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National Security, Islamophobia, and Religious Freedom in the U.S.

A central argument in Hurd's (2015) Beyond Religious Freedom is that the religious freedom policy framework pursued by the United States not only entrenches lines of division between religious faiths, but also is constructive of those very divisions. Where foreign and domestic policies purport to promote tolerance and respectful pluralism in the name of religious freedom, Hurd (2015, 41) contends they instead create 'new forms of social friction defined by religious difference.' Utilizing Hurd's (2015) categories of Official, Governed, and Lived religion I examine Islamophobia and the racialization of Muslims in the United States and demonstrate how over-identification with religious groups can exacerbate social tensions; how the 'agenda of surveillance' (Hurd 2015) disproportionately targets Muslims in the United States; and argue that recourse to law and policy alone in response to anti-Muslim discrimination is unlikely to transform social attitudes towards Muslims. Finally, I utilize a contemporary reworking of Adam Smith's sympathetic imagination and radical democratic theory to propose an alternative pathway towards dissolving the pejorative ascription of difference to religiously othered individuals.

In June 2017, the Supreme Court of the United States partially upheld the 'Muslim travel ban' enacted by President Trump, allowing the Department of Homeland Security to deny visas to citizens from seven Muslim-majority countries unable to prove an existing institutional or personal connection in the United States (Laughland 2017). In doing so, the court has given legal weight to the popular characterisation of Muslims as inherently dangerous, violent, and unassimilable to American culture. This article examines the racialization of Muslims in the United States, and the role of social discrimination and state policies in shaping both the lives of American Muslims, and the racialization process. The article is structured by, and in conversation with, Elizabeth Shakman Hurd's (2015) *Beyond*

Religious Freedom. Hurd's work is of utility to the discussion of Islamophobia and the racialization of Muslims in the United States: her critique of religious freedom policies demonstrates that such policies not only entrench lines of division between religious faiths but are also constructive of those very divisions; meanwhile, by differentiating between 'official,' 'governed,' and 'lived' religion, Hurd's schema is able to make sense of the complex ways in which discourses about 'Islam' from multiple sites within government and society construct how Islam and Muslims are perceived in the United States. Although Hurd makes mention of the social, political, and historical complexities swirling around and through any discussion of 'religion', she does not herself look outward to the study of race nor how race intersects with religion. This article is thus a theoretical intervention in and engagement with *Beyond Religious Freedom*: drawing on interdisciplinary literature from sociology, philosophy, and democratic theory I examine how the over-identification with religious identity exacerbates social tensions for Muslims, who have a long history of racialization in the United States; how the 'agenda of surveillance' (Hurd 2015) disproportionately targets Muslims in the United States; and argue that recourse to law and policy in response to anti-Muslim discrimination is, alone, unlikely to transform social attitudes towards Muslims.

In the first section of this article I take up Hurd's (2015, 47) claim that 'when social tension, discrimination, and violence are reduced to a problem of religious intolerance […] the complex and multidimensional tapestry of human sociality is lost from sight, and the multifaceted problems faced by persecuted groups become more difficult to address.' I argue that reducing Islamophobia and discrimination against Muslims to simple religious intolerance fails to account for the racialization of Muslims and the long history of 'othering' Islam as an anti-American or anti-Western religion to various ends. In the second section I turn to the 'agenda of surveillance' (Hurd 2015) that has disproportionately dominated the

relationship of the state to Muslims since September 11, 2001. I argue these policies of regulation and surveillance, enacted in the name of national security, legitimate Islamophobia in civil-society and further entrench the belief that religious affiliation can be a sufficient explanation for political behaviour (Hurd 2015, 110). In the final section I turn from analysis to suggest possible avenues for overcoming the Islamophobia and deep religious, political, and moral divisions in United States society. Drawing on a contemporary working of Adam Smith's sympathetic imagination and theories of radical democracy, I propose a transformation of the dominant social imagining of Muslim bodies and a turning toward deep democratic engagements with others across difference.

Lived Religion: Ascriptions of Difference and the Racialization of Muslims

Lived religion, according to Hurd (2015, 8), is 'religion as practiced by everyday individuals and groups as they interact with a variety of religious authorities, rituals, texts, and institutions and seek to navigate and make sense of their lives, connections with others, and place in the world.' In Hurd's schema of official, governed, and lived religion, it is lived religion that captures the 'life world' of religious actors and the various 'disparate, improvised forms of religious belonging and practice' (Hurd 2015, 13). When examining the experience of 'living' Islam in the United States, one is inevitably confronted with the way Islamophobia and heightened discrimination against Muslims post-2001 circumscribes the freedom to 'be Muslim' in the US. Although freedom of religion is a constitutional guarantee to all US citizens, the practice of Islam in the US is not as 'free' as many Muslims would like: for example, Islamic holidays may not be recognised by schools or workplaces, Mosques may be few and far between, and following Islamic dietary law can be difficult in many places (Peak 2010, 42). Characterising Islamophobia as a form of religious intolerance

obscures that discrimination against Muslims in the United States is a product of both the hardening of divisions between religious groups (Hurd 2015), and of a long history of 'othering' Muslims and Islam as inherently anti-American. This history is inextricably interwoven with race formation and the construction of Western liberal self-conception. If religious belonging is 'disparate' and 'improvised' (Hurd 2015, 13), then the racialization of Muslims reduces adherents of Islam to a rigid caricature; if religious practice involves seeking to make sense of one's place in the world (Hurd 2015, 13), then the negative ascription of difference and 'othering' of American Muslims positions them as 'out' of place in the United States.

Islamophobia is not simply about a 'fear' of Islam, and prioritising religious interpretations of social tensions 'reduces complex social, historical, and political histories and inequalities to a problem of religion' (Hurd 2015, 42). Although Islam is a religion and not a race, a convincing case has been made that Muslims have undergone 'racialization': the process by which a particular group of people have specific characteristics—usually negative—inscribed as 'natural and innate to each member of the group' (Garner and Selod 2015, 11). The qualities ascribed to Muslims include fundamentalism (Selod 2015, 80; Shylock 2010, 2), cultural backwardness (Fadda-Conrey 2011, 534; Naber 2006, 243; Shylock 2010, 2), violence (Naber 2000; Cainkar 2006, 247), cruelty (Naber 2000, 52), incivility (Fadda-Conrey 2011, 534), and anti-Semitism (Shylock 2010, 2). This racialization is also gendered, with Muslim men ascribed with misogyny and violence, and Muslim women with oppression (Al-Faham and Ernst 2016; Naber 2006). Underlying this ascription of cultural difference in Islamophobia is also a belief about racial hierarchy in the United States and the relationship of race to American-ness: as Akhtar (2011, 786) argues, 'becoming an American is strongly linked to whiteness'.

The pejorative ascription of difference to Islam and Muslims in the contemporary

United States did not begin in 2001, but is rather the continuation and intensification of a

much longer racial project. Cultural representations of the Middle East (which is always

conflated with Islam in this social imagining) shifted from the exotic harem and the wealthy

oil sheikh to dangerous terrorist following the 1967 Arab-Israeli war, an image only

reinforced by the 'gun-toting revolutionaries' of the Iranian hostage crisis in 1979 (Love

2009, 411–12). The pejorative social imagining of Muslims in the US was dominant long

before the events of September 11, 2001: Islamic terrorists were initially blamed for the 1995

bombing of a federal building in Oklahoma, although the perpetrators were actually white

Americans (Bakalian and Bozorgmehr 2009). Cainkar (2006, 247) argues that the

racialization of Arabs/Muslims as essentially different to Americans and inherently violent is

part of a process 'tied to the United States as a superpower and its *foreign* (not domestic)

policy interests'. US support of Israel throughout the twentieth century coupled with military

interventions in, or sanctions against, the Muslim-majority states Iran, Iraq, and Syria has

required the manufacture of public consent (Cainkar 2006, 251; Love 2009, 413): and the

civilizational differences ascribed to Arabs and Muslims 'over there' as part of this process

results in a simultaneous ascription of difference to Arabs and Muslims 'over here' (Fadda-

Conrey 2011, 534).

In addition to justifying US foreign policy and military intervention in the Middle

East and South Asia, the racialization of Muslims and reductive social imagining of Muslim

bodies also serves as the 'other' against which an idealised American identity is articulated. If

Islam is intolerant, undemocratic, and violent, then Christian America is tolerant, egalitarian,

and peace-loving. This pejorative 'othering' of Islam as inherently anti-American is a

contemporary reminder of Said's (1978) seminal argument that Muslims have been the

'other' against which the entire notion of enlightened liberal Western notions of self are

formed. Much like Said argues, these othering discourses reveal more about American notions of itself than about any 'true' nature of Islam or Muslims. The desire to be (the most) tolerant, egalitarian, and peaceful *requires* an opposite against which to be measured. Just as Hurd (2015, 116) argues that the religious freedom framework encourages people to recognise and define themselves by religious difference, in the process creating frozen religious identities that fail to capture the complexity of religious belief and practice, so the differences racialization posits between Muslim and non-Muslim Americans is constructed by the process of racialization itself.

The 'backlash' (Bakalian and Bozorgmehr 2009) against Muslims in the United States after the events of September 11, 2001 were thus not simply motivated by the attacks, but drew on decades-long social prejudice. Anti-Muslim hate crimes spiked sharply after the events of September 11, 2001 and still have not returned to their pre-2001 levels (Abdelkader 2016). From March 2015 until March 2016 there were 'approximately 180 reported incidents of anti-Muslim violence, including: 12 murders; 34 physical assaults; 49 verbal assaults or threats against persons or institutions; 56 acts of vandalism or destruction of property; 9 arsons; and 8 shootings or bombings' in the United States (Abdelkader 2016). Hurd's work is salient to understanding the positioning of Muslims within US society and their experiences post-September 11, 2001: she critiques the religious freedom policy framework for encouraging citizens to recognise religious identities as 'prior to [any] other identities and affiliations' and notes that this 'heightens the socio-political salience of whatever the national or international authorities designate as religion' and constructs 'an ecology based on religious difference' (Hurd 2015, 39). The reification of religious identity is particularly troubling for Muslim Americans, whose religious beliefs are characterised in much public discourse as incompatible with American values. When their Muslim identity takes precedence over any other, their engagements with fellow citizens and with the state is

shaped by this negative ascription of difference. In the aftermath of September 11, 2001, being recognised as 'Muslim' first-and-foremost resulted in violence, harassment, and discrimination. The extent to which individual Muslims adhere to a particular school of jurisprudence, to the orthodoxies of an Islamic sect, to ethnic or national cultural norms, to political ideologies, and their own individual idiosyncrasies is erased by the blanket and homogenous 'Muslim identity'.

The case for racialization is particularly convincing as Islamophobia does not only target Muslims, but also anyone who *appears* to be Muslim based on a crude set of assumptions about skin colour, dress, and language bearing little relation to Islam (Al-Faham and Ernst 2016, 135; Love 2009, 402). For example, the first recorded hate crime after the World Trade Centre attacks in 2001 was the murder of a Sikh man who was mistaken for a Muslim because of his turban (Peak 2010, 63). In May 2016, an American Airlines flight departing from Philadelphia was delayed after a passenger became suspicious of a man with dark features intently scribbling in a foreign script. The suspect was removed from the flight, but the man was neither a terrorist, nor a Muslim: he was, rather, an Italian professor of economics based at the University of Pennsylvania working on a differential equation (Rampell 2016). This incident demonstrates both the paranoia surrounding Muslims in US civil society, and the incredibly reductive assumptions made about who Muslims are and what they look like. Furthermore, just as non-Muslims may experience Islamophobia if they embody the physical traits assumed to signal 'Muslim-ness', Muslims who pass for white may be free to move through American society unencumbered by Islamophobia (if they are not easily identified as Muslim by their clothing or name) (Garner and Selod 2015, 12).

One of the key reasons the overly reductive stereotypes of Islam are so widely accepted is that many Americans simply do not have any contact with Muslims, and most lack sufficient knowledge about Islam (Peak 2010, 170). Discussing the longevity of

pejorative stereotypes about African-Americans, philosopher of race Churcher (2016, 423) argues that continuing racial segregation and inequality in the United States means many White Americans form their understanding of African Americans through 'dominant social imaginings of Black bodies' (like those seen on television) rather than through actual interactions with African-Americans. Similarly, most non-Muslim Americans are left to form their understanding of Muslims through dominant social imaginings of Muslims, which are usually derived from commercial news media and are often pejorative and demeaning (Peak 2010, 168).

The commercial news media fuels the pejorative dominant social imagining of Muslims and their racialization through a 'continuous audiovisual resonance of loud voices, angry faces, mad gestures, and scary portrayals of creeping brown people' which all work on an affective level to '[shut] down human capacities for paying attention, receptivity, and curiosity and tarrying with the complexities of people's lives' (Coles 2016, 33). In the case of the World Trade Centre Attacks in 2001, Akhtar (2011, 770) argues that America's role in financing the rise of Al-Qaeda and creating the conditions for such attacks to occur through its foreign policy was 'invisible' to the American public thanks to a commercial news media fixated on 'sensational news in microbursts of time' that has no space for 'comprehensive historical background' to any given issue. Without that historical background, the only explanation left to Americans 'was that Islam and Muslims had attacked the United States because of their irrational hatred of democratic values and freedom' (Akhtar 2011, 770). Here again, a reductive religious explanation is given for a conflict with complex historical and political causes (Hurd 2015, 42), perpetuating a social imaginary in which Islam is inherently opposed to 'American' values.

When Muslims do make a personal appearance on commercial news media, the pejorative dominant social imaginary forecloses their ability to be truly heard by the non-

Muslim audience. In 2013 religious scholar Reza Aslan, an expert in the origins of Christianity who also happens to be a Muslim convert, was interviewed on Fox News about his book *Zealot: The Life and Times of Jesus of Nazareth*. Throughout the interview, Aslan was assaulted by a barrage of Islamophobic questions and statements from the host, beginning with her incredulity that a Muslim would write a book about Jesus. The interview lasts almost nine minutes and shows Aslan repeatedly defending his status as a highly-qualified and respected scholar of religion. The host refuses to accept, despite Aslans protestations, that there was no Islamic agenda behind the publication ("'Zealot' Author Reza Aslan Responds to Critics" 2013). The host, and no-doubt many viewers, were incapable of seeing beyond their assumption that Muslims are 'anti-Christian' (Shylock 2010, 2), and thus could not accept Aslan or his work on face value. Here we see evidence of the 'hard and fast religious identities' engendered by the religious freedom framework: Aslan's identity as a Muslim trumps his identity (and credentials) as a scholar (Hurd 2015, 42).

The effect of Islamophobia and discrimination against Muslims is a denial of social citizenship to Muslim Americans (Selod 2015, 78). Prejudice and discrimination cannot remove the *legal* rights and protections guaranteed by the constitution and the state, but they can effectively exile a citizen from the wider society (Cainkar 2006) or effect a form of cultural exclusion (Fadda-Conrey 2011, 541). As dominant social imaginings of Muslim Americans consistently highlight their difference from non-Muslim Americans in pejorative ways, while the religious freedom framework encourages Americans to recognise religious difference (Hurd 2015)—thus further entrenching lines of division—non-Muslim Americans are likely to have diminished 'concern for [Muslim] disadvantage and suffering' (Churcher 2016, 424). The less we see others as being like ourselves, the less we are able to see them as people worthy of moral consideration. The problem with pejorative cultural representations of Muslims is not only the effect it has on non-Muslim attitudes and behaviours towards

Muslims; the pejorative social imaginings impact upon the *self*-imagining of Muslim Americans and their ability to enjoy the free use of public space in the United States (Al-Faham and Ernst 2016, 144). Charles Taylor (1994, 25) argues, 'a person or group of people suffer real damage, real distortion, if the people or society around them mirror back to them a confining or demeaning or contemptible picture of themselves.'

The distortion to Muslim American self-imagining translates into a different, more constrained mode of being in public space that largely impacts those from working-class backgrounds (Naber 2006) or women (Al-Faham and Ernst 2016; Naber 2006). Naber's (2006, 245) research with American Muslims post September 11, 2001 demonstrates how those from working class backgrounds tended to experience Islamophobia in more 'violent and life threatening' ways than Muslims from middle and upper class backgrounds. Working class Muslims are more likely to take public transport, or walk, and were thus more frequently in public spaces and more vulnerable to violence than middle and upper-class Muslims. The visibility of Muslim women who veil also exacerbates the likelihood of their being the target of Islamophobia, and women may be encouraged by their families to stay off the streets or at home to avoid harassment and attack (Naber 2006). This behaviour is what Du Bois calls 'double-conscioussness' where 'minority groups learn to read themselves through the eyes and mindsets of the majority population, and regulate their behaviour accordingly in specific contexts […] to manage the risks of discrimination, confrontation, and abuse' (Garner and Selod 2015, 17). In some cases, this meant refraining from speaking Arabic in public (Bakalian and Bozorgmehr 2009, 169), while some women chose to remove their headscarves in certain places to avoid harassment (Naber 2006). In attempting to circumvent the repercussions of the pejorative social imaginings of Muslim bodies, some Muslim Americans 'cast off their religious identity' (Peak 2010, 42) and, in the process, concede that 'Islam' has no place in the American public sphere.

Governed Religion: The 'Agenda of Surveillance' and Islamophobia

Where the section above examined the experience of living as a Muslim in the United States, this section focuses upon the relationship of the state to Muslim-Americans. Hurd (2015, 8) labels this *governed religion*, 'religion as constructed by those in positions of political and religious power. In today's world, this includes states, often through the law, but also other authorities.' I argue that one cannot separate the denial of 'social citizenship' to Muslim Americans (Selod 2015, 78) from the foreign and domestic policies pursued by the United States following 9/11. Prejudice and discrimination, such as the Islamophobia discussed above, can be given legitimation and thus flourish if the state does not take an active stand against it. Should the state appear to support such discrimination, it only further solidifies these attitudes and behaviours amongst citizens (Smith 2015, 16). In the United States, government authorities and agencies at federal, state, and local levels have since 9/11 enacted a number of laws and programs that single out Muslims as a group worthy of suspicion. Hurd (2015, 8) argues that under the 'religious freedom' doctrine, religion is understood by states in a 'two faces of faith' model; whereby 'good' religion is celebrated 'as a source of morality and cohesion' and 'bad' religion is subjected to the 'agenda of surveillance, which fears religion as a potential danger to be contained and suppressed.'

I argue that, by and large, Islam has come under the 'agenda of surveillance' (Hurd 2015) in the United States since 2001—simply being a Muslim is reason enough to be suspected of supporting terrorism or violence. Islam as constructed by governing authorities in the United States, just like the Islam constructed in the dominant social imaginary, is inherently violent, anti-democratic, and anti-American. Where the pejorative dominant social imagining of Muslims has a long history, the governance of Islam as a 'bad' religion subject to surveillance and management occurred in the aftermath of September 11, 2001. In the weeks and months following the attacks on the World Trade Centre, the US government

enacted numerous policies many of which specifically targeted Arab and Muslim communities. For example, The US PATRIOT Act (October 21 2001) gave sweeping powers to law enforcement agencies to search, monitor, and detain suspects, and widened the scope of terrorism-related crimes to include financial or material support for 'questionable non-profits' (Bakalian and Bozorgmehr 2009, 165); the Aviation and Transportation Security Act (November 2001) established the TSA and gave it power to use intelligence from numerous government agencies to screen passenger lists and prevent individuals identified as a 'threat' from boarding aircraft (Bakalian and Bozorgmehr 2009, 255); and the National Security Entry-Exit Registration System (June 2002) compels 'aliens from designated countries to "(I) register, submit to fingerprints and photographs upon their arrival in the United States; (2) report to INS field offices within 30 days, and then re-report annually, and (3) notify an INS agent of their departure, with possible criminal prosecution for those who fail to comply"' (Chishti et al. 2003 in Bakalian and Bozorgmehr 2009, 257).

Policies such as these legitimated widespread public backlash against American Muslims (Bakalian and Bozorgmehr 2009, 2) including the loss of jobs (Bakalian and Bozorgmehr 2009, 147), street harassment (Al-Faham and Ernst 2016), and violence (Abdelkader 2016). Indeed, interviews with Muslim leaders revealed they believed the government policies were 'more harmful to the overall well-being of their communities than the incidents of harassment and hate crimes by ordinary citizens' (Bakalian and Bozorgmehr 2009, 156). In one example of a program specifically constructing Muslims as inherently suspicious and anti-American, the New York Police Department (NYPD) ran a program of mass surveillance against Muslims—including individuals, community centres, and Mosques—living under their jurisdiction. In documents filed as part of a lawsuit against the NYPD on behalf of New York Muslims in 2013, the American Civil Liberties Union (ACLU) documented the extent of the program and argued the program 'operated under the

unconstitutional premise that Muslim beliefs and practices are a basis for law enforcement scrutiny' (ACLU 2013). The NYPD program employed undercover agents to infiltrate Mosques and Islamic institutions; monitored websites, blogs, and online forums; and recorded the Friday sermons of Islamic leaders. All the gathered information was stored in an intelligence database operated by the NYPD. The ACLU notes, 'a police representative has admitted that the mapping activities did not generate a single lead or resulted in even one terrorism investigation' (ACLU 2013).

Securitization—the increase of state surveillance including the storage of private data, increased police powers, and stricter border controls—is occurring across the Western world (see Chebel d'Appollonia 2012). But there appears to be a reasonable case that in the United States the security state is disproportionately targeting Muslims: being Muslim or a citizen of a Muslim-majority nation is seen by the security state as evidence for supporting terrorism (Bakalian and Bozorgmehr 2009, 156). Hurd (2015, 116) argues that under the religious freedom policy framework, religion is seen as a sufficient explanation for political behaviour. Such an assumption reinforces the normative value of a Christian, liberal, private religious practice: 'Could it be that a person who takes his or her religion literally is a potential terrorist? That only someone who thinks of a religious text as not literal, but as metaphorical or figurative, is better suited to civic life and the tolerance it calls for?' (Mamdani 2002, 767). The profiling of Muslims has been largely inaccurate: being Muslim does not necessarily entail the support of or engagement in terrorism. The continuation of heightened 'national security' measures—the Muslim immigration ban mentioned in the introduction is the most recent example—suggests other motives and causes to the surveillance and targeting of Muslims not captured by recourse to a religious explanation.

The domestic policies of the United States towards Muslims are intimately related to the foreign policies it pursues with Middle Eastern and Muslim-majority countries. The War

on Terror, begun after September 11, 2001 in the pursuit of Al-Qaeda, identified its target as the amorphous and shifting enemy 'terrorism' rather than any particular state or regime. Terrorism in this war was conceived narrowly as acts of violence planned and carried out by Muslim agents. As a result, 'a myriad of ethnicities and nationalities [were] classified into a monolithic category of Muslim' and became immediately suspect (Selod 2015, 80). Naber (2006, 424) writes that throughout American history, 'during moments of national crisis or war, immigrant exclusion has tended to intensify, particularly for immigrants from the countries the US is invading.' Indeed, many scholars examining the implementation of policies targeting the Muslim population post-2001 have looked to the internment of Japanese Americans during World War II as a comparative case (Al-Faham and Ernst 2016; Bakalian and Bozorgmehr 2009; Cainkar 2006; Fadda-Conrey 2011; Naber 2006). Although Muslims have not been placed in internment camps, some argue that the detention and deportation of thousands of Arab and Muslim men, and compulsory registration of tens of thousands more post-September 11, 2001, is 'internment, happening at a slow pace (Naber 2006, 258). The implementation of such domestic policies are the 'institutional' contribution to the racialization of Muslims in the US, as racialization always occurs in an historical and cultural context under particular power relationships and results in discrimination ranging from 'denial of access to resources at one end [of the spectrum] to genocide at the other' (Garner and Selod 2015, 11).

Islam within the US is governed through the 'agenda of surveillance' and constructed as a religion to fear and suspect – this is matched by a foreign policy that seeks to remake Islam in the image of American cultural values. Hurd (2015, 25) notes that the invasion of Afghanistan in late 2001 was partially justified to the US public as an effort to reform the violent and misogynistic cultural and religious practices of the Muslim-majority nation. In this discourse, the US positioned religion as 'both the problem and the solution. The United

States sought to liberate Afghan women by transforming them into *correctly* religious (tolerant, free, Muslim or post-Muslim) women' (Hurd 2015, 25). What is considered 'correctly' religious is determined by standards using American culture (white, Christian, liberal) as the yardstick and include women not veiling, being active in public spaces, and being willing consumers of goods and culture (Hurd 2015, 25). Adherence to these standards, or to the 'correctly' religious ideal of United States foreign policy, requires an effective rejection of publicly visible markers of Islamic piety. In the section above, I demonstrated how the racialization of Muslim bodies similarly constructs a monolithic category of 'Muslim' and pressures Muslim Americans to 'pass' as Americans. US foreign policy, through different means, also attempts to reform 'bad' Islam into a 'good' religion – defined through adherence to American cultural (Christian) norms (Hurd 2015).

All these policies—domestic and foreign—underscore the perception of Islam as inherently un-American, whether through assuming belief in Islam is sufficient grounds for suspecting support of terrorism, or through assuming Islam is a 'bad' religion that must be reformed. When a state enacts policies such as these against a minority group like Muslims, they legitimate any discrimination already occurring within civil society and potentially encourage more (Smith 2015, 31). As I discussed in the previous section, Islam in the United States *already* has a long history of being perceived with suspicion prior to September 11, 2001 and the implementation of the policies discussed here. The dominant social imaginings of Muslim bodies are *already* largely pejorative and fearful. These policies, therefore, only exacerbate the prejudice towards Muslims in the United States, and the denial of their social citizenship. In the section above I showed how 'double-consciousness' causes Muslims to buy into the pejorative dominant social imaginary and alter their behaviour to avoid harassment and violence. This 'double-consciousness' is compounded by the domestic policies pursued by the United States: for example, Imams at New York City mosques

affected by the NYPD surveillance program reported anguishing over their sermons lest they be recorded and words taken out of context or misrepresented. They also noted an overall drop in mosque attendance, with their congregations become more closed and suspicious of outsiders and new-comers due to anxiety over NYPD informants and undercover agents (ACLU 2013).

Most discussion of 'fear' in the United States positions 'the nation' as afraid, and Muslims or Islam as the object of fear (Naber 2006, 257). Yet Muslim Americans report feeling constrained, anxious, and afraid under the 'agenda of surveillance' imposed by the US government post-September 11, 2001, and results in what Naber (2006, 254) calls 'the internment of the psyche' where the 'culture of fear produced a sense of internal incarceration that was emotive and manifested in terms of the sense that, at any moment, one may be picked up, locked, up, or disappeared'. To the extent that Muslim Americans identify with the United States and as 'American', they too came under attack on September 11, 2001, and reported emotions like shock, disbelief, confusion, anger and fear in the immediate aftermath (Peak 2010, 106–7). Yet the US government (and often their neighbours) treated them as suspects and not victims (Sirin and Fine 2007, 151). In a similar vein to Naber, Peak (2010, 113) argues that Muslim Americans suffered from '*compounded fear*' in the weeks and months following September 11, 2001: in addition to the 'terror-induced fears' experienced by many Americans like fear of public spaces and events, flying, and future terrorists attacks, they were also afraid of such things as religious profiling, hate crimes, and mass internment (Peak 2010, 114).

Much like harassment and discrimination in the social world, the impact of governing Islam as a religion to be feared falls along gendered lines, with Muslim men more frequently the target of government policies (Al-Faham and Ernst 2016, 133). The 'governing' of Islam by the United States ultimately reinforces the racialization of Muslims: domestic and foreign

policies that treat adherence to Islam as grounds for suspicion give legitimacy to a social imaginary that casts Muslims as inherently anti-democratic and anti-American; and the surveillance, detention, and deportation of thousands of Muslim American men deemed to be a potential 'threat' to the nation reinscribe violence as an inherent characteristic of Islamic masculinity.

Looking Beyond Religious Freedom: A Grassroots-Focused Response

Hurd concludes *Beyond Religious Freedom* by advocating for a de-centring (of sorts) of religion in policy: religion, she argues, is not a stable category and thus any attempt at producing policy to govern 'religion' reifies only one, partial and imperfect, 'religion' (Hurd 2015, 112, 120–24). This approach is at odds with the response of many American Muslims to their harassment and discriminatory government policies. Muslim Americans have mobilized in substantial numbers in post-September 11, 2001 America *as Muslims* (Bakalian and Bozorgmehr 2009). One of the most common responses to perceived discrimination on the basis of religion is through legal channels – a direct petitioning of the state. For example, when Abercrombie and Fitch denied a Muslim girl wearing *hijab* a job, she took the company to court and won (Kasperkevic 2016), as did a schoolgirl denied the same right at her school (ACLU 2008). Recourse to the law is a familiar, well-understood strategy and thus it is not surprising it is often the first solution to such issues. Cainkar (2006, 248) argues Arab and Middle Eastern Americans have a better claim on the state *as Muslims* than as a racial group, just as Hurd (2015, 111) posits that the religious freedom policy framework 'presupposes discrete religious identities as the foundation of the social order.' However, I suggest that the law is *not* an effective strategy by itself for effecting long-term change at the social level. Hurd (2015, 124) agrees, quoting Berger in arguing that 'excessive privileging of law and legal speech … can "efface the affective and relational dimensions of our social worlds."'

One may win a legal battle and may even be able to enforce the outcome of that victory, but the underlying social attitudes and dominant social imaginary is not challenged by such victories, and social tensions may be exacerbated by such an approach.

I suggest that genuine change for Muslim Americans requires a change in social attitudes, and a challenge to the pejorative dominant social imagining of Muslim bodies. I do not deny that federal or state policies or initiatives that disproportionately target Muslims and take adherence to Islam as reasonable grounds for suspicion, policing, and control must be challenged. However, in this article, my interest in these policies is the ways in which they legitimate social discrimination and reinscribe racialized understandings of Muslim bodies. Thus in this section, I begin a proscriptive project grounded not in law, or foreign policy, but in the daily lives of citizens. I argue that, although changing the way religious diversity is understood and engaged with at the level of foreign and domestic policy is important, changes at this level do not easily or necessarily 'trickle down' to the level of lived religion. I would like to see a change in the way fellow-citizens relate to one another across difference. Overcoming Islamophobia, and other sectarian prejudices, requires *both* top down initiatives and a grassroots movement.

I am under no illusions that changing social attitudes and relationships is easy. Social change is a long, slow, hard-fought process requiring multiple tactics, some of which inevitably fail. In what follows I engage with the ideas of a social philosopher and a radical democratic theorist who both, in their own ways, attempt to find a way to bring people together across lines of difference. Neither of their approaches are perfect, but both could be applicable for overcoming sectarian boundaries and the over-identification with religion in civil society. Hurd (2015, 116) argues, in creating stable categories and definitions of religious identity, the religious freedom framework fails to capture 'the complexities and contingencies of human behaviour', and the theories I engage with here both emphasise the

necessity of moving from an understanding of others based on shallow stereotypes and category definitions to a deep understanding grounded in the recognition that all humans are complex beings. Most importantly, both are hopeful in their belief in the ability of humans to act morally and see humanity in all people, no matter how different.

The dominant social imagining of Muslims in the United States is formed by a commercial media of 'pulsating fury' that is more 'audiovisual performance' than genuine journalism (Coles 2016, 33), matched by a politics of fear emanating from the highest offices and given legitimacy by a raft of federal and state national security measures disproportionately targeting Muslims. Challenging these pejorative narratives requires finding a way to present a nuanced and complex portrayal of Muslims lives, including their experiences of discrimination, that emphasises their shared humanity over and above any religious (or other) difference. Just as Hurd (2015) wishes to 'de-centre' religion in policy discourse, so I wish to 'de-centre' the salience of religious identity in the social world without discounting the significance of religious identity to religious subjects. Recent work in the philosophy of race may be useful in this context. Social philosopher Churcher (2016, 421) uses Adam Smith's concept of the sympathetic imagination to argue privileged racial groups could "imagine" themselves into the bodies (and experiences) of marginalized and devalued racial groups to transform how they relate to others.[i] The goal of such an imaginative exercise is to have "fellow-feeling" with the other to better understand their social position and recognise common humanity. The same logic can be applied to non-Muslim imaginings of Muslims. Of course, our ability to have 'fellow-feeling' with others relies on the recognition of commonality, of seeing others as being like ourselves (Churcher 2016, 424). This fellow-feeling is best developed through rich interpersonal relationships, whether romantic, as friends, or through transracial familial bonds.

The key problem with such an approach is that many Americans can quite easily never have contact with Muslims, let alone form rich relationships with them (Peak 2010). The sympathetic imagination is ineffective if we do not have the knowledge or understanding of the other to flesh out our imagined embodiment (Churcher 2016, 429). The solution Churcher offers is to use literature as a stand-in for relationships and a doorway into the world of the racialized other. She details a number of literary works that invite readers to enter imaginatively into the experiences of racially different others, compelling 'readers to recognise Black disadvantage, vulnerability and resilience in a way that engages their emotions' (Churcher 2016, 433). There are a wealth of texts written by Muslim and Arab Americans that 'respond to the post-9/11 political and social terrain in the US capturing and challenging homogenized depictions of Arab Americans' and opening up new possibilities for a more inclusive conception of US citizenship and American identity (Fadda-Conrey 2011, 533).

I agree with Churcher that literature can evoke within us sympathy for fictional characters that will have 'ethically transformative effects' on how we relate to differently racialized others (Churcher 2016, 434). However, I have my reservations about the effectiveness of relying on literature alone to reach Americans with no close contact with Muslims. I doubt that Americans who *already* buy into the dominant social imaginary would voluntarily read a novel or piece of writing, written by a Muslim, and containing a nuanced and complex portrayal of Muslim life in America. I argue such transformation in the dominant social imaginary is more likely to occur through the representation of Muslims on television and film in the US. Indeed, other minority groups have *already* successfully shifted pejorative public attitudes through positive representations in the media (Loftus 2001). However, this is not simply a matter of increasing the number of Muslim characters, or news anchors, regularly appearing on American screens: the *type* of representation is significant.

Alsultany (2012, 146) argues that even positive representations of Muslims can have negative effects: television shows that continually 'advertise' the loyalty and patriotism of Muslim Americans manages to reinforce that this patriotism and loyalty is newsworthy or exceptional. Despite the good intentions of creators, many end up 'promoting limited and acceptable versions of diversity' (Alsultany 2012, 146).

Challenging the dominant social imaginary through more nuanced representations of Muslims on television is one possible tactic in creating social change. The second tactic I wish to explore is real-life engagement with diverse others through rich, deep democratic practices. Such engagements may promote the formation of real-life relationships that prompt people to challenge any stereotypes or shallow categorisations they make about religiously-different others. Hurd (2015, 112-3) argues that 'to make religion the point from which social relations are enacted and institutional policy is developed contributes to the production of politicized religious difference.' Yet, in problematizing the religious freedom policy framework she does not address how 'social relations' *should* be enacted. I find Romand Coles (2016) work on radical and ecological democracy particularly inspiring at this juncture. Although his work is directed primary at developing a new form of politics to resist the hegemony of neoliberal capitalism and counteract the strangulation of genuine democracy he diagnoses as a result of this hegemony, it has utility in putting forward an argument for radically democratic social relationships.

Coles (2016) recognises that much of the power of the 'evangelical capitalist resonance machine', and the commercial media which acts as its 'echo chamber' (Connolly 2005, 870) is their ability to act on the affective level, pulling at us from below the level of cognition. Resistance and transformative movements can *also*, however, work at the affective level to counteract the pull of fear and hatred. Coles (2016) writes of community organizing in Arizona: legal and undocumented migrants, local residents, social workers, and students

coming together with local law enforcement to communicate their experiences of the policing of illegal migration and its detrimental effects upon their communities; or of a community garden at Northern Arizona University that brings together students, faculty, and community members alike over the shared project of growing and eating. These interactions are significant because of the way they changed people: 'faces were lighting up; faces and bodies were manifesting signs of democratic receptivity with each other—leaning forward, twisting, turning, tilting, in ways that seemed to manifest energies of opening' (Coles 2016, 34). These physical and affective responses to other human beings, often across racial, religious, and political difference, engender a willingness to be open to others (Coles 2016).

Muslim environmentalists in the US have reported how their involvement in environmental coalitions and groups help challenge pejorative assumptions about Islam held by non-Muslim activists (Hancock 2017). In working on a common 'neutral' goal like environmentalism, people from diverse religious, racial, and socio-economic backgrounds are able to find commonality. These experiences demonstrate the ability of the sympathetic imagination to overcome difference when it is grounded in actual experience and knowledge of the 'other' (Churcher 2016). Thus, initiatives and policies that bring people together across multiple lines of difference are likely to begin to challenge the pejorative dominant social imagining of Muslim bodies on a person-to-person level. As mentioned above, the clear limit to this approach is the size of the Muslim population in the US: should all Americans decide suddenly to become active in community organizing or neighbourhood groups (which is highly unlikely), many would *still* not come across Muslims and therefore not have their assumptions challenged.

However, if Coles (2016, 32–33) is correct that repeated exposure to commercial news media can shut down our 'capacities for paying attention, receptivity, and curiosity and tarrying with the complexities of people's lives', then surely, hopefully, repeated exposure to

democratic practices and engagements of any kind can *open up* such possibilities. Once the first leap across difference is made, be it with another of a different race, or political persuasion, or sexual orientation, and we are able to imaginatively enter into the complexities of life of someone different to us and see how dominant social imaginings misrepresents and harms *this* other, can we not make the rational leap that the dominant social imagination may misrepresent *those* (Muslim) others who are different yet again. If Americans, as many as possible, commit to engaging deeply, slowly, and democratically with others, *any* others who are different to themselves, then those interactions may form habits and practices that allow them to transform how they understand and relate to Muslims (and any other denigrated minority, for that matter).

Conclusion

The religious freedom policy framework has arguably fed into pre-existing prejudices and social imaginings to further entrench discrimination and the pejorative ascription of difference to Muslim Americans. Muslim bodies have been racialized through the commercial news media and populist politicians, and are imagined as inherently violent, misogynist, and anti-American. As a result, Muslim Americans are denied social citizenship by some of their fellow-citizens and are treated with suspicion by state institutions. To fall back upon policy and legal interventions to enforce just treatment and make claims is, I argue, falling far short of what is required. Real change requires a transformation of the dominant social imagining of Muslim bodies and the formation of rich democratic relationships across lines of difference. These efforts must be pursued as part of a larger multi-tactic strategy that encompasses policy, legal, and social change in how American society understands and engages with diverse religious communities.

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[i] Smith argues our ability to relate to others and behave ethically is grounded in 'sympathy' – which he defines as imaginatively entering into the body and experiences of another person. It is in exercising our 'sympathetic imagination' that we are bound together in a moral community where we see others as being like ourselves and thus worthy of our concern (Churcher 2016).