

# ***Muslims – Enemies of the State: The New Counter-Intelligence Program (COINTELPRO)***

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## ***Muslims – Enemies of the State: The New Counter-Intelligence Program (COINTELPRO)***

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### *INTRODUCTION*

On June 9<sup>th</sup>, 2002, the *San Francisco Chronicle's* Sunday edition published a special report, "Reagan, Hoover and the UC Red Scare," which exposed the role played by the FBI in undermining the leadership of the University of California Administration and led to the eventual resignation of the then UC President Clark Kerr—a fact known to many on campus but finally vindicated by official documents. The Sunday report, based on recently released "secret FBI files," illustrated "how the bureau's covert campaign to disrupt the Free Speech Movement and topple President Clark Kerr" was structurally linked to launching "the political career of an actor named Ronald Reagan."<sup>1</sup> The FBI campaign ended the successful academic and leadership career of Clark Kerr and brought Ronald Reagan, whose fame was just beginning to take hold as a flag bearer for a resurgent right wing, to the spotlight eventually leading to his rise as the two term republican president in the 1980s. Further revelations published by the *SF Chronicle* point to Ronald Reagan being an FBI informant at an even earlier stage of his career; on April 10<sup>th</sup>, 1947, while serving as President of the Actors Union at the height of the HUAC (House Un-American Activities Committee) and McCarthy era, he, along with his wife Jane Wyman, provided names of individuals in the movie industry allegedly "having" communist connections in Hollywood.<sup>2</sup>

The operations run by the FBI against Clark Kerr and others deemed "enemies of the state" by then FBI Director J. E. Hoover came to be known years later as COINTELPRO (Counter Intelligence Program) and managed to target thousands of individuals in this country and abroad. The FBI program was heavily dependent on creating and managing a public fear of communism, resulting in an induced panic. The government security structure was then mobilized to systematically violate American constitutional rights—a strategy very much resembling that of the current period as experienced by Muslims in the post 9/11 era.

On May 20<sup>th</sup>, 2009, the FBI's NY office arrested four Muslim men, Onta Williams, James Cromitie, David Williams, and Laguerre Payen, on terrorism charges; according to media reports, they were caught "red-handed" in a plot to attack a synagogue as well as shoot down a military aircraft with a Stinger missile. The foiled plot was widely celebrated by law

enforcement agencies, political leaders and right-wing media pundits as proof of the need for every counter terrorism measure put in place post 9/11 and for vigilance against “homegrown” Muslim terrorists.

On the community level, Muslim political, civic and religious organizations moved swiftly to condemn those involved and once again proclaim their readiness to cooperate with security agencies in defending the homeland against possible attacks. In this case, the four men were lured into this amateur operation by Mr. Shahed Hussain, “a former New York motel owner who became an FBI informant in 2002 to avoid deportation to Pakistan after being arrested on fraud charges.”<sup>3</sup> The plot is similar to others uncovered by security agencies in New York, Chicago, Seattle and other major cities with the common story line of a paid informant helping uncover yet another Muslim sleeper cell intent on doing us all harm.

For instance, on June 8<sup>th</sup>, 2005, the FBI, according to an affidavit submitted in Federal District Court in Sacramento, arrested five Muslim men on terrorism charges in Lodi, California. The plot involved Hamid Hayat, a 22 year-old Pakistani American who, prior to the arrest, worked as a cherry picker, and Mr. Hayat’s father, Umer Hayat, 47, who worked as an ice cream truck driver in the city of Lodi. Thus both men and the threat they posed to America’s food supply chain were at the center of the FBI terrorism cases. In addition, the FBI arrested three other men from the Lodi Muslim community, Muhammad Adil Khan, 47, his 19 year-old son Muhammad Hasan Adil and Shabbir Ahmed, 38, on immigration related violations but nevertheless included them in the terrorism charges filed in this case. The key evidence in the case was garnered by a paid informant, 32 year-old Pakistani native Naseem Khan, who became Hayat’s best friend while assigned by the FBI to monitor the Lodi Muslim community and report on possible Jihadists in the area.<sup>4</sup>

Since the events of September 11, 2001, the FBI and other security agencies have resorted to the recruitment of Muslim informants by means of enticement and, if necessary, threats of deportation or financial ruin. From the cases that have come to light, it is clear that vast sections of the Muslim community and its civic and religious institutions are the intended targets of these FBI operations. As the then Attorney General Alberto Gonzales stated after the Lodi indictments, “Since the terrorist attacks of Sept. 11, 2001, the number one priority of the (Justice) Department has been to detect, disrupt and prevent terrorist attacks,” which means using every tool available including the recruitment and deployment of paid informants.<sup>5</sup> For many, this is a legitimate use of national resources to possibly prevent another 9/11, and the Muslim community, collectively, should be ready to cooperate with the authorities in conducting these much needed operations. A more direct conclusion drawn from these operations is that the FBI and the Justice Department views Muslim American communities as incubators of terrorism that must be monitored and, if needed, infiltrated to preemptively catch them before they plan an attack.

These preemptive security operations are directed at the Muslim American community with the goal of “smoking” the terrorists out before they can do us harm as well as eliciting maximum cooperation from its leadership on the “global war on terror.” The FBI operations mentioned above and others that can be readily documented point toward a comprehensive intelligence program directed at the American Muslim community and all of its civic, religious and charitable institutions.<sup>6</sup> At its core, the program is rationalized with the intent to “detect” and “disrupt” terrorism activities before they take place; however, the assumption underlying it is that every American Muslim is a suspect until proven otherwise. The FBI and other security agencies have deemed American Muslim communities “enemies of the state” and no resource should be spared in targeting them and “disrupting” their potential operations. From the outset, it appears that the FBI and the security agencies have not distinguished between “the terrorists” who carried out the operations on 9/11 and the American Muslim community who, along with the rest of this country’s citizenry, was a victim of the attacks, and instead a dragnet security approach seems to be the preferred method. Important questions must be raised as to the causes behind current and future FBI programs targeting the American Muslim community; what are the specific strategies deployed and how to best protect and defend the community as it faces massive constitutional and civil rights violations? How similar or dissimilar are the current operations to those deployed in the 1960s, and what lessons, if any, were learned by civil rights advocates and how to best utilize them in the current period? More importantly, should the Muslim community expect to sacrifice its constitutional and civil rights in exchange for security and a sense of belonging in a post 9/11 America? The answers to these questions can best be attained by examining an earlier period in American history that witnessed a program targeting the African American community and civil rights movements in the 1950s, ‘60s and early ‘70s that was recorded as a success for the FBI and the security agencies—the COINTELPRO Programs.

The post 9/11 constitutional and civil rights violations are so similar, if not identical at times, to the 1960s that they warrant examining the current operations with an eye on the programs conducted in the past against groups in the Civil Rights and Anti-War Movements. “The Alarming Record of the F.B.I.’s Informant in the Bronx Bomb Plot”<sup>7</sup> screamed a Village Voice headline on July 8<sup>th</sup>, 2009; the article went on to detail the most recent sting operation directed at “suspected Muslim terrorists” who were prevented from causing damage by the intervention of a Federal security agency. The tactic of recruiting and using informants to entrap individuals associated with the “new enemies of the state” is almost a line by line reading of a 1960s script. I do firmly assert that the best approach to studying the security strategies employed against the Muslim community in

a post 9/11 America is by looking back into the history before moving forward to the present. Consequently, to de-construct the current security period, we must first explore the specifics of the 1960s COINTELPRO program and highlight the methods used that made it a success. In reality, some officers engaged in the current war on terror referenced the 1960s operations in e-mails that the group Anonymous hacked into and published on a number of websites including Truthout.com with one exchange making explicit mention of the operations: "I keep telling you, you and I are going to laugh and raise a beer one day, when everything Intel (NYPD's Intelligence Division) has been involved in during the last 10 years comes out - it always eventually comes out. They are going to make Hoover, COINTEL, Red Squads, etc look like rank amateurs [sic] compared to some of the damn right felonious activity, and violations of US citizen's rights they have been engaged in."<sup>8</sup> In order to comprehend the extent of the current operations, we must first examine the records of the COINTELPRO operations, which will allow us to recognize the main tools used against targeted groups at the time and then to extrapolate lessons through the construction of a sound comparison with the current operations directed at Muslims and Arabs in the US and abroad.

#### *LOOKING BACK AND LOOKING FORWARD*

To begin our task it is important to introduce a working definition of COINTELPRO that can better guide and narrow the focus of this comparative examination. In their seminal work, *Agents of Repression*, Ward Churchill and Jim Vander Wall (2002) defined the term as follows:

*COINTELPRO is the FBI domestic Counterintelligence Programs designed to destroy individuals and organizations the FBI considers to be politically objectionable. Tactics included all manners of official lying and media misinformation, systematically levying false charges against those targeted, manufacturing evidence to obtain their convictions, withholding evidence which might exonerate them, and occasionally assassinating "key leaders." The FBI says COINTELPRO ended in 1971; all reasonable interpretations of FBI performance indicate it continues today, albeit under other code-names.<sup>9</sup>*

One can find evidence of similar operations in the late 1970s, '80s and the '90s as well. In addition to the usual set of suspects and targets that the FBI pursued in the 1960s and early '70s, the scope was expanded to include anti-Nuclear weapons activists, Central American and South Africa Solidarity Movements, and beginning in the '80s environmental and anti-globalization organizers and organizations were included in the list of targets.<sup>10</sup> This work will not attempt to cover each of these groups or

movements and the security operations carried out against them, but it is important to keep this in mind as we move to explore, briefly, COINTELPRO history and then to draw on the key elements that I believe have been retained and currently are deployed against the “new enemies of the state.”

The definition speaks of “programs” and not merely one operation, as many tend to assume or argue “the bad apple” defense. When some records of COINTELPRO became available after the 1975 Church Committee, the public was informed of the FBI requesting “3,247 illegal, repressive and disruptive actions throughout the course” of the program but of those requests “only 2,370 were carried out.”<sup>11</sup> Requested, in this context, points to the presence of paper work; however, by inference we can argue that a long list of possible operations was conducted without records or papers being kept. In addition, the FBI under J. E. Hoover developed in 1960 the “Security Index” and “Rabble Rouser Index” containing the names of people to be summarily arrested and detained in the event of war,” which “listed 200,000 names, including writer Norman Mailer and Democratic Senator Paul Douglas.”<sup>12</sup> According to the Church Committee report, the “FBI headquarters alone have developed over 500,000 domestic intelligence files” over the period of the COINTELPRO program with 65,000 such files opened in 1972 alone and were also “augmented by additional files at FBI Filed Offices” around the country.<sup>13</sup> As a matter of fact, more individuals and groups faced “intelligence scrutiny than the number of files would appear to indicate, since typically, each domestic intelligence file contains information on more than one individual or group.”<sup>14</sup>

J. E. Hoover, the longest serving director of the FBI (served as director from 1924 until 1971), marshaled and exercised unfettered power targeting a host of organizations and individuals that he deemed politically objectionable. However, when we look back to the 1960s period, it is clear that one of the most underreported stories to this day is the massive violations of civil and human rights by agents of the Federal Bureau of Investigation under the vindictive leadership of J. E. Hoover. If we track the tenure of Hoover at the FBI’s helm since the 1920s, then we arrive at the conclusion that throughout these years the norm was the absence of civil rights protection for minorities and labor and anti-war activists; on the contrary, the government agency entrusted with their protection was responsible for egregious constitutional and criminal violations. Up to this day, the American public is still in the dark when it comes to the real nuts and bolts of what took place in the last century and in particular the 1960s and how Federal Agents abused their power to commit high crimes against thousands of innocent American citizens. We must add to this the fact that Hoover’s own files were “lost” after his death, and with them 60 years of evidence is no longer accessible. Yet, a more insulting aspect of this is the fact that a number of buildings across this nation are inscribed with the name of J. E. Hoover. Also, no senior government officials have really

answered to this day for the many crimes committed; rather the often-used approach of attempting to forget and offer general remarks of remorse without real substantive changes is in place.<sup>15</sup>

Knowledge of the conduct of J. E. Hoover's agency came to the public through the initial diligent work of the "Citizens Committee to Investigate the FBI" who, in March, 1971, managed to "remove secret files from an FBI office in Media, Pennsylvania and subsequently releas[ed] them to the press."<sup>16</sup> Prior to this release, no concrete evidence of FBI wrongdoing was available to the public, thus the documents emerged at a very crucial period in America's political and social history. By 1971, public support for the Vietnam War was waning and a variety of political movements calling for the withdrawal of US troops and the end of the conflict were gaining support across many sectors of American society.

Indeed, Anti-war protests built upon the long Civil Rights struggle presented a major challenge to the status quo and the elite power structure was increasingly concerned about a possible loss of control and change in the long-held white power structure. Fear of losing such control provided the needed rationale for engaging in the massive civil and human rights violations that had made COINTELPRO the logical answer at the height of the cold war. The American power elite did not want to face the fact that the Vietnam War was a mistake and a disaster and the continued racist structure reflected in the political, social and economic arena was immoral and no-longer sustainable. At the time, the established political elite wanted to divert attention from existing foreign policy failures and lay the blame on the civil rights and anti-war movements at home. Wars, in the modern period and the distant past, consume society's financial resources and rob the poor and middle class of future possibilities; hence, the need to rally and keep public support for imperial adventures is a primary requirement and is critically needed to keep the war machine moving over a long period despite well-established failures. However, when an Iraq war is falsely constructed and the threat is magnified beyond what is warranted, the political elite must marshal and "manufacture" public support, which is sufficient for the initial war effort but unsustainable for a long-term commitment since citizens of the empire can be mollified for a short period if victory is at hand but not if the cost in blood and money is too high.

In the past and at present, the ruling elite will not come out and admit responsibility for selling a rotten war to its citizens; rather blame is shifted toward those opposing the war and their lack of patriotism is indentified as the main source for lack of success on the war front. Thus, we find in the late '60s and early '70s the targeting of the civil rights and anti-war movements by the higher-ups in our government deployed as a strategic tool to shift the blame for the failure in Vietnam, resulting in further magnification of domestic economic disparities already existing inside of American society. How do we understand the government and our own leaders moving to suppress dissent, fabricating evidence and targeting law

abiding citizens for no other reason than engaging in activities protected by the Constitution! COINTELPRO, the program we are about to examine in detail, begins much earlier than the 1960s or '70s, but it becomes far more magnified during the later years of President Johnson and into Nixon's administration, which deployed an even more pernicious and sinister use of blame and fear in order to maintain control and discredit the opposition.

Both Johnson and Nixon faced a growing opposition to the Vietnam War efforts, and dissent reached almost every sector of American society—the introduction of the draft finally bringing the white middle class into the front lines in large numbers. Wars are popular in the initial stage; however the longer they drag and the more costly in terms of blood and money, the more the ruling elite and its structures come under stress and the people begin to question the wisdom behind them. Nixon inherited the Vietnam War and ran his campaign on the promise of getting the country out of it; however, promises made on the road to the White House are seldom kept. On his part, Nixon continued the war effort and intensified the COINTELPRO structure as opposition to the unpopular war grew louder and more daring and intensified.

Not content with leaving matters alone, President Nixon was involved with J. E. Hoover in a massive counterintelligence operation at home directed at all those he deemed enemies, including the Democratic Party itself. Nixon unleashed all available forces against those deemed “unpatriotic” and unsupportive of the war effort while placing no legal limits to prevent abuse of power. “Power corrupts and absolute power corrupts absolutely” is an apt description for the Nixon Administration since their fall was by their own doing. Through a convergence of forces and events, a wider opening emerged and more information came to the surface about FBI practices and its operations against law-abiding citizens. Nixon's “Plumbers” and their inept break-in into the Watergate hotel contributed to an opening in the American political system that, in the end, helped expose larger parts of FBI files, including COINTELPRO operations. Events beginning with the break-in and other FBI missteps culminated in the Church Committee report of 1975. The Church Committee covered many elements, but for our purposes we will focus on Book II, Intelligence Activities and the Rights of Americans, which had the following conclusions in the opening summary:

*We have seen segments of our Government, in their attitudes and actions, adopt tactics unworthy of a democracy, and occasionally reminiscent of the tactics of totalitarian regimes. We have seen a consistent pattern in which programs initiated with limited goals, such as preventing criminal violence or identifying foreign spies, were expanded to what witnesses characterized as “vacuum clearers,” sweeping in information about lawful activities of American citizens.... Too many people have been spied upon by too many Government*



agencies and too much information has been collected. The Government has often undertaken the secret surveillance of citizens on the basis of their political beliefs, even when those beliefs posed no threat of violence or illegal acts on behalf of a hostile foreign power. The Government, operating primarily through secret informants, but also using other intrusive techniques such as wiretaps, microphone “bugs,” surreptitious mail opening, and break-ins, has swept in vast amounts of information about the personal lives, views, and associations of American citizens. Investigations of groups deemed potentially dangerous—and even of groups suspected of associating with potentially dangerous organizations—have continued for decades, despite the fact that those groups did not engage in unlawful activity. Groups and individuals have been harassed and disrupted because of their political views and their lifestyles. Investigations have been based upon vague standards whose breadth made excessive collection inevitable. Unsavory and vicious tactics have been employed—including anonymous attempts to break up marriages, disrupt meetings, ostracize persons from their professions, and provoke target groups into rivalries that might result in death. Intelligence agencies have served the political and personal objectives of presidents and other high officials. While the agencies often committed excesses in response to pressure from high officials in the Executive branch and Congress, they also occasionally initiated improper activities and then concealed them from officials whom they had a duty to inform. ... Governmental officials—including those whose principle duty is to enforce the law—have violated or ignored the law over long periods of time and have advocated and defended their right to break the law. The Constitutional system of checks and balances has not adequately controlled intelligence activities. Until recently the Executive branch has neither delineated the scope of permissible activities nor established procedures for supervising intelligence agencies. Congress has failed to exercise sufficient oversight, seldom questioning the use to which its appropriations were being put. Most domestic intelligence issues have not reached the courts, and in those cases when they have reached the courts, the judiciary has been reluctant to grapple with them.<sup>17</sup>

While the conclusion above provides a categorical condemnation of government activities, in the view of historian Howard Zinn, the report was nothing more than “a complex process of consolidation” based on “the need to satisfy a disillusioned public that the system was criticizing and correcting itself.”<sup>18</sup> Even though the system engaged in a “process of consolidation,”

the value of what was exposed should not be underestimated, for it corroborated, for the first time, that which was known all-along on the streets among political activists—that is, the FBI and Hoover were involved in organized criminal activities against the American people.”<sup>19</sup>

If you ask most Americans today about COINTELPRO, you would hardly get anyone who would know what it was, and some might think only of Hip Hop groups using this name, but for many victims of the program it was and still is a reality. Consider for a moment the black-nationalist movement, the Chicano Brown Berets activists and the Native American organizations targeted by COINTELPRO operations and whether they are still living the outcomes of these events! Did the FBI have anything to do with so many African-American leaders being killed either in fomented inner fighting or “shoot-outs with police”?!

Let us for a moment examine the following facts that document the scope of domestic intelligence carried out under the COINTELPRO programs:

1. “Nearly a quarter of a million first class letters were opened and photographed in the United States by the CIA between 1953-1973, producing a CIA computerized index of nearly one and one-half million names;
2. At least 130,000 first class letters were opened and photographed by the FBI between 1940-1966 right in U.S. cities;
3. Some 300,000 individuals were indexed in a CIA computer system and separate files were created on approximately 7,200 Americans and over 100 domestic groups during the course of the CIA’s Operation Chaos (1967-1973);
4. Millions of private telegrams sent from, to, or through the United States were obtained by the National Security Agency from 1947 to 1975 under a secret arrangement with three United States telegraph companies;
5. An estimated 100,000 Americans were subjects of United States Army intelligence files created between the mid-1960s and 1971;
6. Intelligence files on more than 11,000 individuals and groups were created by the Internal Revenue Service between 1969 and 1973, and tax investigations were started on the basis of political rather than tax criteria;
7. At least 26,000 individuals were at one point catalogued on an FBI list of persons to be rounded up in the event of a “national emergency.”<sup>20</sup>

In the 1960s, the FBI directed most of its resources at dismantling the Black Power movement/s with all of its sub-groups and ideologies. For Hoover’s FBI, Martin Luther King, Malcolm X, Stokely Carmichael, and Elijah

Muhammed represented a singular threat even though each one of them engaged in the struggle for equal rights from a different ideological prism. What brought them together in the eyes of the FBI was the possibility of developing a movement that could challenge and possibly change the existing American power structure. The FBI directive included below was sent to the attention of all offices, which if read carefully may have been intended to give agents considerable freedom of operations in pursuit of the Agency's goals, which possibly included actual criminal activities on the part of the Agency itself and sworn officers of the US government.

The COINTELPRO operations focused on disrupting the work of organizations through a variety of tactics and diverting their energies away from their main mission. In order to accomplish this task the FBI resorted to a "bag of dirty tricks," which violated every aspect of the US Constitution. For the FBI, the targeted organizations and leaders were a threat to the US and they had to be dealt with as "enemies of the state," citizenship status notwithstanding. Before reading the directive below, it is important to comprehend what was meant at the time by a "threat" to the US, which had to do with one particular view of what this country represented and an attempt at preserving it. Thus, all those working for civil rights, according to this particular view, were a "threat" that had to be dealt with "by any means necessary." Through the directives issued by the FBI Director, a certain atmosphere was created where by "any means necessary" took on a more explicit meaning. By nodding in a certain direction and constituting the perceived threat in such a wide circle, the higher-ups could impact the zeal and intensity of the agents on the ground, which resulted in the documented violations. In this regard, one has to reflect at the most recent memos written by Justice Department lawyer and UC Berkeley Professor of Law John Yoo in post 9/11, which provided the rationale for acts of torture during the Iraq invasion. A mere nod in one direction led the ground level staff to take extreme measures resulting in cases of torture and the photo evidence that came out of Abu-Ghareb prison in Iraq.

It is in this context of higher ups giving the green light for actions directed against lawful activities that we begin to comprehend what was at work during this period. How the FBI was able to eliminate directly or indirectly every political organization of significance in the 1960s and '70's in addition to every major Black, Native American, and Chicano national leadership on the scene! Looking at the available evidence may provide a clue as to what tactics were used against political activists and organizations at the time.

Below is an important directive, and we must spend some time evaluating its content and the impact it had on field offices and officers managing cases at a critical period in American history:

**FBI Directive to Filed Offices**

SAC, Albany

August 25, 1967

Personal Attention To All Offices

Director, FBI

Counterintelligence Program

Black Nationalist – Hate Groups

Internal Security

... The purpose of this new counterintelligence endeavor is to expose, disrupt, misdirect, discredit, or otherwise neutralize the activities of black nationalist hate-type organizations and groupings, their leadership, spokesmen, membership, and supporters, and to counter their propensity for violence and civil disorder. The activities of all such groups of intelligence interest to the Bureau must be followed on a continuous basis so we will be in a position to promptly take advantage of all opportunities for counterintelligence and to inspire action in instances where circumstances warrant. The pernicious background of such groups, their duplicity, and devious maneuvers must be exposed to public scrutiny where such publicity will have a neutralizing effect. Efforts of the various groups to consolidate their forces or to recruit new or youthful adherents must be frustrated. No opportunity should be missed to exploit through counterintelligence techniques the organizational and personal conflicts of the leaderships of the groups and where possible an effort should be made to capitalize upon existing conflicts between competing black nationalist organizations. When an opportunity is apparent to disrupt or neutralize black nationalist, hate-type organizations through cooperation of established local news media contacts or through such contact with sources available to the Seat of Government, in every instance careful attention must be given to the proposal to insure the targeted group is disrupted, ridiculed, or discredited through the publicity and not merely publicized....

You are also cautioned that the nature of this endeavor is such that under no circumstances should the existence of the program be made known outside the Bureau and appropriate within-office security should be afforded to sensitive operations and techniques considered under the program.

No counterintelligence action under this program may be initiated by the field without specific prior Bureau authorization."<sup>21</sup>

A number of key elements in the above directive are critical for a proper understanding of what COINTELPRO is all about and would also help us identify current operations having similar strategies. The government issued directive was about the FBI “counterintelligence endeavor... to **expose, disrupt, misdirect, discredit, or otherwise neutralize** the activities of black nationalist hate-type organizations and groupings, their leadership, spokesmen, membership, and supporters, and to counter their propensity for violence and civil disorder.” The key operational words in this directive are: **Expose, Disrupt, Misdirect, Discredit, or otherwise Neutralize** the ... black nationalist hate-type organizations. The FBI operations covered “all such groups” and the “intelligence” was of “interest to the Bureau.” Furthermore, all such groups, from the FBI’s perspective, “must be followed on a continuous basis so we will be in a position to promptly take advantage of all opportunities for counterintelligence and to inspire action in instances where circumstances warrant.”

We can say that the FBI has an equal opportunity approach in dealing with those it defines as enemies, which at the time included almost every known Black, Latino, Asian, Native American and progressive organization—not to mention segments of the Democratic Party itself. Even though the above letter does speak of Black organizations, in other documents the targets included Native American, Chicano, Asians, Arabs, Communist, Socialist, Labor, ACLU and Women groups. In the Senate Intelligence Committee, the FBI admitted to officially approving a total of 2,370 COINTELPRO operations,<sup>22</sup> but it is widely known that these operations represent the tip of the iceberg and do not account for many missions not recorded altogether. The common thread among all of the organizations targeted is their readiness to take positions, both on domestic and foreign policy issues, contrary to those held or advocated by certain ruling circles within the government. On a completely smaller tangent, it did not matter whether it was a democrat or a republican in the White House or Congress—the operations continued unabated. When the time comes for a class action lawsuit against the government, this provides a context for it since Blacks, Latinos, Asians, Native Americans, Arabs, Communists, Labor and Civil Rights activists and everyone else were targeted as a group for no other reason than being a member of such a group exercising their constitutional rights to freedom of association and speech, which were violated systematically by the government and its agents.

What is meant by “to inspire action in instances where circumstances warrant” and could this have been used to cause splits in the targeted organization or engage in further efforts that resulted in the destruction of targeted groups? How many Black Panthers were killed as a result of this FBI “inspired action”!? Was the assassination of Malcolm X and Martin Luther King such an “inspired action”!? Was Fred Hampton in Chicago an FBI “inspired action”!? A closer reading of yet another directive may

provide further clues regarding the intent and the scope of FBI authorized operations:

### **Counterintelligence Program**

*Black Nationalist – Hate Groups*

*Racial Intelligence*

*3/4/68*

#### Background

.... The Revolutionary Action Movement (RAM), a pro-Chinese communist group, was active in Philadelphia, Pa., in the summer of 1967. The Philadelphia office alerted local police, who then put RAM leaders under close scrutiny. They were arrested on every possible charge until they could no longer make bail. As a result, RAM leaders spent most of the summer in jail and no violence traceable to RAM took place...

#### Goals

For maximum effectiveness of the Counterintelligence Program, and to prevent wasted effort, long range goals are being set.

1. Prevent the coalition of militant black nationalist groups. In unity there is strength; a truism that is no less valid for all its triteness. An effective coalition of black nationalist groups might be the first step toward a real "Mau Mau" in America, the beginning of a true black revolution.
2. Prevent the rise of a "messiah" who could unify, and electrify, the militant black nationalist movement. Malcolm X might have been such a "messiah;" he is the martyr of the movement today. Martin Luther King, Stokely Carmichael and Elijah Muhammad all aspire to this position. Elijah Muhammad is less of a threat because of his age. King could be a very real contender for this position should he abandon his supposed "obedience" to "white, liberal doctrines (nonviolence) and embrace black nationalism." Carmichael has the necessary charisma to be a real threat in this way.
3. Prevent violence on the part of black nationalist groups. This is of primary importance, and is, of course, a goal of our investigative activity; it should also be a goal of the Counterintelligence Program. Through counterintelligence it should be possible to pinpoint potential troublemakers and neutralize them before they exercise their potential for violence.
4. Prevent militant black nationalist groups and leaders from gaining respectability, by discrediting them to three separate segments of the community. The goal of discrediting black nationalists must be handled tactically in three ways. You must discredit those groups and individuals to, first, the

*responsible Negro community. Second, they must be discredited to the white community, both the responsible community and the "liberals" who have vestiges of sympathy for militant black nationalist[s] simply because they are Negroes. Third, these groups must be discredited in the eyes of Negro radicals, the followers of the movement. This last area requires entirely different tactics from the first two. Publicity about violent tendencies and radical statements merely enhances black nationalists to the last group; it adds "respectability" in a different way.*

5. *A final goal should be to prevent the long range growth of militant black nationalist organizations, especially among the youth. Specific tactics to prevent these groups from converting young people must be developed.*

#### Targets

*Primary targets of the Counterintelligence Program, Black Nationalist-Hate Groups, should be the most violent and radical groups and their leaders. We should emphasize those leaders and organizations that are nationwide in scope and are most capable of disrupting this country. These targets should include the radical and violence-prone leaders, members, and followers of the:*

*Student Nonviolent Coordinating Committee (SNCC)*

*Southern Christian Leadership Conference (SCLC)*

*Revolutionary Action Movement (RAM)*

*Nation of Islam (NOI)*

*Offices handling these cases and those of Stokely Carmichael of SNCC, H. Rap Brown of SNCC, Martin Luther King of SCLC, Maxwell Stanford of RAM, and Elijah Muhammed of NOI, should be alert for counterintelligence suggestions...."<sup>23</sup>*

The second directive above from FBI headquarters sheds more light into the specific goals and major targets of the operations. I do not need to speak of the inherent racism contained in the text and spirit of the directive; it is a given fact governing the full scope of FBI operations at the time. However, we must identify the key words in the directive above, for they give exact meaning to what was pursued: "Prevent the coalition of militant black nationalist groups, ... Prevent the rise of a "messiah" who could unify, and electrify, ... Prevent the militant black nationalist movement, ... Prevent violence on the part of black nationalist groups, ... Prevent militant black nationalist groups and leaders from gaining respectability, ... Prevent the long range growth of militant black nationalist organizations, especially among the youth."

When we look back at what took place, then we must assess the price that the African American, Native American and Latino communities paid with their blood and continue to pay as a byproduct of FBI and government sanctioned operations. The FBI with its operations managed to remove at least two full generations of leaders, and whatever we attribute to failure in these communities presently has its foundation, yes, in early slavery and conquest, internal divisions, contradictions between African American groups and leaders, but more responsibility should be directly assigned to the illegal operations carried out systematically against the people by government agents over a long period of time. If it was one or two bad apples then one can understand, however these were operations carried out with specific orders across the board for all to engage in massive violations of the Constitution, basic protected rights, and the ability to peacefully petition one's own government for redress of grievances.

As we begin to understand the extent of the present COINTELPRO operations directed at Arabs, Muslims and Southeast Asians, we must keep in mind the intended outcomes from this current campaign. After reading all the existing primary documents related to 1960s COINTELPRO and providing some samples above, the possible desired outcomes of the current campaign can be summed up in the following five points:

1. Prevent the coalition of Arab, Muslim and Southeast Asian groups.
2. Prevent the rise of a unifying figure/s.
3. Prevent violence/terrorism from within these communities.
4. Prevent Muslim leadership from gaining respectability in the "mainstream" of American society.
5. Prevent the growth of Muslim resistance organizations among the youth.

The above five items are just quick reflections of what was desired from the 1960s campaign and, if deployed against the current targets, would possibly have these same outcomes in mind. At present, the FBI is utilizing similar strategies in its operations, and it is instructive for us to use the existing approach to illustrate the specifics of the current campaign.

#### *THE NEW COINTELPRO: MUSLIMS, THE NEW ENEMIES OF THE STATE*

The full extent of COINTELPRO operations in the 1960s and early '70s are somewhat documented, but the more recent operations are less known; most people think that this was/is something in the distant past and that the modern FBI is a professional organization that only engages in legitimate security matters. One surely can see some validity to this perspective; however, it lacks a clear view of the historical continuity within the FBI and the lack of real change of attitude at the top. In the most recent past, the FBI operations were directed against the Committee in Solidarity



with the People of El-Salvador (CISPES), environmentalist, anti-globalization activists as well as anti-war organizers. Furthermore, many Palestinians, South Africans, Koreans, Central Americans, Chinese and Black Nationalist activists were subject to constant monitoring and harassment by various sections of the security infrastructure in the US.<sup>24</sup> This limited and more focused work will not deal with the post COINTELPRO period as some works and publications on a number of movements are available, but I do feel a more comprehensive comparative and chronological analysis is badly needed, which I may at a future date undertake to close the knowledge gaps, where possible.

I am going to move from the FBI days in the '60s and '70s to address the new operations underway targeting the new "enemies" of the state, Arabs, Muslims and South East Asians. My interest in the subject emerges out of deep involvement in Civil Rights and Human Rights work domestically and globally over a period of 30 years covering the full spectrum of movements from the Anti-Apartheid, Central and Latin America Solidarity Movements and work with Young Koreans United to immigrant rights, affirmative action, Americans with Disabilities as well as environmental economic training and anti-NAFTA organizing, and witnessing, even before 9/11, the systematic targeting of Muslims as the new "enemies" of the state. I view the history of human and civil rights as a constant work in progress and part of a continuum that requires us to document, compare, and evaluate every period so as to help each generation prevent security agencies from violating the collective rights of all those inhabiting this country, documented or otherwise. In previous periods, the targets were Native Americans, African Americans, Chinese Americans, Irish and Italian Americans, but today it is Muslims, Arabs and South East Asians that are the target of government security programs rooted in fear mongering, Islamophobia and political opportunism. This work is intended to draw parallels with the security tools deployed in the COINTELPRO program and illustrate the damage inflicted upon the impacted communities in the process with the hope of not only serving intellectual and academic purposes but more importantly to be utilized as a tool to speak truth to power and organize to defend human and civil rights. Intellectuals have a responsibility, and knowledge should be rooted in an epistemology of emancipation and not be content to function as embedded scholars solving imperial problems near and far.

On Monday August 10<sup>th</sup>, 2012, Seth Rosenfeld, a researcher and author at the Center for Investigative Reporting, had an article published in the *SF Chronicle* titled, "Activist Richard Aoki Named as Informant,"<sup>25</sup> which provided evidence linking the 1960s activist to the FBI and more importantly positing him as the possible source for the Black Panther Party's weapons. The debate on his role is by no means final, and the article and responses to it are still underway, but what is significant is the continued stream of information, documents, investigations and reporting focusing on

an important period in America's history. Reading and discussing this earlier historical period is very critical; however, a few months ago a stream of documents obtained through a FOIA request revealed that the NYPD was engaging in spying activities against Muslim Students in the Northeast, including campuses 300 miles away from city limits. The documents included may be accessed via the link provided in the endnotes and demonstrate the extent of the operations directed at the current targeted communities.<sup>26</sup>

Furthermore, in yet another collection of de-classified documents obtained as a result of a FOIA request by the ACLU and ALC (Asian Law Caucus), the FBI, the documents demonstrate, "has turned its community outreach programs into a secretive domestic intelligence initiative that systematically, and in some instances illegally, collects and stores information about Americans' First Amendment-protected activities."<sup>27</sup> The FBI and the Justice Department initiated a number of outreach programs directed at the Arab, Muslim and Southeast Asian communities, and in each instance these were utilized for intelligence gathering purposes thus violating their Constitutional Rights.

#### THE ACLU DOCUMENTS:

- The FBI visited the Seaside Mosque five times in 2005 for "mosque outreach" and documented congregants' innocuous discussions regarding frustrations over delays in airline travel, a property purchase of a new mosque, where men and women would pray at the new mosque, and even the sale of date fruits after services. It also documented the subject of a particular sermon, raising First Amendment concerns. Despite an apparent lack of information related to crime or terrorism, the FBI's records of discussions with mosque leaders and congregants were all classified as "secret," marked "positive intelligence," and disseminated outside the FBI.

- The FBI met with members of the South Bay Islamic Association four times (1, 2, 3, & 4) from 2004 to 2007. FBI agents documented as "positive intelligence" and disseminated outside the FBI an individual's complaint of travel delays during the Hajj pilgrimage caused by the No Fly list, as well as an individual's conversation about the Hajj, "Islam in general," Muslims' safety in the U.S., and community fears regarding an FBI investigation of imams in Lodi, California. Two memoranda from 2006 and 2007 contain no descriptive information apart from the name and location of mosques contacted by the FBI, which might be appropriate to record in a normal community outreach context, but were instead classified as "secret," labeled "positive intelligence," and disseminated outside the FBI.

- A 2005 FBI memorandum described contact with a representative of the South Bay Afghan Community Center and failed attempts to set up an outreach meeting with the Afghan Cultural Center. The document identifies

the representatives of each organization and lists the address and phone number of the Afghan Cultural Center. This information was described as “positive intelligence” and disseminated outside the FBI.

- A 2006 FBI memorandum documented contact with a named representative of the Islamic Network Group to discuss a recently written article, the name of which was redacted. This information was labeled “positive intelligence” and disseminated outside the FBI.

- A 2005 FBI memorandum contained a detailed description of the Islamic Center of Santa Cruz and documented a meeting with a congregant, including his name, religious affiliation, and his discussion of congregants’ financial contributions to the Center and community support for Islam. The document was classified as “secret,” marked “positive intelligence,” and disseminated outside the FBI.

- A 2005 FBI memorandum described a meeting with a representative of the Granada Islamic School at the Santa Clara Muslim Community Association. The document detailed the school’s facilities and summarized a conversation regarding the school’s structure and its relationship with its parent organization. This information was described as “positive intelligence” and disseminated outside the FBI.

- A 2007 FBI memorandum entitled “Mosque Liaison Contacts” reported FBI contact with 20 northern California mosques. The name, address, and contact information for each mosque was described as “positive intelligence” and disseminated outside the FBI.

- A 2007 FBI memorandum documented two visits to the Anjuman-e-Najmi mosque in Fremont, California, identified congregants by name, described their conversations, associated them with the Dawoodi Bohra community of Shi’a Muslims, and reproduced the contents of a lengthy e-mail describing the community’s religious beliefs and history. This information was labeled “positive intelligence” and disseminated outside the FBI.

- Two 2008 FBI memoranda described contact with representatives of the Bay Area Cultural Connections (BAYCC), which was formerly the Turkish Center Musalla. The first describes the history, mission, and activities of the BAYCC, the ethnicity of its members and its affiliation with another organization. The second memorandum indicates that the FBI used a named meeting participant’s cell phone number to search LexisNexis and Department of Motor Vehicle records, and obtained and recorded detailed information about him, including his date of birth, social security number,

address and home telephone number. Both memoranda were classified as “secret.”<sup>28</sup>

Declassified documents at both ends of the country provide ample evidence as to the existence of a massive intelligence gathering program, which focused on members of the Arab, Muslim and Southeast Asian communities, treating them all as suspects and using discredited methods from the 1960s to “catch the terrorists” before they do “us” any harm. The red-scare of the 1960s has become a green one by utilizing the same method. The targets at the present are the Arab, Muslim and South East Asian populations with all of their sub-divisions, ethnic groupings, theological orientations and levels of political involvement. In his book, *War at Home (Date?)*, Brian Glick identifies the four major methods—“1. Infiltration; 2. Psychological Warfare From Outside; 3. Harassment Through the Legal System; 4. Extralegal Force and Violence”<sup>29</sup>—employed by the FBI during the height of the COINTELPRO program. I propose comparing the four mentioned strategies used by the FBI and security agencies in the COINTELPRO programs to what is being done today to Arabs, Muslims and South Asians in the current “War on Terrorism” and seeing if a sufficient case can be made of systematic violations of civil and constitutional rights.

Taking the issue of infiltration first, at present Muslim communities globally are subject to a massive infiltration campaign, and the same goal is pursued domestically inside the United States. The problem confronting the Department of Homeland Security today is how to gain access to a closed religious community that has been identified as the “new enemy of the state,” one that the country must be defended against to prevent possible future attacks. Here we are concerned with identifying the active operational methods and tools of those who are designing and implementing a new infiltration program directed at law abiding Muslim communities in America.

Since immediately after the attacks of September 11<sup>th</sup>, 2001, the FBI has engaged in a massive recruitment campaign directed at members of Arab, Muslim and South East Asian communities. In major cities with large Arab, Muslim and South Asian populations, the FBI placed ads in newspapers and on TV and radio, seeking individuals with language skills as well as knowledge of the identified/targeted communities. Such an effort followed an old proven tactic of the carrot and stick. In some cases, recruitment was undertaken by means of a very sweet tasting carrot, that being money, position, prestige and allure of the world or a green card for an illegal immigrant. At times, though, the best tool for recruitment is a very long and mighty stick, which produces results; however, the first method is often preferable since it originates in an inherent weakness in the individual that makes them want to cooperate to secure a benefit they have been after for some time. The second is less full proof since the individual has possibly

demonstrated a resistance to a carrot offer and only after reaching a breaking point he/she becomes ready to cooperate and be employed by the security agencies. In my estimation, the period of recruitment was put in place immediately after September 11<sup>th</sup>, and it is still underway twelve years removed from the tragic events as FOIA documents from the NYPD and SFPD demonstrate. I do not know the number of those to be recruited, but it would take a large investment in human agents to infiltrate a 3-7 million member community with all its sub-groups and nationalities. In the previous COINTELPRO programs, the most frequently used intelligence collection technique was through the deployment of informants accounting for 83% frequency followed by 74% of a confidential police source being the source for information.<sup>30</sup>

In case after case since 9/11, the FBI has worked to recruit a number of Muslims and Arabs for infiltration purposes and has deployed them in every mosque, community center, and charitable institution. In the New York, Albany, Lodi and LA cases, the infiltrators' identities have become public knowledge and the methods used are already part of public records as well. At least in three cases the infiltrator was a community member that was pressured into an informant role as a way to avoid possible deportation.

The link between immigration status and security agencies has a long history, but a more refined approach was put into place during the Presidency of Ronald Reagan through the Alien Border Control Committee (ABCC) that wanted to "speed-up" the deportation proceedings. According to the ABCC, "where criminal prosecution is not practicable for an alien actually engaged in the support of terrorism within the United States, procedures should be developed, utilizing current authorities, if possible, to expeditiously deport such aliens while protecting classified information and methods by which such information is obtained."<sup>31</sup> The FBI threatening individuals with speedy deportation and removal from the country once coupled with possible deficiencies in their paperwork made the proposal for an infiltration role an option for many. In one case in Knoxville, Tennessee, the FBI agents arrested a young Palestinian man, drove him to the airport and threatened him with deportation if he refused to cooperate and become an informant for the agency. As a matter of fact, the FBI agent who arrested this Palestinian man showed-up in my own lecture at the University of Knoxville and introduced himself afterward as well, which means the fishing/threatening expedition for informants or infiltrators was still underway.

While Muslim and Arab infiltrators and informants are more desirable due to their knowledge of the community, the easy access they have and the lack of suspicion on the part of mosque or community center attendees, the FBI did employ individuals who went undercover and pretended to be either new converts or heritage seekers reconnecting with their lost Muslim roots. An example of this type of infiltration is the on-going case in Orange County, California, involving Craig Monteilh, a 46-year-old convicted Irvine

felon and a con artist employed by the FBI to spy and collect information on the inside affairs of Muslim community centers in the area. To gain access to the community, Mr. Monteilh claimed to be of mixed French-Syrian heritage and wanted to reconnect with his family roots by converting to Islam. Sure enough, in a short period of time, Mr. Monteilh befriended a small group of Muslim youths in the Islamic Center of Irvine and on more than one occasion taped and delivered to the FBI conversations that he claims implicate all of those recorded to be terrorists "bent on carrying out violent attacks in Orange County."<sup>32</sup>

In another report to the FBI, Mr. Monteilh insisted that he "observed six to eight young Middle Eastern Muslims loading barrels in the back of the mosque," which for him was key evidence of their planning attacks on targets including "shopping malls, Fashion Island, South Coast Plaza" and "the Irvine Spectrum."<sup>33</sup> The FBI handlers had a debate about the veracity of Mr. Monteilh's claims but opted to follow-up on it by sending "a radiological team to snoop inside the mosque, using a Foreign Intelligence Surveillance Act (FISA) warrant, which allows agents to search home or buildings without their owners' permission or knowledge."<sup>34</sup> No conclusive evidence emerged from this surveillance and it is not clear whether other actions took place based on this single claim, but as early as 2005, the FBI did acknowledge conducting other "radiation tests at Mosques in the United States,"<sup>35</sup> which possibly included Orange County centers.

The FBI's use of con-convert Craig Monteilh as an infiltrator landed an Afghan immigrant, 34-year-old Ahmadullah Sais Niazi in jail on perjury charges for failing to disclose on his passport application and other documents "previous trips to Pakistan and the fact that his brother-in-law was a high ranking member of a Taliban faction allied with Al-Qaeda."<sup>36</sup> According to Mr. Niazi, after the arrest, the FBI offered and pressured him to become an informant inside the Muslim community, "threatening that if he didn't cooperate, they'd turn his life into a "living hell."" From this case, we can see that the FBI is employing external agents to possibly target a community and then recruit, through enticement or threats, members from within to further the intelligence agencies' agendas, which they claim is prevention of future terrorist attacks. What is of interest to us in the Orange County episode is the fact that community members including Mr. Niazi himself, the Imam of the Mosque, Sadullah Khan and CAIR's LA executive director Hussam Ayloush all have reported to the FBI and the local police their concerns about Jihadi ideas and statements espoused frequently by Craig Monteilh and the possibility that he might carry out terrorist attacks. Thus, Muslims in Irvine acted in this case like any other person who, after hearing of someone thinking, planning or urging others around him to engage in terrorist acts in their own community, would report him to the authorities, unbeknownst to them that their own government and the FBI is the one fomenting these activities in the mosque.

Yet another type of infiltration was documented that originates in ideological opposition to the Muslim community and an attempt to maintain or protect some type of self-interest represented in various aspects of the US political, social, religious, economic as well as foreign policy. A group that has been offering its services for its own ideological reasons are the Israel-supporting members of American society and some members of the Christian right. A number of existing outfits have been at work targeting Muslim organizations and individuals for the benefit of securing Israel's political and economic interest in America. Many of Israel's supporting individuals and organizations view, with great alarm, the increase in number and assertiveness of the American Muslim community since it has the potential in the long run of causing a re-consideration of existing policies vis-à-vis the Middle East and the Muslim world. The infiltration program directed by Israel's supporters have longer experience in this field and are also able to recruit from a diverse pool of persons that speak Arabic and served possibly in some capacity in Occupied Palestine, if not originally coming from Arabic or Persian speaking states. I am pointing this out so we are able to understand the range of possibilities deployed in this current security project. However, the Israel-supporting recruits might always be ready to oversell the threat, and the information collected is highly tainted since the goal of the operations they are involved in is connected to a foreign country's interests first and then domestic American security, second. A similar condition would also be found among the agents borrowed from Arab and Muslim countries, but a slight difference exists in that the information collected by such individuals are always re-examined due to a lack of trust in whatever is produced by "third world" personnel, an issue not considered when it comes to Israel's materials. The Christian right infiltrations are more recent and are more often than not connected to Israel supporter networks and not, at present, a completely independent enterprise.

An example of an Israel supporter's type of infiltration is that of Rita Katz, the director of the Site Institute, who published a book, *Terrorist Hunter: The Extraordinary Story of a Woman Who Went Undercover to Infiltrate the Radical Islamic Groups Operating in America*, documenting her adventures in pursuit of American Muslim terrorists. The book was released by HarperCollins with the author being "Anonymous," but after lawsuits filed by individuals and groups mentioned in the book, Rita Katz admitted to being the infiltrator who wrote the published work.<sup>37</sup> When we examine Rita Katz's work and background we conclude that Israel and its interests are at the heart of the infiltration efforts, which were directed at protecting its interest by discrediting Muslim communities and institutions.

In one interview given to National Review online by Rita Katz and conducted by Kathryn Jean Lopez on June 26<sup>th</sup>, 2003, a clear idea emerges about the main drive behind the infiltration and what interests it is intended to protect:

*Little could I imagine when I responded to an employment ad in a paper, just over five years ago, that my career would evolve the way it did. It all started by pure chance; I was looking for a job, responded to an ad, and was hired to work for a Middle-East research institute. I wasn't trained or instructed there, but rather on my own initiative and quite accidentally I started to study a certain charity, the Holy Land Foundation for Relief and Development (HLF), and I realized that this was a front group for Hamas. After a few months, I wanted to get to know in person the people I studied so closely, so I went to a fundraiser of theirs dressed as a Muslim woman. Soon thereafter I was attending conferences, visiting mosques, participating in rallies — and the more I did, the more I discovered the enormity of the problem of radicalism on U.S. soil.*

*Frightening is an understatement. During certain times, such as the widely televised lynching of two Israeli soldiers in the West Bank, attending some of these meetings, particularly the smaller ones, was terrifying. Being a Jewish woman among inflamed Muslims calling for jihad against Jews and death to Jews, I knew that I would face grave consequences if I were exposed. Other difficult experiences I had were actually in open, public rallies, where various people told sob stories about how they were abused because they were Muslims or Arabs. Some of these stories were really heartbreaking. But then came the leaders of the Muslim community and expressed their views, and that put me back on track. One such example was with Abdurahman al-Amoudi, who was considered by many a moderate Muslim leader and, as such, was a regular visitor to the White House. In a public rally he stated his support for Hamas and Hezbollah, two designated terrorist organizations. I recorded him, gave the videotape to the media, and this in fact brought an end to his lobbying career with the administration. But in spite of the danger, I never had a point where I wanted to quit. Whenever the going got tough, I had successes such as exposing al-Amoudi, deporting terrorists, preventing the government from unwittingly funding front groups for terror, and many others I describe in the book, to invigorate me.<sup>38</sup>*

Muslim and Arab communities are subject to massive spying and infiltration operations, which are being directed by a diverse array of agencies, governmental and private, with devastating consequences to institutions and individuals alike. This is not to exclude Muslim-Muslim or Arab-Arab



infiltrations directed at the sectarian divides, which might be yet another element that is rarely understood or covered. In this respect, a variety of initiatives undertaken by a number of Arab and Muslim groupings seeking to distance themselves from “radical,” “conservative” or “extreme” ideologies should be included under the same rubric discussed above.

During the 1960s, infiltration was not limited to a basic spy and report operations; on the contrary, the enterprise’s “purpose was to discredit and disrupt” the activities of targeted individuals and organizations. At times it was very difficult to identify who was actually responsible for what activities, considering the heavy involvement of FBI agents in undercover operations across the political spectrum.

On the issue of recruitment, a painful fact, which has to do with the cooperation of the targeted communities in the recruitment campaign, must be brought to everyone’s attention. Beginning in August 2002, during the 39<sup>th</sup> annual Islamic Society of North America National Convention in Washington, DC, the largest Muslim gathering in the country, one information booth caught my eyes more than the other 1000 or so in the Bazaar and lobby area—a fully decked FBI recruitment table. The Justice Department and other governmental agencies, including the FBI, have become a mainstay in every annual convention since 2002, not only at ISNA’s meetings but also in the American-Arab Anti-Discrimination Committee gatherings. While this might seem shocking, it, nevertheless, can be readily compared to the Japanese American experience during WWII and the readiness of a sizable number of community members to cooperate with the US government and demonstrate their patriotism by serving America’s interest in the War effort. As a matter of fact, for a long period of time after WWII, tension developed within the Japanese American community between those who cooperated and those who resisted or refused to play the “either you are with us or with the enemy” card, a not dissimilar predicament that Muslims, Arabs and South East Asians find themselves facing.

We are in a period full of fomented fear, and one way to demonstrate that we are good is, presumably, through opening our doors and arms to the FBI. Some, during the Convention, made sure to say to the FBI agents at the table that we do not have anything to hide and you can come to any and all of our centers, events, schools, and conferences to see for yourself. I can understand the logic behind such PR with government agencies; since we are citizens and they are part of our government, it would be okay for us to invite them to our Convention in order to open lines of communication and possible job opportunity. However, this was not a job fair with all employers invited to participate; on the contrary the only prominent presence was distinctly security, military and foreign policy oriented ones; it is like a prisoner inviting the prison warden to check on the performance of the prisoners in the prison yard. As I was conducting interviews, one

conference attendee argued with me at the time that “we need to show them that we are Americans and we have nothing to hide and they can come to our events and centers and see for themselves!” It is precisely this perspective—that we must prove to certain representatives of the government that we are loyal and must be given a pass into the prison yard called contemporary America—that defines the community as guilty and needing to prove their collective innocence. Once we accept this logic, then the community deserves neither freedom nor citizenship, for we have not understood the meaning or responsibility of either. Another person I interviewed went into an overdrive attack on me for merely posing this idea to him in the form of question, and he accused me in return of being a radical and not wanting to integrate into American society; he argued that we should see the FBI, military, justice department information tables as a sign of belonging to America and also taking our place at the table. My answer was yes we are at the table but on the menu! If it was a Muslim job fair and all employers were welcome, then we would see all government agencies as well as the private sector and the local police, rather than only those agencies that are engaged in readily documentable abuses of various members and institutions in the Muslim, Arab and South East Asian communities.

In addition to the national events, almost every mosque and community center had had some type of a get together with their local FBI office director under the premise that we were ready to cooperate. Some of these meetings did focus on hate crimes directed at the Arab, Muslim and South East Asian communities, which can be viewed as legitimate; however, isolated crimes should be the least of the community’s concerns at this time since the campaign against the targeted communities is being carried out through the top political leadership in the country and by government agencies in our society. The targeted communities should have intensified their political work, developed coalitions and mobilized to pressure the local political leaders in both parties to protect and serve the needs of the community. In some cases, this was done; New Jersey, the Mosque Foundation in Chicago and, to some extent, San Francisco managed to create grass roots responses that must be studied so that lessons learned can be shared with communities around the country.

The Arab, Muslim and South East Asian communities, in seeking to cast themselves in a positive light, facilitated the recruitment process and possibly made it more successful than if the FBI was left to its own fumbling devices. Not to imply that the Muslims were the only ones to do so in their national convention; the American-Arab Anti-Discrimination Committee likewise had an FBI table prominent in their annual meeting in Washington, DC, which was seen by some as a major sign of “our inclusion” in the fabric of America. What we see here is the mixing of assimilation politics with civil rights advocacy by a targeted immigrant population. Both of these elements are intrinsic to the mission of many national organizations and the lack of

specialization mixed with a rather weak structure leads to critical and unforgivable lapses of judgment. Likewise, the Council on American Islamic Relations on national and regional levels embarked on hosting community meetings with local FBI officers as a way to provide information to an already fearful Muslim public and at the same time help to open channels of communication with the powerful agency, a strategic mistake by an organization that up to that point was solidly building a civil rights power house for the Muslim community and for that reason had been systematically targeted.

My critique of these initiatives are not directed at undermining the work that has been done by so many people in all these organizations who often operated under the gun in attempting to mount a defense of the community at a moment of crisis. The missions of the organizations mentioned above are inspiring and this critique should, if understood correctly, help re-direct the effort into more appropriate avenues. Through the many meetings held by the targeted communities with the FBI in mosques, churches and community organizations, the agency has been able to recruit the needed personnel for its on-going new COINTELPRO project. The community was/is afraid, the argument went, and a way to make people feel safe is to bring in agents of the FBI or their public relations officers to speak to people and offer help and support. Yes, the community faced hate crime attacks, and the FBI was involved in providing protection, but these invitations, at least in my own estimation, were not initiated with this aspect in mind. On the contrary, the key motivation was to demonstrate our readiness to cooperate with the FBI and other security agencies in such a way that in the process we could be seen or considered by the "other" to be worthy of being "one of us," i.e. Muslim, Arab and South East Asians citizens of America.

The mixing of agendas is critical and leads to major mistakes. Assimilation and being accepted is not the same as acting as civil rights organizations or religious institutions; the former is about seeking acceptance while the latter must, by definition, be an opposition and a vanguard of resistance to the excesses of existing government security agencies and more so at times of heightened tensions. Why an opposition? We must be reminded that it is in the nature of authoritarian and antidemocratic governments to seek restrictions and legislative limitations on the liberties of citizens; therefore civil rights organizations are the antithesis to these forms of power in well developed civil societies. When civil rights organizations are preoccupied with assimilation, then the outcome of such an approach is compromising fundamental rights at the cost of access and representation. Also, the access and representation sought from the ruling/governing power structure is often dependent upon services rendered to the power structure from such an encounter. Access to ruling circles is granted for a variety of purposes and at present, for Arabs, Muslims and South East Asians, is governed on the one hand by domestic

security considerations and on the other by possible help in reducing anti-American sentiments arising from US invasions of Iraq and Afghanistan and showing America's softer and gentler side. In both cases, the relationship and access is not intended to recognize representation or grant a seat at the table equal to all others. The relationship is governed by an epistemology of "otherness" and is framing the community as an external to the collective definition of "us."

How to infiltrate a relatively closed religious community? This was done systematically by use of existing community organizations and leveraging their state of fear and insecurity to produce openings that could be capitalized upon by the security agencies. It would be safe to say that at this point the Department of Homeland Security and the FBI has already developed a database, which contains the names of every local, regional, and national leader in the Arab, Muslim and South East Asian communities. In addition, this database contain names of individuals who are more than happy and ready to offer their services for the agency at a discounted rate or no fee at all. Infiltration is under way on the premise of securing America from sleeper cells operating among law abiding Muslim citizens, and no one should have anything to fear from these operations. Events of 9/11 are used as the benchmark to mollify and silence opposing voices, build a more robust domestic security structure, and expand international military reach while targeting Muslims so as to rationalize this massive build-up.

It should not come as a surprise that the Arab, Muslim and South East Asian communities are divided on a myriad of issues including that of nationality, language group, gender dynamics, world view, level of religiosity, and class to point out just the obvious. From the FBI's perspective, this condition provides ample inroads into this (presumed) insular community, and if we add to it the large number of immigrants settled in this country after the failed covert operations in parts of the Muslim world, then the scope of infiltration becomes more readily attainable. On the racial, ethnic, national and religious front, Muslims for sure are not a homogenous population. They are very diverse, and this condition coupled with an intensification of fear, threats and a mighty governmental stick allows for inducement to cooperate and an effective strategy for infiltration. One very prominent example of how existing divisions in the community were utilized was in the area of theological and sectarian articulations of Islam, both in the Muslim world but more importantly in the US, as differing trends opposing and antagonistic toward each other in pre 9/11 period, which were recast into a security beneficial language and a good and bad Muslim landscape. In this area, the good Muslim or good Muslim organization was the one in agreement and expressing readiness to assist in US foreign policy as it had been articulated by the neo-conservative and the pro-war political elite while the opposite type of Muslim indeed was cast as the villain. As such, those who were brought close to centers of power translated this and spoke not in terms of

cooperation in the war on terrorism and in directly supporting a more militaristic foreign policy but in terms of an affirmation of the correctness of the type of Islam they advocate and represent. In more than one way, the US and its security agencies defined the type of Islam to be supported and the one to be opposed. Similar to the ways that the FBI and security agencies managed in the 1960s to highlight and support particular groups and organizations within the African American community, the Muslim community and its leadership has effectively been instrumentalized and deployed to maximize domestic and foreign policy priorities (we can debate and discuss these priorities, but the constitutional and civil rights of Muslims were not at the core nor were they considered at the inception of the strategy). The goals of the infiltration have not changed much since the FBI and the US security agencies look back at COINTELPRO as a success model even though it was discredited afterward. The measurement of success is the complete elimination of the “radical” movements of the 1960s and the early ‘70s and their replacement by political forces that were more ready to acquiesce to security agency programs rather than maintain a mode of resistance.

It is far too early to tell what shape or direction the infiltration will take, but if we use the ‘60s cookbook, then we can contemplate some possible operations. I maintain that immigrant Muslim communities in the US are overwhelmingly peaceful and rarely consider violence as an option for bringing about political changes in America. The reasons for this are based on the make-up, the causes of immigration in the first place, and the level of economic well-being among members of the community. One aspect of the infiltration goal might be to create/encourage an inclination toward violence among some members of the community, which can then be used to justify greater security measures taken against the targeted communities. Yes; and no! Conspiracies do exist, but the case above is not one of them since it is based on an abundance of evidence of the FBI’s use of such methods domestically and since the CIA made it into a science in the international arena.<sup>39</sup> If any members of the Arab, Muslim and South East Asian communities in the US take violence as a method and are located within urban centers, then spend the time finding out who within the group encouraged this strategy, and rest assured that the security agencies footprints will not be far away. The above is not a discussion of violence or non-violence in movements (a question that would be raised by a shortsighted individual reading what I wrote and thinking that I am condemning or supporting one view or the other, which is not the case and such a person would have missed the point completely). Violence as a tactic in urban centers has no possibility of success, and the long history of revolutions and guerrilla movements is offered as evidence. Among the many elements for a guerrilla movement’s success is not being stationary and not open to being contained in a defined territory that is easily controlled by its opponents. Arab, Muslim and South East Asian

communities in the US are for the most part urban, lack connections to rural areas and barely can survive a few days without a stop at the local 7-11 and Starbucks; the security agencies know this and understand its meaning if violence is pursued. While it is correct to say that modern warfare does demonstrate the ability of an urban group inflicting damage through attacks, the long term impact and the sustainability of this type of violence is at best highly doubtful. The events of 9/11 were carried out by an outsider group that had no real connection to existing communities inside the US, but guilt by association defines all by the wrong actions of a few co-religionists.

The primary goal of the infiltration program is to discredit and disrupt the operations of "the enemy" who in this case are Arabs, Muslims and South East Asian Americans. Thus, we must be clear that the security structures' attempt at discrediting and disrupting "the enemy" is intertwined with the primary goals of pro-Israel forces that have made an immediate link between the larger war on terrorism and their on-going campaign against the Palestinians. As such, the infiltration program has a twofold goal: one directed at those who might express support to Bin Laden and the second focusing on pro-Palestine sentiments among the targeted communities. Both goals cannot be achieved without a systematic infiltration campaign attentive to a successful discrediting and disruption program.

However, in dealing with religious movements the discrediting campaign involves far more than a simple spy on the inside; rather the intent of such a program is a discrediting of the ideology that gives rise to it. What this means for the infiltration program is possibly the encouragement of counter movements that cause a clash of ideologies; however, the security structure in the process makes sure to develop or support the "alternative" ideology camp. A similar strategy was deployed in the 1960s by creating an array of FBI "leftist" inspired organizations that focused on attacking legitimate leftist groups. In order to discredit Bin Laden's ideology, the infiltration campaign would need to develop an antithesis paradigm and develop support for it as a way to "win" the war. I am speaking of Bin Laden's ideology in reference to Muslim communities in America, which might be a little odd since I have already argued the lack of any direct links with Bin Ladin's Al-Qaeda, but the reference point here is the perception that underlies the security structure's thinking, which views Arabs, Muslims and South Asians as extended pockets of ideological support and affinity to Al-Qaeda as well as possibly acting as incubators for it. If such pockets exist, it is easy for them to be transformed into active networks; thus, the infiltration program, from the FBI's perspective, is warranted, if not absolutely necessary, to prevent such an eventuality.

Here the Department of Homeland Security and the FBI would have to engage in ideological discrediting and disruption if the campaign is to have much success. At this point, I will not contemplate the methods that will be deployed by the agencies to accomplish this ideological task; instead I will direct individuals to follow this project by paying extra attention to the

wider debates involving Islam in the world and what initiatives are supported and which ones are fought or get discredited. A final note on infiltration, some with ill intent will take what I have written above as a sign of support for “terrorists” since I am pointing out the campaign being carried out against them, which would only help those who are enemies of this country. Contrary to such ill intentions, I write to bring awareness to what is an already existing policy wrongfully directed at a community that has committed no crimes. As to supporting “terrorists,” I recommend for anyone making such an argument to look no further than those with power and influence in our society who provided training, money and support when they issued a sub-contract for the Afghan war against the Russians. What makes the same person acceptable to our country one day and despised the next? They call it the national interest!

#### *“PSYCHOLOGICAL WARFARE FROM OUTSIDE”*

The second major tool employed during the height of COINTELPRO operations was “Psychological Warfare From Outside” the targeted group. This is very easy to deal with at this time, considering the 24/7 negative attention directed at Islam and Muslims in the mainstream media. I am not one who considers all media to be evil but do understand that some have agendas while others are connected to certain ideological camps and are ready to employ their pen, voice, or image to pursue the empire’s project at home and abroad. The pressure to keep a job and have a steady check to pay for the costs of living prevents many from taking on the empire and its many embedded executives and high-up watchdogs.

The constant barrage of negative stories on Islam and Muslims that often has no connection to what is taking place is intended to maintain a siege mentality among members of the targeted group. It is hoped that this constant external psychological pressure will lead to behavior modification among members of the targeted group or groups. Since human beings like to have an over-all positive image of themselves, when confronted with a constant wave of negative constructs directed at the core belief system, often the response can take a number of forms and one of them is a move toward behavior modification. The message from the negative campaign is that the problem is your belief system and if you change it or completely leave it behind then you will be accepted as a normal and positive “member of the community.” What we have here is a basic behavior modification program directed at Arabs, Muslims and South East Asians, the goal of which is to bring about a complete change in the worldview and the essential outlook of the targeted groups. The legal cases, arrests of individuals, the uncovering of some secret groups training in a hamlet, and detailed accounts of money movements are all intended to keep the psychological pressure on the targeted communities. Yes, a number of these cases are real and the evidence warrants a prosecution, but the overwhelming number of

all others are nothing more than a psychological tool deployed for the specific purpose of containment and behavior modification.

Another possible response of individuals facing such a psychological program might be to take a defensive and antagonistic position thus resorting to retaliation and violence against the security agencies. In such instances, the individual or a group of individuals begins to see the state structure, security agencies and the society in general as enemies that are out to get them by any means necessary, and as such the only response would be to do unto others as they would do unto you. In my opinion, this gives the security agencies the success they were seeking from the beginning and can further assert the correctness of their approach since they did discover a "sleeper terrorist cell" somewhere in middle America.

What we find here is the success of the psychological program in producing two desired outcomes: one in terms of behavior modification that leads to questioning one's own core beliefs or seeking an alternative to them altogether, and the second possibly developing a more hostile attitude that can manifest in seeking revenge for what is seen as an attack on the community. In both cases, the security agencies can claim success for the psychological program and the targeted groups are left in utter internal and external destruction. A third possible outcome that might be witnessed in some communities that were insular before 9/11 is opting for a complete withdrawal from engagement in public or civic life altogether and becoming more inward focused and closed to outsiders (both Muslim and others in society).

The number of cases directly connected to 9/11 is limited; however, the continuing stream of arrests and charges brought against Arabs, Muslims and South West Asians are intended to maintain the psychological pressure and are not in any way connected to those who carried out the attacks. Through a barrage of negative messages directed at the targeted communities, another benefit can be accrued in keeping possible allies at bay, which can help in the long run in isolating those deemed problematic from a security point of view. How to achieve an end game where the target is being pursued for a possible future crime and the only indication for violence is represented in the religious thought held by the individuals or groups under scrutiny! External psychological warfare provides the needed tool to isolate and narrow the target field from millions to possibly hundreds of thousands—which, if combined with other resources, then, in the minds of security agencies, makes the elimination of the threat possible.

One aspect of the external psychological warfare in the present period is the sub-contracting as well as privatization of certain elements of the program. At present, the internet has become a major tool in creating and fomenting negative stories about all Muslim leaders in this country and abroad. Just as the FBI COINTELPRO memos above targeted the Black leadership for the purpose of denying them respectability in the eyes of both the white liberal community as well as their own black community, the



same game is being carried out against all existing Muslim leadership with the goal of bringing about behavior modification. I maintain that a centralized network of private outfits are at work 24/7 and are responsible for maintaining the pressure on national and regional Arab, Muslim and Southeast Asian leadership. The tasks assigned to them involve monitoring and seeding the internet with as many negative stories and responses as humanly or technologically possible. No leader should be left alone for either he is to be brought closer to the power structure to do its bidding or to be kept at bay from all supporters within and outside the community. Humans are keen at wanting and seeking companionship even if at times at the cost of one's own principles, and every person has a breaking point while only very few will resist to the end. If you know the psychological math, then one can understand the rate of success associated with this strategy. The targeted community leadership is already sidelined for the most part and only those who are open to play along and march to the beat of government domestic and foreign policy drums are given the time on the microphone, TV or access to the halls of power. From the security organization's point of view, the goal should be the domestication of a leadership so that it no longer objects to power politics being deployed against the best interest of the community since leaderless people will accept anything. We merely need to reflect on the success associated with psychological pressure applied against the Black community and the outcomes that are currently manifested in the collapse of the inner city.

In general, the general public will keep going and will respond to the ruling power's directives applied against them, and the lack or the neutralization of leadership will make it possible to direct the energies away from critical analysis and possible demands for change. In the FBI memos above, the key wording is "Prevent militant black nationalist groups and leaders from gaining respectability," and if we change the statement to include the current targets, Arabs, Muslims and Southeast Asians, then we can understand the unfolding campaign. When we examine internet files and Google search each and every leader, we are struck by the volumes of attacks directed at them, which makes it seem that thousands of people are engaged in these efforts, but the reality is that much of it is centralized and generated for the specific purpose of forcing behavior modification.

My hypothesis includes the presence of communication hubs that are responsible for monitoring, collecting and mobilizing data for the purpose of this effort. The private nature of the enterprise makes it possible to perfectly hide the operations from the public eye or to bring it to an end. These private outfits are highly ideological and are pursuing their goals and objectives at the expense of the targeted communities. I do maintain that one of the largest private outfits dedicated to this effort is the ADL (Anti-Defamation League), which operates from a highly ideological prism and has both the know-how and the national reach to carry forth this work. The ADL was caught red handed in such an effort in 1992 in San Francisco

where the organization was found in actual possession of some 10,000 files of individuals and organizations active in the Bay Area. At a certain point, the ADL had a paid private eye named Roy Bullock, who volunteered for the American-Arab Anti-Discrimination Committee and, through it, managed to collect all needed data and pass it on to the ADL. In addition, the ADL employed the help of a San Francisco Police Department Officer named Tom Gerard who was assigned by the SFPD to work as a liaison to the local Arab community, attending almost every function under the rubric of providing security to the community. In this case, both Gerard and Bullock collected the data and obtained the police files on individuals from a very wide range of backgrounds. The point that I want to make is that the ADL is committed ideologically to Israel and would see pressure on Arab, Muslim and Southeast Asian leadership as serving its long term interests through maintaining the current policies favoring Israel in the United States of America. In this context, one can see that often the door toward easing the pressure on the leadership involves their readiness to engage on the margins with a normalization project toward the pro-Israel forces, which are often engaged at center stage in the psychological pressure campaign.

#### *THE LEGAL SYSTEM: AN INSTRUMENT OF CONTROL*

One of the most powerful tools at the disposal of the FBI and the Department of Homeland Security is the legal system, which can be deployed as an instrument of control rather than the basic adjudication of disputes among various parties, including the government. The legal system and law in general is born out of social conditions and is highly influenced by them. When "separate but equal" was the law, the social conditions informed and provided the constructed boundaries for the legal arguments presented at the Supreme Court. The same can be said about present day conditions where the judiciary has been more than ready to play along providing the government needed legal cover for massive civil and human rights violations. During the early days of the 20<sup>th</sup> century the Justice Department perfected the use of the legal system in a campaign of harassment and intimidation directed at Anarchists, labor movements and communists alike. Presently, we are witnessing once again the employment of the legal system in a well-designed legal harassment campaign directed at the leadership and activists in the Arab, Muslim and South East Asian communities.

Though maintaining that the goals of this campaign are many, we can summarize some of them in the next few pages. First, through the legal process, the FBI and the Homeland Security structures can immediately put the individuals and organizations out of business since an arrest or a search warrant is intended to halt all activities carried out by the identified subject or organization. In the Holy Land Foundation case, Dennis Lormel, a former Justice Department official who worked on the government's anti-terrorism financing effort, professed after the not guilty verdict that the

government can still claim a victory since through the arrests "they're creating a deterrent." For Lormel, "there is disruption caused by these kind of cases. The bottom line is that money did go to Hamas. If [the Holy Land defendants] weren't willing participants, they were unwittingly used." When we examine the non-profit sector and community based organizations, we find that a few individuals are responsible for keeping the group moving, and if they are suddenly removed from the scene, then the immediate outcome is a state of paralysis that would take time to overcome. By targeting the leadership and the activist segments of the Arab, Muslim and Southeast Asian communities, the FBI and Homeland Security are essentially causing an internal collapse in many of the non-profit organizations providing a variety of services. We must always be reminded of the harm and utter destruction visited upon the Native Americans and African American communities in a similar process that has been under way since the early days of this country; at present the targets are the Arab, Muslim and South East Asian communities.

Second, by arresting, charging or serving a search warrant, the FBI and Homeland Security can immediately produce negative responses in the community toward those individuals and groups targeted. It is common for people to speak in private, saying that they must have something on them otherwise they would not have done what they have done to them. The "stay away from trouble" attitude common among many immigrants gets a new lease on life and produces a success for the security agencies. It is also important to remember that the security agencies likewise might engage in seeding community discussions through visits and interviews with community members thus producing the needed narrative in mosques, centers and places of gathering. Often, members of the community acting out of fear or an attempt to distance themselves from what is under way offer and volunteer information that either authenticates or builds upon what the FBI agents have been asking about in the first place. The end result is a success in creating a big gulf within the targeted community.

Third, the legal process allows for a media frenzy to take place and a wider negative campaign connected to the targeted individuals and groups to permeate society. Often, the media is contacted before a given raid or arrest in such a way as to guarantee sensational coverage on local channels and, if it is a big fish, on the hour-long national news shows. The intent of these pre-arranged media spectacles are to make the story of the arrest, raid, or search warrant as widely known as possible and help generate additional stories on the subject matter. No one wants day old news and thus the breaking story creates frenzy among media sharks, which further helps to achieve the psychological part of the campaign discussed above.

Fourth, through the arrests, raids and searches, the FBI and Homeland Security are able to indirectly direct the agenda of activists and community organizations. Immediately after the arrests, the targeted community groups or individuals begin to mobilize for some type of a legal

response, hire a lawyer, and organize a committee to handle the emerging situation, which might involve meetings face to face with the FBI or other security agencies. What is relevant for us is the actual directing of the groups or individuals agendas away from what they were doing to what the FBI and Homeland Security want them to do—i.e., to follow the legal train to nowhere for the next few years. Instead of capacity building and fundraising for a future school, community meetings instead are overtaken by legal defense committee issues and trying to get more funds to hire a better lawyer and so forth. A monumental shift in community priorities occurs, and resources are strained to the limits during this period.

Fifth, another more damaging outcome of this approach is the real possibility for splits and fall-outs among community members who begin to point fingers at each other and at those who were arrested, charged, raided, or searched. As the saying in Arabic goes, “When a cow falls, all the knives begin to cut through it,” which means the legal entanglement of a member or more of the community creates an internal feeding frenzy that often leads to self destruction. In such a period and with the first goal of infiltration already accomplished, the FBI and the Homeland Security might use the occasion to further push existing differences toward eventual splits and internal hostilities. A similar approach with minor differences was operational against the Black Panther Party in the 1960s and the early 1970s.

Sixth, the legal process allows for new and less experienced people to emerge at the local community level, and their initial period will be taken up with figuring out who is who and what needs to be done at a time when the group is under siege. These are the moments that make it possible for infiltrators to take positions of power and influence within the community. In some cases, the change of leadership is a welcome relief from an old and tired grouping, but the manner in which it is achieved should raise the alarm for everyone concerned since change from the outside is not a healthy process for Arabs and Muslims in the US or in Iraq.

Seventh, the legal process is very expensive, and if the community groups, who, for the most part, are first and second generation immigrants and possessing limited resources, are required to mount a large number of legal battles, then their financial position is greatly impacted. On a national level, the resources committed for legal defense funds and hiring lawyers are putting a strain on the community and impacting schools and mosques’ projects across the country. In addition, the legal campaign could not have come at a worst time where the economy is at a downturn and many professionals Muslims in the electronic industry lost their jobs as the ‘90s bubble burst. Take for example Professor Sami Al-Arian’s case where the retainer for the lawyer was upward of \$500,000, and the figure is expected to go way over two or three million by the end of this important legal battle. Another legal case, the closing down of the Holy Land Foundation and freezing its assets, has already cost over two million, and it is likely that

court proceedings will go on until all the funds are drained by legal fees. In the Holy Land Foundation case, the US government froze about \$5 million of the organization's funds but in the legal process allowed the lawyers to be compensated from these funds; thus it is in the best interest of the government legal team to possibly prolong the case until all the monies are exhausted. A number of areas in the US have been hard hit by government legal campaigns, and it will take sometime before they are able to recover both financially and organizationally to normal levels.

Eighth, the legal harassment also leads to disrupting national networks that were built on years of trust and relations and developed over generations. Often, Immigrant communities develop state and national networks based on the need to maintain some links with individuals and families from "back home," which in due time begin to translate into alliances that serve as the bedrock for the emergence of civic and political organizations. When legal battles are deployed by the government, one of the outcomes of this is the disruption of these relations and the planting of seeds of doubt and mistrust among people who have had longstanding relations.

Ninth, the regional and national patterns of organizations and groups begin to take on more of a localized character due to the preoccupation with legal battles governed by specific associations and references to them. As such Chicago Muslims begin to focus mainly on their own crisis; likewise Dallas and New Jersey each will be preoccupied with their own set of legal cases, which militate against further strengthening of national networks. Also, connected to this is the need for resources, which begins to impact the level of openness to share and raise funds for other than one's own localized legal crisis.

Tenth, through its legal harassments, the government can set in motion a great tide of fear, which begins to permeate every sector of the targeted community. Fear is a very important commodity and its introduction as an instrument of control is a strategic one. Fearful people will accept a variety of initiatives that under normal circumstances would be considered unthinkable. In the case of an immigrant who has limited knowledge of this society, fear tends to have a profound impact and in some cases it can lead to a complete sense of hopelessness, which government agents can then use for their own interests. The legal tools are intended to bring about fear and provide an apt lesson to everyone in the Arab, Muslim and South East Asian communities. If you dare to get out of line, then what awaits you is sometimes ten-times worse than what your friend down the street got. Also, if you have some assets that you have been able to collect in your ten, twenty, or thirty years of work in the US, you might as well kiss all of them goodbye, for they will be taken away from you, and you will spend every penny attempting to clear your name. For sure these are the lessons of a government that has the ability to use all powers at its disposal

to achieve a set of goals, unjust as they maybe, against “the new enemies of the state.”

In addition to the above, we must include a host of other measures that are intended to impact everyone in the society, thus creating further support for the already deployed security policies. Among these are the no fly list, electronic GPS monitoring, security index, communication intercepts, as well as the most recent signing by President Obama of the National Defense Authorization Act (NDAA), which permits indefinite detention without trial for those accused of terrorism, including US citizens. These measures and others create a new legal frontier where citizens and in particular Muslims are treated as guilty parties, and their collective rights to privacy, association, assembly, and religious freedom are at best on probation and at worst suspended until further notice. The “war on terrorism” globally translates to legal war on Arabs, Muslims and Southeast Asian American at home.

The government’s power and the ever-increasing need to restrain it should preoccupy the energies of all citizens since it possesses all the tools to render absolute injustice further making it the norm without any recourse. The legal recourse is expensive and contingent on the society’s social attitudes and not divorced from it. In our current period, the courts have given all the needed leeway to the executive branch to overstep various significant parts of the constitution, and a high rate of public support made it possible to affirm these steps. As such the legal harassment by the government will continue, and we should expect a limited number of court victories; this, however, ought not to prevent us from understanding the structure that has been deployed and the real impacts highlighted above, which will last for years.

#### *EXTRALEGAL FORCE AND VIOLENCE*

The employment of extralegal force and violence has already been seen in the international arena, with two countries experiencing first hand the full weight of US force. Will the power deployed overseas be introduced in this country? A note on America’s long history of extralegal force and violence at this point is important.

For a number of communities in the United States, extralegal force and violence are but a daily reality that they have been living with generation after generation. Native Americans, African Americans, Mexican Americans and Asian Americans can provide case after case, evidence after evidence of what they have experienced in this country over many generations. One can say that what the US is currently deploying overseas has been first perfected at home through its uses on a number of communities and in the Western Hemisphere as well as Vietnam, Cambodia and the Philippines. When we see the racism directed at Arabs, Muslims and South East Asians, then we should be reminded of its origin and not view it as being out of character in the long American experience; on the

contrary, it is that which remains fixed regardless of time and period. Some will point to the progress made over the years, and indeed much has been done but it was not through the generosity and noble character of those holding seats in the power structure but rather despite their extreme arrogance and resistance that change has been achieved.

In the current war on terrorism, I cannot find nor say that any extra legal force and violence has been used by government agents domestically against members of the Arab, Muslim and South East Asians populations. We do have mistreatment of arrested individuals, a civil and human rights violation, but it does not fit into what is understood as being extra legal force and violence, where assassination and possible elimination is the outcome. However, on the international level and for those detainees in Guantanamo, Cuba, the treatment and the impacts fit into aspects of the plan. The drone attack on Anwar al-Awlaqi and others in Pakistan, Afghanistan, Yemen and Iraq is an illustrative example of the deployment of extralegal force and unrestrained violence in the conduct of the global war on terrorism. In the case of al-Awlaqi, being a US citizen did not provide him any protection, and the President authorized his elimination without recourse to the courts. The important question that must be raised is what are the limits of Presidential authority in the conduct of the war on terror and what recourse do US citizens have in case they are designated as terrorist without trial or judicial review.

More broadly speaking, the current war on terrorism has led to the militarization of American society with layers upon layers of security infrastructure put in place to "fight" the war on terror at home and abroad with the glorification of violence at every juncture from movies to TV to video games. The war on terror epistemology is rooted in the logic of violence, and the rationalization that we have been attacked continues to oil its machinery. At the local level, police departments are linked to the national security infrastructure with Joint Terrorism Task Forces that leverage local resources to further the goals of the new COINTELPRO campaign with police officers being at ease to play along, whether for an offer of new equipment, extra-pay, travel or the mere excitement of joining the hunt for terrorists at home. Furthermore, American society's militarization becomes more pernicious as it is deployed against Mexican immigrants with the border becoming a battleground for those wanting to secure the "homeland," and economic imperatives are translated into a debate about security and preventing terrorists from crossing into the country. Force and violence as a policy is rationalized in the first place against "terrorists," but its impact is far reaching, and Mexicans, African Americans, Arabs, Muslims, Sikhs and others are swept as legitimate targets since they collectively fit the criteria of the constructed "other." Walking in any train station, university, school, office building, and public space, we are confronted with the ever increasing spectacle of militarization and security with police dressed in combat like gear, cameras all over the place and a

readiness to deploy violence at a moment's notice with no questions asked. Should we be surprised to see random acts of violence on college campuses and at schools and movie theaters if the epistemology of the day is one rooted in rationalization of violence and glorification of death and killing as a form of entertainment?

### CONCLUSION

The four elements discussed above in relation to COINTELPRO point to a wide ranging strategy deployed by sections of the US government against law-abiding American citizens for no other reason than being Arab, Muslim and South East Asian. By entangling individuals and organizations in the ever expanding web of the new COINTELPRO, the government is seeking behavior modification to such an extent that the targeted communities would be transformed into full partners in the "global war on terrorism" as it has been defined by those in power. The embedded assumption is that Arab, Muslim and South East Asian communities in the US have some kind of connection to those who carried out the attacks on 9/11 and as such must collectively engage in acts of repentance. As to the acceptable penance for this glaring connection, the power structure and those allied with it accept nothing less than total collaboration and total prostration to the imperial global project. The current power structure needs assistance in the global imperial project involving the Arab and Muslim world, and domestic collaborators are badly needed to provide a native rationalization to the American public that "our" efforts are noble and will help bring "enlightenment" or possibly "reformation" to the barbarians at the gate of civilization.

### ENDNOTES

<sup>1</sup> *SF Chronicle*, Sunday June 9<sup>th</sup>, 2002.

<sup>2</sup> The SF Chronicle filed a Freedom of Information Request and managed after a 17 years legal fight to obtain documents detailing the scope of FBI operations involving the University of California as well as Ronald Reagan . The released documents included files pertaining to Ronald Reagan's cooperation with the FBI during his years in Hollywood when he served as the President of the Actors Guild Association and naming -names to the agency of individuals with alleged communist links. The record and original copies are found at the following site operated by the SF Chronicle: <http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2002/06/09/MNCFTIME1.DTL>

<sup>3</sup> Tony Allen-Mills, "FBI 'Lured Dimwits' into Terror Plot," *The Sunday Times*, May 24<sup>th</sup>, 2009.

<sup>4</sup> Demian, Bulwa, *SF Chronicle*, Terror Trial: Defense Admits to Tall Tales, Not Crimes- Informant Says Camp Attendance Never Confirmed, March 3<sup>rd</sup>, 2006. See Frontline coverage of the Lodi case in the documentary, *The EnemyWithin*, and the specific reference to the Informant Naseem Khan.

<http://www.pbs.org/wgbh/pages/frontline/enemywithin/loDI/response.html>.



<sup>5</sup> Demian Bulwa, "Lodi Terror Trainee Convicted," *SF Chronicle*, Wednesday April 26, 2006.

<sup>6</sup> For references to a number of active cases visit the Muslim Legal Defense Fund website at: <http://www.muslimlegalfund.org/mlfa/cases>. Also, the SF Asian Law Caucus has an on-going Civil Rights and National Security Project focusing on systematic documentation of instances of FBI harassment and violations of basic rights. The ALC helped form a coalition in SF that culminated in the SF Human Rights Commission holding a September 23<sup>rd</sup>, 2010, hearing focusing on FBI violations of Arabs, Muslims and South Asian Rights. Furthermore, the American Civil Liberties Union, the Asian Law Caucus and the San Francisco Bay Guardian on August 24<sup>th</sup>, 2010, filed a lawsuit against the Federal Bureau of Investigation (FBI) to speed the release of FBI records on the investigation and surveillance of Muslim communities in the Bay Area. John Solomon, Gonzales Was Told of FBI Violations, *Washington Post*, July 10<sup>th</sup>, 2007.

<sup>7</sup> Graham Rayman, "The Alarming Record of the F.B.I.'s Informant in the Bronx Bomb Plot," *The Village Voice*, July 8<sup>th</sup>, 2009.

<sup>8</sup> See the article by Jason Leopold and Matthew Harwood, Hacked Intel Email: NYPD Involved in "Damn Right Felonious Activity", September 4<sup>th</sup>, 2012. <http://truth-out.org/news/item/11326-hacked-intel-email-nypd-involved-in-da>

<sup>9</sup> Ward Churchill and Jim Vander Wall, *Agents of Repression*. South End Press, 2002, p. xii.

<sup>10</sup> For materials covering the periods mentioned above see Theoharis, Athan G. *The FBI and American Democracy: A Brief Critical History*, Kansas University Press, 2004. Also, Theoharis, Athan G; Tony G. Poveda, Susan Rosenfeld, Richard Gid Powers. *The FBI: A Comprehensive Reference Guide*. Checkmark Books, 2000. Also, for good context, read Heidi Bochosian. *The Assault on Free Speech, Public Assembly, and Dissent: A National Lawyers Guild Report on Government Violations of First Amendment Rights in the United States*. North River Press, 2004.

<sup>11</sup> Michael Linfield, *Freedom Under Fire*. South End Press, 1990, p. 136.

<sup>12</sup> *Ibid.*, pp. 136-137.

<sup>13</sup> Church Committee Report, Book II: Intelligence Activities and the Rights of Americans, p. 6, 1975.

<sup>14</sup> *Ibid.*, p. 6.

<sup>15</sup> For an over-all context and alternative view of US history see Howard Zinn's *A People's History of the United States*, Harper Perennial, 2005 edition.

<sup>16</sup> Brian, Glick, *War at Home: Covert Action Against U.S Activists and What We Can Do About it*, South End Press, 1989, p. 7. The author cites the source in footnote 15, Cowan, Paul, Nick Egleson, and Nat Hentoff, *State Secrets: Police Surveillance in America* (Holt, Rinehart & Winston, 1974).

<sup>17</sup> *Church Committee Report, Book II, Intelligence Activities and the Rights of Americans*, pp. 3-6, 1975.

<sup>18</sup> Zinn, Howard. *A People's History of the United States*, p. 542

<sup>19</sup> Zinn, Howard. *A People's History of the United States*, p. 542

<sup>20</sup> *Church Committee Report, Book II, Intelligence Activities and the Rights of Americans*, pp. 6-7, 1975.

<sup>21</sup> *Ibid.*, p. 77.

<sup>22</sup> *Ibid.*, p. 10.

<sup>23</sup> *Ibid.* p. 78

<sup>24</sup> See Camille T. Taiara, "Students under surveillance? Secrecy surrounding SFSU's routine use of undercover cops to videotape political events raises concerns." *SF Bay Guardian*, June 18<sup>th</sup> 2003. "A civil lawsuit accusing San Francisco State University of discriminating against Arab and Muslim student activists has revealed that the university routinely uses

undercover cops to videotape political events on campus, according to a sworn deposition by SFSU police chief Kim Wible.”

<sup>25</sup> Read more: <http://www.sfgate.com/crime/article/Activist-Richard-Aoki-named-as-informant-3800133.php#ixzz27W3W3PpC>

<sup>26</sup> See the documents at <http://hosted.ap.org/specials/interactives/documents/nypd-msa-report.pdf>

<sup>27</sup> See [http://www.aclu.org/files/assets/aclu\\_eye\\_on\\_the\\_fbi\\_-\\_mosque\\_outreach\\_03272012\\_0\\_0.pdf](http://www.aclu.org/files/assets/aclu_eye_on_the_fbi_-_mosque_outreach_03272012_0_0.pdf)

<sup>28</sup> [http://www.aclu.org/files/assets/aclu\\_eye\\_on\\_the\\_fbi\\_-\\_mosque\\_outreach\\_03272012\\_0\\_0.pdf](http://www.aclu.org/files/assets/aclu_eye_on_the_fbi_-_mosque_outreach_03272012_0_0.pdf)

<sup>29</sup> Brian, Glick, *War at Home: Covert Action Against U.S. Activists and What We Can Do About it*, (Date?) p. 10

<sup>30</sup> Church Committee Report, Volume 6: Federal Bureau of Investigation, p. 367

<sup>31</sup> James X. Dempsey and David Cole, *Terrorism and the Constitution: Sacrificing Civil Liberties in the Name of National Security*, The First Amendment Foundation, 1999, p. 37.

<sup>32</sup> Nick Schou, “The FBI, the Islamic Center of Irvine and Craig Monteilh: Who was Conning Whom?,” *Orange Coast Weekly*, April 30<sup>th</sup>, 2009.

<sup>33</sup> *Ibid.*

<sup>34</sup> *Ibid.*

<sup>35</sup> *Ibid.*

<sup>36</sup> *Ibid.*

<sup>37</sup> Anonymous, *Terrorist Hunter: The Extraordinary Story of a Woman Who Went Undercover to Infiltrate the Radical Islamic Groups Operating in America*, Harper Collins Publishers, 2002. The ISBN for the hard cover edition is 0-06-052819-2

<sup>38</sup> <http://old.nationalreview.com/interrogatory/interrogatory062603.asp>

<sup>39</sup> For a clear treatment of this subject see Ward Churchill and Jim Vander Wall, *Agents of Repression*, South End Press, Third Edition, 2002. Also, M. Wesley Swearingen, *FBI Secrets: An Agent’s Expose*, South End Press, 1995. See the edited work of Cathy Perkus, *COINTELPRO: The FBI’s Secret War on Political Freedom*, Monad Press, New York, 1975.