Module 2: Infringing on Civil Liberties: Racial/Religious Profiling, Surveillance, and Targeting of Muslims

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Note to Educators

The Teaching Beyond September 11th curriculum project seeks to capture the events of the two decades (2001-2021) following 9/11 as a means for youth to understand the post-9/11 global order. Developed by a team of educators from the University of Pennsylvania in collaboration with inter-/national scholars, practitioners, and community activist leaders, each stand-alone module is grounded in at least one of six identified themes and is anchored in an event in a particular year following 9/11. The curriculum does not need to be taught sequentially. Lessons within a module may be taught sequentially or individually unless specified.

The curriculum is ideal for advanced high school and early college students. Educators are encouraged to adapt lessons to meet the needs of their classroom and student academic level. The curriculum framework at the end of this document highlights guiding questions for students to grapple with and enduring understandings that we wish for students to glean from these lessons.
Module 2: Infringing on Civil Liberties: Racial/Religious Profiling, Surveillance, and Targeting of Muslims

Primary Theme: Domestic Policy  
Secondary Theme: Solidarity and Social Justice  
Year in focus: 2002, 2012  
Grades: 11 and 12, and first-year college  
Entry points: US History and Civics

Module Context
The September 11, 2001, terrorist attacks were a pivotal moment in history where Muslims and those perceived to be Muslim were constructed as enemies of the US. In rapid response to the attacks, some government officials stoked patriotic fervor by deeming Muslim communities as suspicious and reinforced their possible disloyalty to US political interests. Discrimination towards Arab, Middle Eastern, Muslim, and South Asian communities has been in existence long before 9/11; however, 9/11 marked an exacerbation of anti-Muslim racism, and immigrant Muslims became an easy target. One swift action undertaken was the targeting of Muslim foreign nationals through the National Security Entry-Exit Registration System (NSEERS). Despite the program’s aim to thwart terrorism by registering Muslim immigrants, the program did not yield any terrorist charges. Instead, this program led to increased surveillance, detention, and eventual deportation of Muslim (and other) immigrants. In addition to government policies that endorsed racial profiling of Muslims, there was a rise in hostile public sentiment towards Arab, Middle Eastern, Muslim, and South Asian communities.

The two lessons in this module focus on understanding how government policies and practices breed distrust and fear of Muslim communities, and further contribute to their erosion of their civil liberties and suspected surveillance.

Module Goal
Students will be able to use their independent learning to recognize the personal, community, and institutional impacts of racial and religious profiling on Muslims and those perceived to be Muslims, and they will be able to name the ways diverse communities can band together to challenge xenophobic policies that threaten civil rights.

Module Overview
Lesson 1. Domestic Policies Policing Muslims. In response to the attacks that occurred on 9/11, the US government implemented institutional changes to immigration law and policy that resulted in the creation of the National Security Entry-Exit Registration System (NSEERS), or what is referred to as “special registration” of immigrant men and boys from several Muslim majority countries, including Iran,
Teaching Beyond September 11th

Iraq, Libya, Sudan, Syria, Afghanistan, Algeria, Bahrain, Eritrea, Lebanon, Morocco, North Korea, Oman, Qatar, Somalia, Tunisia, the United Arab Emirates, Yemen, Pakistan, Saudi Arabia, Bangladesh, Egypt, Indonesia, Jordan, and Kuwait (NSEERS Report). The government faultily assumed at that time that tracking and registering men and boys (most of whom were Muslim) would assist in identifying terrorists. However, the program never brought about one single conviction of a terrorist charge.

This lesson aims to help students understand the impacts of the National Security Entry-Exit Registration System (NSEERS) that relied upon racial profiling to register thousands of immigrant Muslim men and boys. It will also further expand students’ understanding of how Muslims, allies, and community organizations organized and resisted this program.

Lesson 2. The NYPD Surveillance Scandal - This lesson focuses on the New York Police Department's (NYPD's) decade-long spying program on Muslim American communities. Students will understand how Muslims were racially profiled and surveilled for innocent activities under the guise of thwarting terrorism. The NYPD faultily assumed that being Muslim was a precursor to terrorism.

Curriculum Connections
Module 4: Civil Liberties after 9/11
Module 6: Bush’s Legacy and the Global War on Terror
Module 7: Understanding Islamophobia
Module 8: Islamophobia and the Oval Office
Module 14: Islamophobia in Global (Non-US) Contexts
Module 17: The Muslim and African Ban
Lesson 1. Domestic Policies Policing Muslims

Overview, Background Resources and Materials Needed

In response to the attacks that occurred on 9/11, the US government implemented new institutional changes to immigration law and policy that resulted in the creation of the National Security Entry-Exit Registration System (NSEERS), or what is referred to as “special registration” of immigrants from several Muslim majority countries, including Iran, Iraq, Libya, Sudan, Syria, Afghanistan, Algeria, Bahrain, Eritrea, Lebanon, Morocco, North Korea, Oman, Qatar, Somalia, Tunisia, the United Arab Emirates, Yemen, Pakistan, Saudi Arabia, Bangladesh, Egypt, Indonesia, Jordan, and Kuwait (NSEERS Report). The government faultily assumed at that time that tracking and registering men and boys (most of whom were Muslim) would assist in identifying terrorists. However, the program never brought about one single conviction of a terrorist charge.

This lesson aims to help students understand the impacts of the National Security Entry-Exit Registration System (NSEERS) that relied upon racial profiling to register thousands of immigrant Muslim men and boys. It will also further expand students’ understanding of how Muslims, allies, and community organizations organized and resisted this program.

Background reading for educators before Lesson 1

It would be beneficial for educators to review the following resource. This resource may also be used as a supplementary reading for students in higher level courses:

Department of Homeland Security (2011, May). DHS Removes Designated Countries from NSEERS Registration. Available at: https://www.dhs.gov/dhs-removes-designated-countries-nseers-registration-may-2011 Indicates NSEERS countries are removed by DHS in May 2011, but states that the order is still in place “in the event a special registration program is again needed.” The program was only modified after other processes were put into place to document exit and entry information for new arrivals.

Key Terms in Lesson 1

- **Civil Liberties**: Personal freedoms that in the United States are included in the Bill of Rights. Free speech and freedom of religion are civil liberties. These are different from civil rights that offer legal protection, e.g., the right to vote.

- **Racial Profiling**: Discriminatory practice by law enforcement officials of targeting individuals for suspicion of crime based on the individual’s race, ethnicity, religion, or national origin. An example of racial profiling is the targeting of Arabs, Muslims, and South Asians for detention on minor immigrant violations in the absence of any connection to the attacks on the World Trade Center or the Pentagon (Source: ACLU).

- **Xenophobia**: Comes from the Ancient Greek words xénos, meaning "stranger" or "foreigner", and phóbos, meaning "fear". Put together, it means fear or hatred of that which is perceived to be foreign or strange. In contemporary times, it has come to mean fear, distrust, prejudice, or hatred.
against people from other countries or those “appearing to be foreign” due to race, clothing, religious identity, language, etc.

- **Desi**: People who identify as having South Asian ancestry, typically from the Indian Subcontinent, specifically from Bangladesh, India, and Pakistan.
- **South Asian**: People whose ancestry or heritage is from one of the following countries: Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan, and Sri Lanka.
- **NSEERS (National Security Entry-Exit Registration System)**: A federal policy that required male non-citizens from 24 Muslim-majority countries and North Korea to comply with a special registry. NSEERS was a discriminatory program that targeted Muslims and people perceived to be Muslims yet failed to yield any information on terrorism or security threats.

Materials Needed for Lesson 1

1. Lesson 1 Slide Deck
2. **Matt Davies political cartoon** (1 copy per small group or image projected on screen)
3. Video: “Rising up: The Alams” (projector needed to play video)
4. Lesson 1 Handout 1. Article: "A Reflection on Winning the End of Muslim Registrations" December 24, 2016 from the activist organization Desis Rising Up and Moving (DRUM) ((link to DRUM article for students to access on their electronic devices or 1printout per student)
5. Lesson 1 Handout 2: **DRUM Article Graphic Organizer** (1 per student)
Lesson 1. Domestic Policies Policing Muslims

Opening – 5 minutes
To introduce the topic, consider showing students this political cartoon.

[Click on the thumbnail or link of this Matt Davies cartoon comparing gun rights vs. Muslims’ rights.]
[No tech alternative: Print out a few copies of the cartoon and pass around]

Give students a minute or two to observe the cartoon. Encourage students to come up with questions and interpretations and support them with reasoning.

[Lesson 1 Slide Deck, Slide 2] You may wish to display these questions on a screen or write them on the board:

● What does this cartoon make you think about?
● What does it make you wonder?
● What do you want to know more about?
● How can you find it out?

Ask a few students to share their interpretations and questions about the cartoon.

You are encouraged to write their questions and interpretations on the board for all to see. Point out some of the convergence between their ideas and then explore what was divergent in their responses by following up with students about their reasons for their responses.

Anticipated answers:

● The cartoon explores individual freedom vs. gun rights. At the same time, it’s making a joke that President Trump doesn’t want to restrict the freedom of gun owners, and yet we are taking Muslims’ freedom away.
● Students may wonder why Muslims’ rights are considered less important than gun owners’ rights.
As a follow up, ask:

Why do you think having a registry for gun owners is considered against the law, but requiring Muslims to register with the federal government was not considered against the law?

How is the government violating the rights of Muslims when it requires this community to comply with special registries?

Anticipated answers:
● It is making a group of people the target when they haven’t committed a crime.
● Muslims are stereotyped as dangerous when owning a gun is seen as being patriotic.
● Muslims are being singled out for their religion.

Key concepts overview – 20 minutes

Use the cartoon to lead into an overview of the NSEERS policy. NSEERS was a registry that restricted the rights and humanity of Muslims and people perceived to be Muslims but failed to yield information on terrorism and security threats.

[Lesson 1 Slide Deck, Slide 3]. To give students some background information about NSEERS, you could explain that (info below is on the slide):
● The National Security Entry-Exit Registration System (NSEERS) program began in 2002.
● Male non-citizens from 24 Muslim-majority countries and North Korea were required to comply with this special registry.
● 84,000 (largely Muslim) boys and men between the ages of 16 and 45 were impacted.
● Over 13,000 people were put into deportation proceedings based on civil immigration violations.
● 2,800 people were detained, often related to minor visa violations.
● Not a single known terrorism-related conviction resulted from NSEERS.
● The program cost $10 million annually to run, leaving the Department of Homeland Security’s Office of the Inspector General to conclude that the program was ineffective and a waste of taxpayer resources.

[Lesson 1 Slide Deck, Slide 4] Introduce the following key terms: Civil Liberties, Racial Profiling, and Xenophobia.

Explain to students that these policies were an infringement on the civil liberties of the individuals impacted by this law given the fact that the law essentially focused on Muslim men and boys.

● Civil Liberties: Personal freedoms that in the United States are included in the Bill of Rights. Free speech and freedom of religion are civil liberties. These are different from civil rights that offer legal protection, e.g., the right to vote.

Explain that the law is also an example of racial profiling, in that it was a discriminatory practice of targeting individuals based on their religion, ethnicity, and race (including phenotype such as skin color).
Racial Profiling: Refers to the discriminatory practice by law enforcement officials of targeting individuals for suspicion of crime based on the individual’s race, ethnicity, religion, or national origin. An example of racial profiling is the targeting of Arabs, Muslims, and South Asians for detention on minor immigrant violations in the absence of any connection to the attacks on the World Trade Center or the Pentagon (Source: ACLU).

Finally, this law’s targeting of non-citizens exemplifies the xenophobic nature of the law.

Xenophobia: Comes from the Ancient Greek words xénos, meaning "stranger" or "foreigner", and phóbos, meaning "fear". Put together, it means fear or hatred of that which is perceived to be foreign or strange. In contemporary times, it has come to mean fear, distrust, prejudice, or hatred against people from other countries or those “appearing to be foreign” due to race, clothing, religious identity, language, etc.

[Time permitting] To help students grapple with the idea of a registry for Muslims and its impacts on individuals, families, and communities, consider showing students this 10-minutes video from 2005 on the Alam family, who immigrated from Bangladesh to New York in 1994. The Alams were subjected to policing under NSEERS, the special registry for Muslims after 9/11, and faced deportation threats. The video also shows how community activists from the Desis Rising Up and Moving (DRUM) organization drummed up public support for ending the NSEERS.

[Lesson 1 Slide Deck, Slide 5]. Video (10 minutes) “Rising up: The Alams”:
https://www.youtube.com/watch?v=aUaG7tb0lb8D

Application – 20 minutes

Purpose: In addition to learning about the harmful impacts of NSEERS, students can learn about the other side of the NSEERS years— the resistance to it and the solidarity by communities (Muslim, racialized Muslims, and non-Muslim allies) by reading about one particular organization.

Organize students into groups of 3-5. Explain that they will now be exploring how organizations came together to resist NSEERS. If you have shown students the video, they will have seen community organizing by the group DRUM (Desis Rising Up and Moving). (Note: “Desis” are people who identify as having South Asian ancestry, typically from the Indian Subcontinent, i.e., Bangladesh, India, and Pakistan.). If not, briefly introduce DRUM to the class. Explain that DRUM was founded in 2000 to build the power of South Asian and Indo-Caribbean low wage immigrant workers, youth, and families in New York City to win economic and educational justice, and civil and immigrant rights. (DrumNYC.org)

If students have laptops or tablets, share the link of the article and project the questions; if not, distribute hard copies of the article and the graphic organizer [Lesson 1: Handouts 1 & 2]

[Lesson 1 Slide Deck, Slide 6] Display the following questions. In groups, encourage students to read the DRUM article and discuss the following questions while taking notes on the graphic organizer:
1. How did NSEERS play a role in institutionalizing and exacerbating xenophobia, anti-Muslim racism, and racial profiling?
   Anticipated responses: Students may refer to either the article or the video and cite the ways in which NSEERS made racial profiling of Muslims legal (institutional/structural Islamophobia) and fanned the flames of anti-Muslim/Islamophobic sentiment in society after 9/11, when Islamophobia was very rampant.

2. What communities are represented among the organizations who challenged Muslim registration? What is significant about these different organizations coming together to challenge NSEERS?
   Anticipated responses: Students will notice that there were different organizations focused on different causes such as immigration, prisons, etc. but that they united for a cause they felt was connected to social justice, civil rights of minorities, etc.

3. What do you think is the purpose of Desis Rising Up and Moving in writing the article? How does this article present Muslim communities differently than the mainstream media usually does?
   Anticipated responses: Students may say that Muslims are usually presented as either victims or perpetrators, but this article illustrates how they can be community activists, leaders, and movers and shakers in society.

Debrief – 5 minutes
Towards the end of the lesson, ask the groups to turn towards the entire class and synthesize what they have learned. Remind them that the article describes how DRUM and other organizers banded together to successfully challenge NSEERS and help bring the policy to an end in 2016. You might want to ask students:

1. How have other groups in society experienced policies or policing similar to NSEERS and racial profiling? How have these groups challenged their experiences of inequality?
2. What have you learned about social movements today and the importance of solidarity among different groups?

Anticipated responses
- Immigrants have experienced similar targeting by authorities under ICE raids in Latinx communities. They are asked to provide proof of citizenship based upon the way they look.
- African American/Black communities have been subjected to stop and frisk policies that assume they are doing something criminal just for being oftentimes young and Black. Black Lives Matter challenged this unfair policing.
- When groups draw attention to each other’s hardships it can increase the possibility that people will know these types of policies are wrong.
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Extension Activities or Homework

Option 1: Direct students to create a protest sign, infographic, flyer, or social media post about what NSEERS was and why it came to an end. As an additional task, they could connect to the need to end another unfair policy that is still in existence and which targets a racialized group of people in their community, country, or world.

Option 2: Direct students to look up the organizations listed at the bottom of the DRUM article to learn more about what they stand for. Ask them to draw up a list of common priorities that all the organizations care about.

Option 3: Essay Prompt. Over the past 2 decades, two major policies have impacted Muslims and others in terms of travel to and from the US: NSEERS was active from 2002-2011, and The “Muslim and African Ban” was in places various times between 2017-20. What were similarities and differences between these two policies? How did the public react to each? Why were they eventually ended?
Lesson 1. Domestic Policies Policing Muslims

Student Handouts and Supplementary Teaching Materials

1. Lesson 1 Slide Deck Preview [Please download separate slide deck file]
2. Lesson 1 Handout 1. DRUM Article *A Reflection on Winning the End of Muslim Registrations*
3. Lesson 1 Handout 2: DRUM Article Graphic Organizer
Module 2: Infringing on Civil Liberties: Racial/Religious Profiling, Surveillance, and Targeting of Muslims
Lesson 1. Domestic Policies Policing Muslims
A Reflection on Winning the End of ‘Muslim Registrations’

December 24, 2016

Desis Rising Up & Moving. Available at: https://www.drumnyc.org/reflection-winning-end-muslim-registrations/

On Thursday, the Department of Homeland Security formally eliminated the regulations that formed the basis of the NSEERS (National Security Entry-Exit Registration System) or Special Registrations program which devastated our communities. At a time when the incoming administration is openly committed to resurrecting such a registrations program, this commendable step by the White House and the Department of Homeland Security in response to community voices and pressure gives our communities fighting chance.

Special Registrations program started in 2002 and led to over 84,000 Muslim boys and men between the ages of 16 and 45 from 24 Muslim majority countries and North Korea being registered, leading to over 13,000 put into deportation proceedings based on civil immigration violations, and causing around 2,800 to be detained, all as a result of lawfully complying with the program. After organizing ended the domestic program, NSEERS continued to subject thousands more to deportation at ports-of-entry. The port-of-entry registrations subjected visitors from the designated countries, to be subjected to being photographed, fingerprinted, interrogated, and face additional inspections on entry and on exit from the United States, and instituted a mechanism to keep tabs on them for the duration of their visits. Thousands of families were torn apart, jobs lost, and lives, neighborhoods, communities devastated, some of which never fully recovered. This massive and ineffective profiling campaign based on religion and ethnicity was an utter failure even by its own intents, but came at extensive social, ethical, and economic costs for our communities.

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Our country made thousands of black and brown men line up outside federal buildings solely on the basis of their national origins

History

It may be tempting to see this struggle within the limited scope of post-election efforts. But the history of resistance to end the NSEERS program is as long as the program has existed. Credit must be given to all who contributed to this resistance from directly impacted families and individuals, to community based organizations, civil and human rights organizations, media and storytellers, immigration attorneys, and Congressional and government representatives. But we do want to uplift the grassroots struggles as they provide key lessons for us moving forward.
2002 – Spurred by the mass detentions and by the subsequent resistance ignited in Los Angeles, DRUM formed the NYC Coalition Against Special Registrations along with CHRI (Coalition for the Human Rights of Immigrants) and the Prison Moratorium Project, with a framing that actively drew links between national security, immigrant rights, and mass incarceration

2002-2004 – The Coalition engaged directly with impacted communities and individuals through:
- Regular Know Your Rights trainings in neighborhoods across NYC to help people decide whether to register or not
- Weekly vigils outside of Federal Plaza
- Flyering and on-the-spot Know Your Rights raps with men standing on lines outside federal plaza
- Collecting names and contact info of men on lines and then contacting their families if they didn’t emerge by evening time
- Visiting and organizing men inside detention centers
- Supporting families on the outside with housing, finding employment, as well as organizing and speaking to media and decision makers about the impacts of NSEERS
- Pressuring the responsible agencies and decision makers to end the program through testimonies by impacted families, or highlighting stories and impacts
- Documenting stories and incidents to be compiled by human rights groups into reports and media
- Civil disobedience actions in partnership with allies

2003 – Supporting immigrant and refugee right centers, faith institutions, and Canadian immigrant rights allies at the US-Canada border for the thousands of immigrants (especially Pakistanis) who tried fleeing to Canada to avoid NSEERS

2003-2004 – Bringing together of the communities impacted by or working on NSEERS into partnership with the anti-war movements as part of the efforts against the Iraq War and the against the NYC Republican National Convention

2004-2007 – Coordinating with No One is Illegal in Canada to support all the families and individuals (who fled to Canada in 2002-2003) as they were all deported back to the U.S. as result of the Safe Third Country Agreement

2004-2007 – NSEERS impacted (directly or indirectly) immigrants joining into the broader immigrants rights movement for NY State drivers licenses, against Sensenbrenner bill, and for just and human legalization

2006-2007 – People impacted by NSEERS building partnerships and exchanging stories with communities from the US-Mexico border impacted by the militarization of the border and the deaths in the desert

2008-2011 – Continuing advocacy with policy makers to formally and fully end the NSEERS program
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2011 – Welcoming the deactivation of the NSEERS program, but demanding full dismantlement of the program

2011-2015 – Continually pushing on DHS to end the NSEERS regulatory framework so the program cannot be resurrected

2016 – Making a final concerted push after the election through drawing upon histories and lessons from the anti-NSEERS struggles, uplifting leadership of those impacted by NSEERS, collecting 340,000 petitions along with allies and signing organizational letter with 200 allies calling for dismantling regulatory framework, an action in Washington DC, meetings with the White House and Department of Homeland Security – all centering the impacts on and the lived experiences of communities targeted by NSEERS

14 and 15 year olds were forced to choose between schooling and dropping out so that they could help their families eat and pay rent.

Key Lessons to Draw for Our Movements in the Coming Period

1. The vast majority of the above work was never funded. In the aftermath of 9/11, the overwhelming amount of the funding and resources went to large legal and policy organizations. There is a strong conservative tendency to fund large groups, who often don’t have the ability to do the get-your-hands-dirty work, as well as a fear of the work being done by small groups that is led by or with the most marginalized and vilified sections of our societies.

2. It is the deep grounding that comes about from working directly with impacted communities (while standing in lines, in detention centers, helping families move out after being evicted, with 15 year olds figuring out whether to drop out of school or not in order to financially support their families, families to figuring out and planning border crossings, political and social exchanges between communities impacted by different manifestations of borders, and bringing impacted people into strategizing and taking action in our movements, etc) that really gives us larger political direction and vision for what solutions are viable and what are not.

3. A lot of the cross-movement and cross-sector alliances that we see now took years of work and flourished at the grassroots for years before such partnerships became acceptable or normalized at the grasstop levels. We need to build alliances horizontally across sectors and movements, as well as vertically from the grassroots to the grasstops of advocacy and policy groups. But the best way to do this is by centralizing and starting from the grassroots.

4. Being mindful that our activism and allyship is not just performative (eg. allies registering as Muslims) or symbolic, but that it is rooted in actual strategies, needs, demands, and sites of leverage that are drawn from the concrete experiences of impacted communities and that actually disrupt the functioning of unjust systems. Otherwise, we cede valuable ground and the battles are already lost. We have to be aggressive and not “wait and see” when we actually hear others saying exactly what they will do. Give no inch. Cede no ground.

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Lesson 1. Domestic Policies Policing Muslims
Handout 1. A Reflection on Winning the End of ‘Muslim Registrations’ Graphic Organizer (4 pages)
Looking Ahead

As we go into the incoming administration, we can be assured that they will follow through on their plans to resurrect or recreate this or similar programs. The fact that they will have to start from scratch means, at the minimum that we bought our communities time to prepare, but more importantly that will have opportunities to organize, leverage, disrupt, and possibly even block their efforts. The lessons above will be useful not only in that struggle, but for the upcoming period as a whole.

This reflections would be remiss if we didn’t acknowledge some of the key locations and organizations in those efforts that we had the honor of working alongside (by no means a comprehensive list):

- New York: Prison Moratorium Project, CHRI – Coalition for the Human Rights of Immigrants, AALDEF – Asian American Legal Defense and Education Fund,
- Los Angeles: South Asian Network
- Chicago: Arab American Action Network
- San Francisco: ASATA (Alliance of South Asians Taking Action), Asian Law Caucus
- Canada: No One Is Illegal (Montreal and Toronto)

Please support these organizations, especially the local ones by donating, volunteering, and following their leadership.

Looking forward to being in the struggle with all of you!

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In small groups, read the article *A Reflection on Winning the End of ‘Muslim Registrations’ Graphic Organizer* and answer the following questions. If you watched the video: *Rising Up: The Alams*, you may use that as a resource as well.

1. **How did NSEERS play a role in institutionalizing and exacerbating xenophobia, anti-Muslim racism, and racial profiling?**

   Response:

   Evidence from the article (and video):

2. **What communities are represented among the organizations who challenged Muslim registration? What is significant about these different organizations coming together to challenge NSEERS?**

   Response:

   Evidence from the article:
3. **What do you think is the purpose of *Desis Rising Up and Moving* in writing the article? How does this article present Muslim communities differently than the mainstream media usually does?**

Response:

Evidence from the article:
Lesson 2. The NYPD Surveillance Scandal

Overview, Background Resources and Materials Needed

This lesson focuses on the New York Police Department’s (NYPD’s) decade-long spying program on Muslim American communities. Students will understand how Muslims were racially profiled and surveilled for innocent activities under the guise of thwarting terrorism. The NYPD faultily assumed that being Muslim was a precursor to terrorism.

Background reading for educators before Lesson 2:

It would be beneficial for the educators to review:
1. **Background on the NYPD Surveillance Scandal** (see additional resources)

Key Terms in Lesson 2:

- **Racial Profiling**: Discriminatory practice by law enforcement officials of targeting individuals for suspicion of crime based on the individual's race, ethnicity, religion or national origin. An example of racial profiling is the targeting of Arabs, Muslims, and South Asians for detention on minor immigrant violations in the absence of any connection to the attacks on the World Trade Center or the Pentagon (Source: ACLU).

- **Structural Racism**: The racial group inequities in systems, laws, policies, and institutions that maintain power for white people and continue to marginalize people of color.

- **Structural Islamophobia**: Islamophobic or anti-Muslim policies created and maintained by institutions or the state. Structural Islamophobia is noted in the Muslim Ban or the PATRIOT Act as examples of legislation. Surveillance or policing of Muslim Americans in mosques is another form of structural Islamophobia.

- **State Surveillance**: The close monitoring of someone who is perceived to be dangerous or pose a threat in some way. Examples of surveillance include spying on people in their daily lives, maintaining watch lists, and collecting people’s personal data.

- **Muslim Student Associations**: University sponsored clubs on various campuses that aim to promote the spiritual, religious, social, and civic growth and well-being of students. (Source: MSA National).
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Materials Needed for Lesson 2

1. Lesson 2 Slide Deck

2. **New York Police Department watch list.** Print one copy and cut into strips to distribute one country/group/ancestry to each student. Provide sticky tape so students can affix to the wall.

3. Video: Spying On Campus: NYPD Caught Monitoring Muslim Student Groups Throughout Northeast (projector needed)

4. Lesson 2 Handout 1: **Discussion Questions. The NYPD Surveillance Scandal** [1 per student]
Lesson 2. The NYPD Surveillance Scandal

Learning Plan

Pre-class preparation
Print out and cut up the list of New York Police Department watch list “ancestries of interest” available in the resources section of this lesson. You will also need tape. Alternatively, write out the ancestries on large post-its.

Opening – 10 minutes
Set up the context of the lesson by explaining to students that after 9/11, police departments like the NYPD created a “watchlist” that covered a wide range of people from several different countries. To introduce the idea of the New York Police Department’s spying program, divide the room into two sides and label one side “New York Police Department watch list”. You may label the other side as “Clear of Scrutiny” or leave it blank. Give each student a slip of paper with the name of one of the 29 ancestries from the section “Resources for Lesson 2”. If you have fewer than 29 students, give some students more names than others so that all countries or ancestries are taken. Ask students to go to the side or the room or tape their paper on the wall where they think it belongs. Do they think their given country or ancestry belongs on the NYPD’s watch list, or do they think they are clear of scrutiny? Direct them to talk amongst themselves to try to find a pattern in the countries that may or may not be on the NYPD’s watch list.

[Lesson 2 Slide Deck, Slide 2] After every student has picked a side, display slide with all the ancestries listed on it. Students may be surprised that all of their given countries or ancestries were on the NYPD’s watch list following 9/11.

Ask students to consider whether the list appears random and diverse, or whether there is any pattern to the list.

Anticipated responses: After some observation, they will likely notice that most of the ancestries are from Muslim-majority countries (even though there are plenty of non-Muslims sharing these very same ancestries). They may be surprised that Black American Muslims are on the list.

Key concepts overview – 10 minutes
Now that you have piqued students’ curiosity about the NYPD’s spying program, explain the intentions and impact of the program.

[Lesson 2 Slide Deck, Slide 3] To give students some background information about the NYPD spying program, you could explain that (points below are on slide):

- The NYPD spying program included a “Demographics Unit” that employed undercover officers to report on the daily activities of people from 2 “ancestries of interest”, representing almost every Muslim majority country and American Black Muslims.
- The spying program surveilled over 250 mosques in New York and New Jersey.

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Informants, known as “mosque crawlers” were sent to take pictures inside mosques and report on sermons and even the license plates of congregants.

The NYPD sent “rakers” into these communities to spy on community members in 263 so-called “hot spots” which included hookah bars, restaurants, and bookstores.

The NYPD reported on 31 Muslim Student Associations, which are university sponsored clubs on various campuses.

The program also worked with the CIA to carry out its operations despite it being illegal for the CIA to collect any information on US citizens unless they are committing espionage or engaging in international terrorist activities.

The NYPD spying program never led to one terrorist lead or terrorist investigation.\(^1\)

When explaining the impact on Muslim communities, introduce the term Institutional or Structural Islamophobia. Check their understanding of the term before providing a definition (can read out or optionally show slide).

Structural Islamophobia: Islamophobic or anti-Muslim policies created and maintained by institutions or the state. Structural Islamophobia is noted in the Muslim Ban or the PATRIOT Act as examples of legislation. Surveillance or policing of Muslim Americans in mosques is another form of structural Islamophobia.

Questions to consider to understand structural Islamophobia:

- How is a state or an institution like and not like an individual person?
- What do we mean by “state” or “structural” or “institutional” Islamophobia/anti-Muslim racism?
- What is the difference between Islamophobia/anti-Muslim racism expressed by an individual versus a country or state or city policy or law?

Anticipated answers

- An institution is harder to change because it's not just an opinion; everyone who works at an institution has to carry it out even if they may believe it's unfair.
- A state makes the laws that everyone has to follow, and individuals only have the power over themselves.
- A hate crime could be an example of an individual acting on their racism or prejudice. A law could be something like the Muslim and African Ban. So, the difference is that one person can affect one other person, but a law has the potential to affect all the people of that same background.

Application – 25 minutes

Next, inform students that they will be watching a DemocracyNow! segment on the NYPD's involvement with surveilling Muslim communities and organizations on campus.

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[Lesson 2 Slide Deck, Slide 5] Watch the news interview clip (14 mins):
“Spying On Campus: NYPD Caught Monitoring Muslim Student Groups Throughout Northeast”.
https://youtu.be/znbj8edzd0E

[Lesson 2 Slide Deck, Slide 6] After viewing the clip, ask students to discuss the following questions in small groups (3-4 students). The questions are also available on Lesson 2 Handout 1.

1. How does focusing on the ancestry of people (as the NYPD did with its “ancestries of interest” list) reinscribe stereotypes and legitimate racial profiling?
2. How did the spying impact Muslim students in particular?
3. How can the actions of an institution, in this case the police department, be held accountable for the harms created by illegal spying and illegitimate intrusion into these communities?

Debrief –5 minutes
Ask students to share their responses to the questions above.

Anticipated answers/Answer Key:

Question 1
- It gives the police “permission” to act on their racial biases with no fear of redress
- It allows the police to unfairly target certain populations
- By focusing on countries with large Muslim populations, it reinscribes the Muslim = terrorist stereotype
- It upholds anti-Blackness
- It exacerbates anti-Muslim racism and xenophobia towards Muslim communities due to its creation of a suspicious criminal profile of individuals from the 29 targeted backgrounds

Question 2
- Students may have felt the need to restrict their speech and religious practice as well as their everyday activities
- It created distrust for the police
- Some students may have isolated themselves

Question 3
- More transparency and investigation into the spying scandal
- Formal apology to the families and individuals impacted by the spying
- Reparations for families and individuals impacted by the spying

End by asking:
- What kinds of structural or institutional discrimination do you see in your society today? How can the institution or state be held accountable?
Lesson 2. The NYPD Surveillance Scandal

Student Handouts and Supplementary Teaching Materials

1. Lesson 2 Slide Deck Preview [Please download separate slide deck file]
2. Background Resource for Educators on Teaching The NYPD Surveillance Scandal Lesson
3. Lesson 2 NYPD Watch List (print out one copy and cut slips to distribute to students)
4. Lesson 2 Handout 1: Discussion Questions. The NYPD Surveillance Scandal
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Background Resource for Educators on Teaching The NYPD Surveillance Scandal Lesson

A 2012 Pulitzer Prize-winning journalistic investigation into the NYPD’s decade-long intelligence operations after 9/11 revealed that the New York Police Department along with the help of the CIA had been mapping ethnic businesses, as well as covertly spying and infiltrating mosques and Muslim campus student organizations. Further, the investigation found that there was no factual basis of wrongdoing that informed the spying operations, but instead revealed a pattern of using ethnicity/race and religion as the primary impetus of these intelligence operations.

The actions of an institution or state are the primary focus of this lesson. We typically think of racism as a bias expressed by an individual towards another individual. We also assess this bias by whether or not the person has an intention of being racist. However, when an institution is responsible for targeting a whole group of people in its policies based upon this preconceived bias, we would call this structural racism, or in our lesson, structural Islamophobia. In the NYPD surveillance scandal, a whole group of people based upon their racial/ethnic/religious identity were subjected to mass surveillance without any factual basis of wrongdoing. It was the assumption that their ethnicity/race/religion was the primary factor that warranted the suspicion of the state’s scrutiny. In absence of any evidence, the investigation went along for over a decade without being reviewed for its efficacy in thwarting terrorism. In the end, the illegal spying produced no terrorist convictions.

The NYPD has also come under public scrutiny before due to its racial profiling of young Black and brown youth due to unfair “stop and frisk” policies that targeted young men of color disproportionately with illegal personal searches absent of any wrongdoing. In both of these cases, the NYPD employed racial profiling as its basis to pursue its criminalization of everyday people associated with these racial, ethnic backgrounds.
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New York Police Department Watch List: “Ancestries of Interest”

Print out one copy and cut out each of the 29 names to distribute to students along with a piece of tape.

<table>
<thead>
<tr>
<th>Egypt</th>
<th>Sudan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yemen</td>
<td>Black American Muslims</td>
</tr>
<tr>
<td>Iran</td>
<td>Turkey</td>
</tr>
<tr>
<td>Pakistan</td>
<td>Bangladesh</td>
</tr>
<tr>
<td>Somalia</td>
<td>Jordan</td>
</tr>
<tr>
<td>Chechnya</td>
<td>Albania</td>
</tr>
</tbody>
</table>

Module 2: Infringing on Civil Liberties: Racial/Religious Profiling, Surveillance, and Targeting of Muslims
Lesson 2. The NYPD Surveillance Scandal
New York Police Department Watch List: “Ancestries of Interest” (2 pages)
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Libya

Guyana

Yugoslavia

Saudi Arabia

Lebanon

Palestine

Afghanistan

Algeria

Bahrain

Indonesia

U.A.E. (United Arab Emirates)

Morocco

Iraq

Syria

Tunisia

India

Uzbekistan

Module 2: Infringing on Civil Liberties: Racial/Religious Profiling, Surveillance, and Targeting of Muslims
Lesson 2. The NYPD Surveillance Scandal
New York Police Department Watch List: “Ancestries of Interest” (2 pages)
Discussion Questions: The NYPD Surveillance Scandal

After watching the Democracy Now! interview, “Spying On Campus: NYPD Caught Monitoring Muslim Student Groups Throughout Northeast,” answer the following questions:

1. How does focusing on the ancestry of people (as the NYPD did with its “ancestries of interest” list) reinscribe stereotypes and legitimate racial profiling?

2. How did the spying impact Muslim students in particular?

3. How can the actions of an institution, in this case the police department, be held accountable for the harms created by illegal spying and illegitimate intrusion into these communities?
Module 2: Infringing on Civil Liberties: Racial/Religious Profiling, Surveillance, and Targeting of Muslims
Lesson 2. The NYPD Surveillance Scandal
Discussion Questions (1 page)
Appendix to Module 2: Infringing on Civil Liberties: Racial/Religious Profiling, Surveillance, and Targeting of Muslims

Curriculum Framework

Goal
Students will be able to use their independent learning to recognize the personal, community, and institutional impacts of racial and religious profiling on Muslims and those perceived to be Muslims, and they will be able to name the ways diverse communities can band together to challenge xenophobic policies which threaten civil rights.

Essential questions
1. What were the impacts of state surveillance and racial profiling on Muslim communities, immigrants, and those who were racialized as Muslims?
2. How did the NSEERS program and the NYPD watch list replicate racial profiling?
3. How did NSEERS and the NYPD watch list further entrench anti-Muslim racism and xenophobia towards Muslim communities?
4. How did Muslim community organizations build solidarity and connections among various parts of the community to challenge the NSEERS program?

Understandings
Students will understand that...
1. NSEERS further entrenched anti-Muslim racism and xenophobia towards Muslim communities due to its creation of a suspicious criminal profile of Muslim men and boys.
2. Segments of the Muslim community who were the most structurally vulnerable, in this case immigrants and Black Americans, were unfairly targeted and their families suffered as a result.
3. Both NSEERS and the NYPD spying program were ineffective counterterrorism interventions. They did not produce any criminal terrorist charges, consumed vast amounts of resources, and relied on racial/religious profiling.
4. Muslim communities, organizations, and allies advocated, organized, and challenged special registration for Muslims.
5. The NYPD watch list targeted 29 “Ancestries of Interest”, and those on the watch list were surveilled in mosques, bookstores, hookah bars, and throughout their communities.
6. The NYPD watch list led to the close surveillance and infiltration of Muslim Student Associations.

Knowledge
Students will know...
1. How structural Islamophobia impacts the policies and practices of state agencies.
2. How state-sanctioned surveillance and racial profiling directly targeted Muslims and those perceived to be Muslims.
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3. How NSEERS and the NYPD watch list impacted the daily lives of Muslims and those perceived to be Muslims.
4. How Muslim communities and allies organized and resisted NSEERS.

Skills
Students will be able to...
1. Interrogate the use of surveillance (including through NSEERS and the NYPD Watch List) in Muslim communities.
2. Identify the personal and community impacts of racial profiling and surveillance on Muslim communities.
3. Explain how Muslim communities and organizations organized, advocated, and resisted racial profiling and surveillance.

Summary of Performance Tasks (Assessment)
To demonstrate their learning, students will:
1. Analyze political cartoons: Students will reflect on a political cartoon.
2. Engage in a group discussion: Students will watch the short video clip Rising Up: The Alams and discuss how Muslims, allies, and community organizations organized and resisted NSEERS.
3. Read and reflect: In small groups, students will read “A Reflection on Winning the End of Muslim Registrations” December 24, 2016, and fill out the graphic organizer. https://www.drumnyc.org/reflection-winning-end-muslim-registrations/
4. Engage in a group discussion: Students will watch the DemocracyNow! segment “Spying On Campus: NYPD Caught Monitoring Muslim Student Groups Throughout Northeast” and discuss the impact of the NYPD surveillance program and how institutions can be held accountable for the harms caused by structural Islamophobia.
5. Create a protest sign, infographic, flyer, or social media post (extension activity): Students will create a visual representation to demonstrate their understanding of what NSEERS was and why it came to an end.
6. Compare community organizations (extension activity): Students will look up the organizations listed in the DRUM article and create a list of their common priorities.

Common Core Standards
Key Ideas and Details:

CCSS.ELA-LITERACY.RH.11-12.1
Cite specific textual evidence to support analysis of primary and secondary sources, connecting insights gained from specific details to an understanding of the text as a whole.

CCSS.ELA-LITERACY.RH.11-12.2
Determine the central ideas or information of a primary or secondary source; provide an accurate summary that makes clear the relationships among the key details and ideas.

Integration of Knowledge and Ideas:
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CCSS.ELA-LITERACY.RH.11-12.7
Integrate and evaluate multiple sources of information presented in diverse formats and media (e.g., visually, quantitatively, as well as in words) in order to address a question or solve a problem.

CCSS.ELA-LITERACY.RH.11-12.9
Integrate information from diverse sources, both primary and secondary, into a coherent understanding of an idea or event, noting discrepancies among sources.

Range of Reading and Level of Text Complexity:

CCSS.ELA-LITERACY.RH.11-12.10
By the end of grade 12, read and comprehend history/social studies texts in the grades 11-CCR text complexity band independently and proficiently.

About the Contributors
Sabrina Alimahomed is a professor at California State University, Long Beach. She has published her research on the topics of gendered Islamophobia and state violence, racialized surveillance and gendered counterterrorism, and the profiteering of private capital in the War on Terror. She is an Affiliate Faculty at the Center for Security, Race, and Rights at Rutgers Law School. She also served as an Honorary Research Fellow at University College London’s Centre for the Study of Education in Muslim Contexts.

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