Research Council) the more than 300 prosecutions of individuals on terrorism related charges, and found virtually none that were involved in a plot against America, a finding verified by a *Washington Post* investigation last year.¹ "Another 500 people have been charged with immigration violations . . . after an initial report linking them to a terrorism or homeland security threat," reports the *Post*. Most of these are prosecuted immigration courts, where they have fewer legal protections: "those charged do not have the right to an attorney, and they may be detained even after a judge has ordered them freed on bond."²

More pervasive for these communities is that they believe they are under surveillance, that their right to free speech and assembly are under siege, and that they are targets only because they are Muslim or Arab.

The effort to round up Muslim and other Arab men continues. But the attention of the public has shifted. Due to a harsh anti-immigrant bill passed by the House of Representatives—which would make entry by unauthorized immigrants an aggravated felony—a sharp, new focus on Mexicans crossing the border is apparent.

¹ Dan Eggen and Julie Tate, "U.S. Campaign Produces Few Convictions on Terrorism Charges," *Washington Post*, June 12, 2005, p. A1

² Mary Beth Sheridan, "Immigration Law as Anti-Terrorism Tool," *Washington Post* June 13, 2005, p. A1.

Opinion surveys register high concern with such immigration, though the public holds a wide range of views on whether unauthorized immigrants should be allowed to stay if they meet certain conditions. For the most part, opinion seems to endorse the approach where these immigrants can become citizens. But opinion also favors building fences and increasing border patrols. In other words, the public generally supports President Bush's policies.

Two aspects of this are particularly relevant for our discussion. First is the link to international security. The anti-immigration advocates have posed the Mexican border as a security threat. Today, of course, it is the threat of terrorism that is most frightening. We have the combination of ordinary opposition to Mexican migrants (a longstanding tendency in the U.S.³) accentuated by fears—thus far, unfounded—that Al Qaeda will sneak across the “unguarded” 2000 mile border.⁴ So extreme measures, such as fences and border patrols, are advocated to keep illegal immigrants out and to provide an added shield against al Qaeda. We do know, however, that such measures have not worked in the past with respect to the Mexican workers. Moreover, because these measures raise the costs of entry, the workers tend to remain in the United States much longer than they once did.⁵ And we know that migration has been “securitized.” As David Cole, a prominent legal scholar, put it, “At every opportunity since September 11, Ashcroft has turned immigration law from an administrative mechanism for controlling entry and exit of foreign nationals into an excuse for holding suspicious persons without meeting the constitutional requirements that ordinarily apply to preventive detention.”⁶

Second is the relationship between immigration and globalization. The loosening or elimination of borders is a key feature of globalization, and this is certainly true of

³ See, for example, Gary Gerstle, “The Immigrant as Threat to American Security,” in J. Tirman, ed., *The Maze of Fear: Security and Migration After 9/11* (New York: The New Press, 2004): 87-108.

⁴ Faye Bowers, “US-Mexican border as a terror risk,” *The Christian Science Monitor* (March 22, 2005).

⁵ Douglas S. Massey, “The Wall that Keeps Illegal Workers In,” *New York Times* (April 4, 2006):

⁶ David Cole, *Enemy Aliens: Double Standards and Constitutional Freedoms in the War on Terrorism* (New York: The New Press, 2004): 26.

the Mexican-U.S. border. In the words of two migration theorists, “The provisions of NAFTA . . . help to bring about the social and economic transformations that generate migrants. The integration of the North American market will also create new links of transportation, telecommunication, and interpersonal acquaintance, connections that are necessary for the efficient movement of goods, information, and capital, but which also encourage and promote the movement of people—students, business executives, tourists, and, ultimately, undocumented workers.”⁷

The NAFTA debate about illegal immigration was imbedded in the larger language of how globalization actually solves all problems. As Peter Andreas observed several years ago, “Even many of the immigration experts who argue that NAFTA will eventually help to curb illegal immigration note that it fuels such immigration in the short and medium term. A number of studies suggest that the combination of NAFTA and the side-effects of Mexico’s own domestic market reforms will add as much as several hundred thousand to the number of Mexicans who migrate to the United States annually though at least the end of the century.”⁸ This has proved to be precisely correct.

We tend to see immigration as somehow separate from the trends and forces of economic development. Yet the vectors and expansion of migration are very much a part of economic globalization. The capacity of the political discourse in America to separate these two phenomena, however, leads to many unfortunate consequences for the migrants.

For Latinos in the United States, the perceived level of intimidation has gone up markedly since 9/11. In a lengthy survey of Californians taken a year ago, the University of Southern California reports that since 9/11, 55 percent of Hispanics

⁷ Douglas S. Massey and Kristin E. Espinosa, “What’s Driving Mexico-U.S. Migration?—A Theoretical, Empirical, and Policy Analysis,” *American Journal of Sociology* 102 (January 1997): 991–2.

⁸ Peter Andreas, “The Escalation of U.S. Immigration Control in the Post-NAFTA Era,” *Political Science Quarterly*. 113: 4 (1998–99): 609.

felt “less secure.” Eighty percent said they “worry more about the future” than before 9/11. Thirty-seven percent report making less money than before 9/11, and 72 percent of those attribute those losses to 9/11.

Interestingly, perhaps paradoxically, of those Middle Easterners polled in this survey, 42 percent said they feel less secure since 9/11; 70 percent worry more often; 29 percent say they are making less money. All of these are about 10 percentage points lower for Middle Easterners than for Latinos. The one category where the Middle Easterners relay higher anxiety is in reports of being a victim of racial or ethnic discrimination: significantly more than half of Pakistani, Iranian, and Arabic respondents say they have been victims, which is much higher than for Latinos. For all groups, remittances have dropped sharply.⁹

These figures may reflect the impact of harsher immigration policies, rhetoric, news media coverage, and vigilante groups. “The “collateral consequences” of such policies,” writes David Hernandez, “inflict hardships on immigrants’ families, including citizens and noncitizens both in the U.S. and in their home countries. The hardships include financial and emotional distress, increased risk of fatal disease, and increased social risks to vulnerable children. Many of these consequences of immigrant detention fly under the radar of public opinion or concern, and have been termed ‘invisible punishment.’” This may be true particularly of a mixed-status family, which is far more prevalent among Latinos than of Muslims in America. “A mixed-status family

is ‘a family in which one or both parents is a noncitizen and one or more children is a citizen.’ Mixed status includes a variety of noncitizen statuses: permanent resident, undocumented, the range of work and education visas, and so on. While one in ten families in the U.S. is of mixed status, 75 percent of all children in immigrant families are citizens, and 85 percent of immigrant families are of mixed status. There are also important spatial considerations. One in four families in California is of mixed status, and 50 percent of children in Los Angeles are in mixed-status families.

⁹ “Post 9/11 Survey,” USC Annenberg Institute for Justice and Journalism , July/August 2002; available at <http://www.ncmonline.com/media/pdf/911addendum.pdf>

In New York, 15 percent of families are of mixed status, and 24 percent of children in New York City (Fix and Zimmerman 2001).”¹⁰

What is perhaps most remarkable about the immigration debate in the United States is how trumped up fear has completely overwhelmed other considerations that often hold sway in American politics. For example, border control, which is very costly, has simply not worked over its long life. Or consider the effect of unauthorized workers on the US economy—by and large, it’s a net positive, especially for small businesses. Or consider America’s long tradition of migration and its place in the national narrative.

I think it’s safe to say that the immigration frenzy is borne of the displaced fears about 9/11, and growing frustration with the results of the Iraq and Afghan war. One could see it as a diversion, in fact, and I believe a content analysis of news programs would support that assertion.

What the controversy will *not* do is stop unauthorized immigration. Economic globalization, especially between two countries so closely wedded now in trade and labor migration, is a stronger force, by far, than the occasional fits of anti-immigration zealots.

¹⁰ David M. Hernandez, “Undue Process: Immigrant Detention, Due Process, and Lesser Citizenship,” University of California, Berkeley, <http://repositories.cdlib.org/issc/fwp/ISSC WP 06>.