

Alien(h)ated

Sheila Nopper

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In this country, I am called a “permanent resident alien” or, more to the point, a “non-citizen.” What that means in the patriotic war frenzy that has taken hold of the minds of the American populace following the tragedy of 9/11, is that the few legal rights I was entitled to as an immigrant prior to that day of reckoning have now been effectively eliminated, and my human rights are increasingly under assault.

Less than six weeks after 9/11, with virtually no hearing or public debate, and in spite of persistent objections from numerous human rights organizations—George Bush smugly signed into law the massive 342-page USA PATRIOT Act (United and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism). The Act creates the new federal crime of “domestic terrorism,” which includes “acts dangerous to human life that are a violation of criminal laws” if they “appear to be intended...to influence the policy of a government by intimidation or coercion,” and if they “occur primarily within the territorial jurisdiction of the United States.” Consequently, any action associated with civil disobedience, minor property damage, participating in a non-violent peace demonstration in opposition to Dubya’s ongoing “war on terrorism,” or, perhaps even contributing to a publication such as the *Fifth Estate*, could conceivably be construed as a terrorist act.

For anarchists who are forced to contend with the myriad repressive authoritarian boundaries imposed upon us by the nation state and its increasingly militaristic police forces, the experience of being alien(h)ated is all too familiar. Yet, while the new legislation implicates citizens and non-citizens alike in its complex web of expanded and ambiguously defined terminology, the repercussions for non-citizens are more severe. If the surveillance squads of the Bush administration arbitrarily label me a terrorist outlaw, they could deport me and/or place me in mandatory detention for up to six months before a review is required. During this time, I would have no right to be informed of the evidence against me, to contest the classification, or to receive free counsel for any legal proceedings. Moreover, the burden of proof would now be placed on me as the defendant.

To aid and abet Bush’s terrorist hunters in trapping their victims—citizens and non-citizens alike—the USA PATRIOT Act provides a multitude of new and loosely defined crimes for which to prosecute someone and an expanded array of surveillance tools with which to determine such crimes are being committed. With negligible, if any, checks and balances incorporated into the legislation that would help to prevent the potential abuse of these privileges, law enforcement officials have gained enhanced authorization to: monitor email and Internet use; access financial, educational, and medical records; conduct surreptitious wiretaps; and search a person’s home and/or office without his or her prior knowledge.

Furthermore, subsequent testimony by Attorney General John Ashcroft (12/6/01) unequivocally equated political dissidents with terrorists. Urging us to engage in Orwellian “double-think,” he stated, “To those who scare peace-loving people with phantoms of lost liberty, my message is this: your tactics only aid terrorists, for they erode our national unity and diminish our resolve.” Adding insult to injury, every one of us is now expected to spy on our friends and acquaintances because we could be charged with the crime of failing to notify the FBI if they determine that we had “reasonable grounds to believe” that someone was about to commit a “terrorist offense.” As Bush later asserted so simplistically in his January 24 speech, “If you hide a terrorist, or you feed a terrorist, or you coddle a

terrorist, you're just as guilty as the terrorists, and we will hold you accountable." These statements reinforce what an unidentified police officer previously had declared in a surprisingly candid response following the 9/11 collapse of the World Trade Center in relation to the heightened security measures being enforced in New York City: "This is how it is because this is how it has to be...This is a police state now" (*New York Post*, 9/27/01)

Until recently, the government's various (in)security forces have focused their domestic terrorist investigations on immigrants of Middle Eastern descent. Of the approximately 1,200 Muslim men who have been arrested since 9/11, hundreds have since been deported and/or released while more than 300 remain in detention and access to information regarding their cases is cautiously guarded. But the "war on terrorism" at home has only just begun.

In a landmark case which challenges the Sixth Amendment guarantee of lawyer-client confidentiality, New York defense attorney (and American citizen) Lynne Stewart was indicted in April because she allegedly "facilitated and concealed communications between Sheikh Abdel Rahman and Islamic Group leaders around the world." Conversations between Stewart and her client had been monitored, and her office files and computer were subsequently confiscated, which has had a chilling effect on lawyers, particularly those who have in the past been willing to represent politically controversial clients. If this war of enduring intervention is allowed to continue, it is only a matter of time before political activists begin to be swept up in its fascist dragnet.

Today, we are faced with the all-seeing eye of a pervasive surveillance network, which has infiltrated many of society's institutions as well as, increasingly, our public spaces such as city streets, parks, and roadway intersections. As Michel Foucault pointed out in his seminal work, *Discipline and Punish* (1979) its origins go back to the "panopticon," an idea formulated by Jeremy Bentham, an 18th century British utilitarian philosopher and "prison reformer." Bentham's intent was to design a prison that would eliminate the need for physical torture by constructing a circular facility in which the cells of the prisoners surround a tall central tower from which the inspector sitting inside can, at any time of day or night, observe the prisoners. It was imperative, Bentham stressed (*The Panopticon Writings*, 1995), that "the persons to be inspected should always feel themselves as if under inspection," even when, in fact, they were not. Aware that the inspector can "see without being seen," the prisoners internalize the inspector's monitoring gaze thus becoming their own inspector. Bentham's idea was for the threat of surveillance itself to act as a form of disciplinary self-control by the inmate over his/her own behavior.

People have always grappled with the fear of being ostracized by their family, friends and community, or being incarcerated and/or tortured if they were to openly express their opposition to the ever-increasing state-sanctioned repression at home and abroad. I've heard some people in the middle-sized Midwestern city in which I currently live say they're afraid of being persecuted for simply writing a letter to the editor of their local newspaper, or for participating in a peace vigil, let alone a direct action protest against the current war.

Bush's threatening black-and-white assertion that "You're either with us or against us" intentionally intensifies the intimidation that individuals—and even governments—experience. Given the overwhelmingly superior destructive potential of US military forces, the world ultimately is forced to submit, however cynically, to the terrorism of America's imperialist agenda.

As a Canadian of European descent, for two decades I have, without hesitation, freely spoken out as a writer/activist against neocolonialism, racism, sexism, war, and other injustices. Now living in the US, in the current political climate, the panopticon has infiltrated my psyche by playing on my anxieties. What I presently fear most is being separated, perhaps indefinitely, from my American citizen partner should the powers that be decide that either one (or both) of us were terrorists for expressing and/or acting upon our dissenting political beliefs. When I shared these fears with a friend recently, he suggested that, to avoid the threat of possible deportation, I could simply become an American citizen. "But to do that," I immediately responded, "I would have to pledge allegiance to the American flag!" Clearly, that is not an option for me. Neither is self-censorship. What kind of Orwellian democracy are we living in if we are willing to surrender the very freedoms the government claims it is fighting to defend for the illusion of security?

As George Orwell feared, the totalitarian state seeks to not only force us to betray our ideals and each other but, ultimately, demands that we learn to love Big Brother. Yet, while the Bush Administration wraps itself in a flag and paternalistically promises to protect us—as long as we don't ask too many probing questions—I don't think the present situation is hopeless.

Earlier this year, we witnessed the second annual World Social Forum (WSF)—a counter-summit to the World Economic Forum—held in Porto Alegre, Brazil. This diverse group of 50,000 grassroots peace and justice activists, many of whom were anarchists who wanted no part of the official WSF conference, were all there to develop a process for globalization “from the bottom-up” under the visionary banner, “Another World is Possible.” Moreover, massive actions of resistance to neoliberal corporate globalization organizations continue to be waged around the world, vividly demonstrating a growing movement of people who refuse to be silenced. The commitment and camaraderie of these and other activists help allay my fears and encourage me to transform them into a defiant determination to continue to speak out and to contribute to the creation of a more radically compassionate world.

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