

# Comparing the Domestic Political Responses to the Attack on Pearl Harbor and the 9/11 Terrorist Attacks

Exploring the events following these attacks on American soil by using Richard Hofstadter's Paranoid Political Style

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## **Abstract**

This thesis explores the domestic political responses and reactions to the two most major attacks on American soil, drawing parallels to issues such as racial and ethnic discrimination in legislation and public reaction.

In light of the recent 80<sup>th</sup> anniversary of the repeal of the Asian Exclusion Act, along with other recent events, the re-surge of xenophobic attitudes in the wake of the COVID-19 measures, as well as heightened debates related to immigration and national security, this thesis aims to examine the parallels between national crisis and contemporary challenges. Furthermore, this examination also extends to the attitudes toward Muslims and Arabs, or those perceived to be, particularly in the time after the 9/11 terrorist attacks.

By employing Richard Hofstadter's theory on the Paranoid Political Style, this thesis aims to explain the reasons behind domestic political responses and actions taken following two of the most major attacks on American soil.

## **Acknowledgments**

I would like to express a deep gratitude to my supervisor, Alf Tomas Tønnessen.

Your seemingly endless knowledge of American politics and history has been a great motivation, not only in the process of writing this thesis but also throughout the years that I have been lucky enough to work and study under your guidance. Thank you for offering great patience as well as times of laughter in the intense last months.

A special thanks to my parents, Rita and Björn, who have read through drafts, and offered an appreciated outside perspective.

Thank you, Robin. Your belief in me has truly been a source of motivation, and your ability to make me relax has proven to be much needed, and for you, I am so grateful.

I would also like to thank my students and colleagues at Lindebøskauen Ungdomsskole - you have cheered me on as I have finalized my thesis.

Finally, I would like to thank all the amazing friends I have made throughout these five years at UiA. I came to Kristiansand knowing no one, but I now feel right at home, full of cherished memories and lifelong friendships.

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# 1. Introduction

The attack on Pearl Harbor in 1941 and the terrorist attacks of 9/11 are defined as pivotal moments in American history, each resulting in immense and altering political changes, as well as the public opinion and the collective psyche of the nation. The aftermath of these major events followed a wave of mistrust and paranoia amongst politicians and the general public alike, which evoked periods of conspiracies.

In a times of great uncertainty, the nation had to define its political position against foreign enemies, address security concerns and failures, and mobilize public support. Both of these events resulted in legislations which proved to massively affect both the general public and its attitudes, as well as have life altering consequences amongst those affected by them. What were the specific domestic political responses to these two events, are there any recognizable patterns and elements to them, and how did the events following them shape the United States?

## Thesis Structure

This thesis is structured to offer a comprehensive understanding of the research question. It is structured to offer historical context, both prior, during and after two of the most major attacks on U.S. soil, Pearls Harbor and 9/11, and uses legislations and historical events to understand the political picture at the time.

In order to discuss and dissect the political responses to these events, it is important to have insight on multiple areas regarding them, as well as how the political landscape as well as the general public responds to the stresses of foreign attacks. To help answer this, Richard Hofstadter's theory on political paranoia from his work "The Paranoid Style in American Politics" has been employed in the work on this thesis. Highly relevant in the political landscape in the sixties, only 20 years after the Pearl Harbor attack, it proves to be a relevant theory when discussing both events, as its qualities has shown to be relevant to both.

## Pearl Harbor

The introductory chapter regarding the historical context of related to the events prior to the Pearl Harbor attack aims to offer general knowledge regarding the relationship between the U.S. and Japan at the time, heavily shaped by the Second Sino-Japanese war and the sanctions made by the U.S. This chapter also offers a general introduction to the history of Japanese immigration to the U.S.

Following this section, the attitudes towards Japanese immigrants in the U.S. is discussed, showing discriminatory attitudes in legislation dating as far back as 1790 with the Naturalization Act, which officially excluded any non-white alien the possibility of citizenship. This section also discusses the progression of anti-Asian and anti-Japanese attitudes, manifesting itself in said legislation, as well as following legislations, media and the attitude of the general public, especially focusing on California.

In the sequence of these divisions regarding attitudes on Japanese habitants is a section that discusses Executive Order 9066, which eventually led to the Japanese Internment camps. As WW2 progressed, and the U.S.-Japan relations had hit its lowest point, Japan launched its attack on the U.S. pacific military base in 1941. It was a major turning point in American history, as it led to the U.S. joining the war. It also led to a drastic change in the lives of Japanese Americans all over the country, when Executive Order 9066 disrupted their lives and relocated more or less any Japanese person forcibly to internment camps. This section of the thesis aims to show the progression of it, and how it led up to the Japanese Internment camps.

Continuing from the preceding section follows a part of the thesis largely focused on the conditions within the camps. This is included in order to eventually discuss the similarities and differences in conditions of those that were relocated to Japanese Internment camps and those detained at Guantanamo Bay following 9/11.

The *Korematsu v. U.S.* and *Ex. Parte Endo* cases are then discussed, which were important cases highlighting the treatment of the Japanese internees, as well as curbing the government's ability to detain individuals without the protection of their rights stated in the constitution.

Finally, the Civil Liberties Act of 1988, which enabled the former internees to apply for financial repercussions, is being analyzed. This section is included as it offers insight into the long term effect of the internees, as well as well as the following efforts of to address historical injustice, as well as how it was compensated. This will be seen in comparison to what followed for those detained at Guantanamo Bay.



## **9/11 and Guantanamo Bay**

Before looking into the events unfolding at September 11<sup>th</sup> 2001, and eventually what led to the opening of Guantanamo Bay as a detention center of suspected terrorists, the beginning of this section of the thesis aims to offer an understanding of several areas at the time. It initiates with a part discussing the attitudes to those perceived to be Middle Eastern or Muslim prior to 9/11, looking at major events beginning in the 1970s. Following this is a section offering historical context on how the U.S. relations with several Middle Eastern countries has been strained due to several invasions, and how the anti-American sentiment is amplified following these.

This thesis has been structured with a historical and political context first, both prior to the events under discussion, as well as following them, succeeded by discussing the situations in light of Hofstadter's theory on political paranoia. Finally, I will look into some similarities and differences of the Japanese Internment camps and Guantanamo Bay. This has been done to ensure a definite understanding of the political and historical landscape at the time before dissecting them.

## **Selection of Sources**

In this thesis, I have used a combination of different sources in order to give a nuanced picture of the events. The historical context is mainly collected from books and digital articles.

In regards to the many individuals mentioned in the section after the historical context of 9/11, the Human Rights Watch organization has been an important source. The Human Rights Watch is an organization that works closely with the United Nations, and its research is used to enforce legal actions amongst UN members through independent investigators. It is a non-governmental organization.

National Archives and Records Administration (referred to as NARA throughout this thesis), which was founded by President Roosevelt, has been used especially when discussing events related to Pearl Harbor and Japanese American internment as it offers information on governmental documents as well as personal accounts.

Finding reliable and accessible sources surrounding the events following Pearl Harbor has been of greater challenge than that of sources surrounding 9/11. I believe this is due to a multitude of reasons. The events of Pearl Harbor happened close to 80 years ago, and we have

seen a drastic change in record-keeping methods. As these methods eventually have been standardized, more recent events will be more likely to have information more accessible online in digital archives, such as NARA.

The events of 9/11 however happened in a digitalized world with far more advanced technology in regard to recordkeeping. In addition, the post-9/11 world led to more governmental transparency, which led to sources being more accessible. Therefore, discussions regarding 9/11 and Guantanamo Bay in this thesis have been able to be more in-depth compared to those of Pearl Harbor and the Japanese American Internment.

### **What this Thesis is not**

It is important to be aware that this thesis is not written in order to investigate which instance of detention is worse. Ranking one as worse than the other is a complicated and intricate challenge. There are vastly different contextual differences, as the Japanese Internment camps were a result of wartime paranoia during WW2, and the use of Guantanamo Bay happens nearly 60 years later in the context of the 9/11 terrorist attacks, and the subsequent invasions abroad. The legal framework and judicial justification of each detention facility are also different from each other.

In addition, the subjective interpretation and human impact differ vastly. Both instances resulted in individuals, their families, and entire communities being affected. However, what one individual may experience as injustice, may be perceived as a necessity to national security by others.

Given these many complexities, insisting on one of these instances is worse than the other is to oversimplify the complex ethical, historical, individual, and judicial considerations involved. Therefore will this not be done in this thesis, as it aims to explore the historical and political context of these events, and later analyze them through the lens of Richard Hofstadter's theory on political paranoia.

## **Research Question**

In Richard Hofstadter's work "The Paranoid Style of American Politics" published in 1965, he explains the particular thought of a political mode articulated as the Paranoid Style. It defines a long history of conspiratorial thinking, and how it affects both individuals and entire political movements to form.

This thesis aims to explore how the domestic political responses to the attacks on Pearl Harbor in 1941 and the 9/11 terrorist attack in 2001 reflect and portray elements of the paranoid political style, as well as explore the similarities and differences in the political response to these two events.

By dissecting the historical contexts, legislations and methods of gaining public opinion in the aftermath of these events, this thesis aims to decode the ways political paranoia and conspiratorial ways of thinking have portrayed themselves as well as influenced the American political discourse during times of national crisis.

## **2. Pearl Harbor**

Early morning of December 7th, 1941, the United States experienced one of its most significant turning points in history. The Imperial Japanese Navy launched its attack on the American naval base, Pearl Harbor. Not only did this attack lead to the United States diving into WW2, but it also evoked a series of domestic political responses that would have lasting effects on American society, especially affecting the Japanese-American population.

This section of the thesis is aimed at pointing out the historical landscape that accelerated the attack on Pearl Harbor, analyzing the domestic political responses, and plunging into the internment of Japanese Americans. The aftermath of the attack was marked by a unification shaped by wartime fear and paranoia. The internment of Japanese Americans has remained as one of the most controversial legislation in American history, demonstrating the potential misbalance between safety, security, and freedom in times of war and insecurity.

Through analyzing historical documents and government policies and legislations from this time, the following pages will look into how the attack on Pearl Harbor became a catalyst for domestic political responses, such as the internment of Japanese-Americans. By doing this, we can gain deeper insight into the coaction between foreign attacks and domestic policies and legislations, and view how national principles are put to the test during challenging times.

### **Background**

#### **Pre-War U.S. Foreign Policy and Pacific Tensions**

In the decades before the Pearl Harbor attacks, the US led a policy defined by guarded engagement and somewhat isolationism following the events of WW1. The imperialists of Japan and their expansionism, especially that of the invasion of Manchuria during WW1 forced the US to re-evaluate their foreign policy and in turn strained relations between the US and Japan.

During the Second Sino-Japanese War, the US answered with political pressure, such as diplomatic pressure, sanctions, and embargos that heavily affected the Japanese economy, and in turn, military funding. Given Japan's vision to expand, this was seen as a threat to the nation, and therefore drastic measures were seen as essential to its survival.

The US under Roosevelt was worried about this expansion but remained consistent with their wish to limit intervention. However, the military began to prepare itself, and the Pacific Naval base of Pearl Harbor became important. In 1941, communication between Japan and the US had broken down. Japan wanted recognition of its empire and to put an end to US sanctions, meanwhile, the US demanded withdrawal from Manchuria (NARA, n.d.).

As the US stood fiercely on its demands, meanwhile Japan became progressively frantic for resources and land, conflict was more or less guaranteed. Therefore, the attack on Pearl Harbor was not a random act, but rather a result of a long-standing pressure build-up caused by the sanctions and pressure from the US. The events that followed this notorious day would continue to affect the domestic policies in the US for decades.

Between the years of 1861 and 1940, approximately 275,000 thousand Japanese immigrated to Hawaii and the American West Coast. Many came as contract laborers, and some remained and became permanent citizens, mainly working in farming with impressive results. As with many other immigrant groups, the Japanese would settle in ethnic neighborhoods mainly consisting of other Japanese immigrants. This ethnic concentration was further increased as real estate agents would not sell properties to Japanese-Americans. In 1913 California passed a law that enabled restriction of land ownership for eligible citizens, and 9 years later, the Supreme Court upheld the right to deny U.S. citizenship to Japanese immigrants. There was obvious pre-existing tension prior to the Pearl Harbor Attack due to the Second Sino-Japanese War, sanctions in the Pacific, and the U.S. response to Japanese immigration (NARA, n.d.).

### **Attitudes to Japanese Americans prior to executive order 9066**

Discrimination in American immigration laws began with the Naturalization act of 1790. It provided the naturalization of “any alien, being a free white person -”. After revising the bill following the Civil war, it was understood to disable any Chinese person. The exclusion of Chinese people at the time can be summarized to economic competition in employment, political, racial and social reasons, as well as fears of cultural differences. Generally, it was understood that this prohibition would extend to other East Asian countries as well, such as the Japanese, as the Supreme Court in 1922 prohibited the “naturalization of any Oriental”. However, the fourteenth amendment to the constitution enabled the children of immigrants a birthright and citizenship as long as they were born on American soil, even if immigrants from Asia were not assured naturalization.

Japanese immigration did not truly begin until the late 19<sup>th</sup> century, following a trade expedition by Commodore Matthew Perry, which enabled for a significant rise in trade routes. Immigration would follow, but some decades later. By 1880, the Japanese population in the U.S. was only at 148 people. Immigration eventually increased, as the need for farmers around the country, with many working in Hawaii, as well as railroad builders during the gold rush in Alaska from 1897-1899. In the first decade of the 20<sup>th</sup> century, there were about 130,000 Japanese people in the U.S. (Kashima, p.28-30, 1985).

The Japanese were hardworking, and knowledgeable, while still compliant with working for cheap. In California, the Japanese were a major focus. Anti-Japanese groups protested, stating that “The Japanese are starting the same tide of immigration which we thought we had checked twenty years ago. . . . The Chinese and Japanese are not bona fide (Latin for *in good faith*) citizens. They are not the stuff of which American citizens can be made - ” and “- they will not assimilate with us and their social life is so different from ours, let them keep at a respectful distance.” (Kashima, p.32, 1985).

After the Japanese victory over Russia in 1904-1905, the fear of the Japanese intensified. Media, novels, and even cartoons in the U.S. accused Japanese people of being mere spies for the Japanese Emperor. The San Francisco Chronicle began an anti-Japanese article series, with racist caricatures included. Japanese people objected, but the general public was more or less in support of the paper. In May 1905, the Asiatic Exclusion League was established, which, ironically, mostly consisted of European immigrants working within e.g. agriculture. It demanded segregation in both work life and schools, as well as socially, and the amount of members grew to around 100,000 by the end of the decade (Kashima, p.32-33, 1985).

Following World War 1, the anti-Japanese behavior intensified once again. The formerly mentioned law that restricted land ownership for Japanese immigrants was now in full effect, and by 1920, the amount of acres owned by Japanese immigrants was heavily limited. The same effect was seen in other West Coast states. In Oregon, with 4,151 Japanese people at the time, owned only 2,185 acres of land (Kashima, p.35, 1985).

Both the Office of Naval Investigation and FBI had observed Japanese Americans ever since the 1930s. Following the attack on Pearl Harbor, 3000 Japanese people suspected of planning to subvert the U.S. government. However, the rest of the Japanese public was not seen as a threat at this point.

As Japan was gaining victory after victory in the Pacific, the anti-Japanese sentiment grew further. The Munson report from 1942 proposed that Japanese inhabitants had supplied the Japanese military with crucial information before the attack. Even though the report concluded that Japanese Americans were loyal, the general public did not necessarily agree. Many inhabitants along the west coast still feared that local Japanese inhabitants would pose as a threat to their communities and ‘continue’ to offer information to the Japanese military (Densho, 2017). Walter Lippmann, who was a well-known and influential columnist writing for several newspapers on the West Coast, discussed that the sole reason of Japan not striking another attack was due to them sneakily waiting until the time for sabotage was at its best. Another heavily influential journalist at the time, Westbrook Pegler, stated that all Japanese people should be placed under constant armed surveillance regardless of their innocence or guilt, and bluntly stated “to hell with habeas corpus (a legal principle protecting an individual from unlawful detention) until the danger is over” (Pegler, 1942).

Despite the public and media showing clear demands for the government to act upon the fear of Japan and Japanese inhabitants, government officials were initially not eager to detain innocent individuals simply for being Japanese. Attorney general at the time, Francis Biddle believed that such detention would not be a wise decision, and questioned the legality of it. Secretary of War, Henry Stimson had equal beliefs. However, his secretary, John McCloy insisted the necessity of such a policy. With an enormous public pressure, Biddle changed his opinion and stated to Stimson that there would be no objection from his side if such a policy were to be presented (New York Times, 1942).

### **Executive Order 9066**

The aftermath of the Pearl Harbor Attack, along with the pre-existing views on individuals of Japanese ancestry, caused an increase of fear, suspicion, and political as well as public paranoia. Especially Japanese Americans on the West Coast were sensitive to these anti-Japanese attitudes. The attack, which came as a surprise for most Americans, increased fears regarding national security concerns, and the fear of further attacks on American soil, and the nation had to battle with what the next necessary steps were in order to ensure national domestic stability in times of crisis.

In February 1942, President Roosevelt issued Executive Order 9066, which authorized military personnel the removal of civilians on military grounds (United States Government, 1942). At the same time, military zones were created, dividing up the West Coast. Executive Order 9066 was not limited to a specific ethnic group, however, General John DeWitt enforced curfews that only affected Japanese Americans (NARA, 2022).

The forced evacuation of Japanese-Americans began as a voluntary encouragement, where only 7% of the Japanese-American population in the affected areas obeyed. A month later, DeWitt announced Public Proclamation No. 4, stating the forced removal and detention of Japanese-Americans in the military zones with a 48-hour notice. Before this announcement, Public Law 503 had been passed by Congress, which stated that violations made against Executive Order 9066 were punishable by a \$5000 fine and up to a year in prison. During meetings regarding the forced removal, ethical objections were raised by the Department of Justice, so the removal task was performed by the U.S. Army. Congress and President Roosevelt were pressured to remove both issei (first-generation Japanese in the U.S.) and nisei (second-generation Japanese in the U.S., citizens by birthright) (NARA, 2022).

### **Internment Camps**

In the following months, approximately 120,000 Japanese Americans were forcefully relocated to internment camps further inland in isolated areas of Wyoming, California, Arizona, Colorado, Idaho, and Arkansas. As they were given such short notice regarding the relocation, many were forced to sell their homes, businesses, and belongings at a rapid speed. Unless they were able to either find someone to take care of their properties such as homes, farms, stores, or personal belongings, or make other arrangements of care, all of it would be lost in these following days. This resulted in tremendous financial and personal losses for those affected. (NARA, 2022).

Earl Warren, who was serving as Attorney General of California at the time, was involved in several measures that took place in relation to the internment of Japanese-American individuals. During WWII, he actively supported the forced relocation and argued it as a military necessity.



## **Conditions within the camps**

Conditions in the internment camps were limited. The camps were surrounded by barbed wire and armed guards. Internees used shared wet rooms, and the barracks were not isolated, which led to uncomfortable temperatures. Even though the internees were limited to the campgrounds, they were still able to create some sort of community. They were able to set up schools, churches, and farms, kids played sports and they had their own newspaper. Life in the camps did however take its toll, as some spent as long as three years there. Employment within the camps was distributed mainly to operate the camps, and the pay was minimal. Interaction with the outside world was extremely limited. (Britannica, 2024).

While at the same time, across the Atlantic ocean, one would in the following years hear grotesque stories of the concentration camps used by the Nazi's to exterminate especially Jews and Gypsies. The American government itself even used the term "concentration camp" in legal documents when discussing the now called internment camps, but when knowledge of the horrors occurring in the concentration camps came to light, the meaning of it quickly changed. The goal and intention of the Japanese internment camps was not to exterminate the Japanese population in the U.S. The American government were not trying to liquidate the Japanese ethnicity, nor use methods of torture or extreme interrogation (Kashima, p.28, 1985).

Especially children were left vulnerable, as many had crucial years of their education disrupted. The parents of these children were worried with the lack of academic opportunities, and pushed for elementary and secondary schools which the administrations eventually provided. Despite the lack of freedom many experienced within the camps, education became an arena of generally heightened freedom and a way where both teachers and students were enabled a voice for themselves. Due to the lack of teachers during wartime, many young Japanese internees took the task upon themselves in their free time. The internees ran the Adult Educational program more or less without external interference, only slight oversight from the camp administrations. The WRA (War Relocation Association) requested Americanization classes, where internees would learn more about the American way of life, culture, democracy and improve English skills, especially in the Adult Educational Program. These Americanization classes where firstly met with mixed signals, but for many proved to be somewhat valuable once the camps shut down and the internees had to rebuild their lives (Su, p.1-4).

## **Legal Challenges Faced by Internees**

The Internment and treatment of Japanese Americans following the attack on Pearl Harbor in 1941 stands as a dark chapter of American history, while stressing the delicacy of individual civil rights and liberties in times of national crisis.

This section aims to discuss the legal challenges faced by those subjected to mass incarceration and discrimination, as well as the violation of personal constitutional rights. The cases of *Korematsu v. U.S.* and *Ex parte Endo* are landmark cases in American legacy history, especially in regard to the context of governmental authority and civil liberties and rights being upheld, or not upheld, in times of national crisis. They mark the strain between upholding individual rights and national security.

### ***Korematsu v. U.S.***

Fred Korematsu defying Executive Order 9066 and Mitsuye Endo challenging her own internment at the time exemplify how far the nation's commitment to national security can stretch before affecting individual constitutional rights. This section explores the moral and legal dilemmas of the cases of Korematsu and Endo by examining the Supreme Court's rulings, legal arguments, and their significance.

Fred Korematsu, a Japanese American man born in California, along with his family were to report for relocation following Executive Order 9066. He defied the order, failed to relocate, and was subsequently arrested due to violating a military order. Instead, he opted to challenge the constitutionality of Executive Order 9066, as he argued that it limited his constitutionally stated rights, such as his rights to due process, as well as equal protection under the law. By singling out individuals for forced internment and relocation solely based on ancestry or nationality, fundamental elements of the Constitution were violated.

The case ultimately reached the Supreme Court, and its decision was handed down in 1944. The Court decided to uphold the conviction of Korematsu as well as the constitutionality of Executive Order 9066 in a 6-3 ruling.

Justice Hugo L. Black, who wrote for the majority, stated that the importance of preserving national security in times of war and crisis outweighed the individual rights of Korematsu. In the ruling, he stated that "all legal restrictions which curtail the civil rights of a single racial group are immediately suspect" and subject to tests of "the most rigid scrutiny," not all such

restrictions are inherently unconstitutional. “Pressing public necessity,” he wrote, “may sometimes justify the existence of such restrictions; racial antagonism never can.” (Supreme Court of the United States, n.d.). The restriction of the rights of one particular race or demographic was seen with skepticism, even by the majority vote, but still understood as both constitutional and as a necessity for national security.

The dissenters however, such as Robert Jackson and Frank Murphy, emphasized Korematsu’s innocence due to both his loyalty to the country and his citizenship and were therefore in major disagreement with the majority vote. Murphy declared the court ruling as “the legalization of racism”, which violated the Fourteenth Amendment. He condemned the ruling and compared it to “abhorrent and despicable treatment of minority groups by the dictatorial tyrannies which this nation is now pledged to destroy. He concluded that the exclusion order violated the Fourteenth Amendment by “fall[ing] into the ugly abyss of racism.” (Supreme Court of the United States, n.d.).

By stating this, it can be understood as comparing the court ruling of Korematsu to that of dictatorial regimes in Europe at the time, such as Nazi Germany under Adolf Hitler and fascist Italy under Benito Mussolini. Both regimes systemically persecuted minority groups, such as Jews, Roma, and other groups that were deemed as problematic or undesirable.

### ***Ex parte Endo***

*Ex parte Endo*, the case of Mitsuye Endo, presents another notable part of American legacy history. In contrast to the case of Fred Korematsu, who defied military order and whose case eventually ended up in the Supreme Court, Endo’s case displayed itself somewhat differently. Mitsuye Endo Tsutsumi was a Japanese American woman, born in California, and worked as a secretary for California’s State Department of Motor Vehicles. Endo had no ties with Japan other than her ancestry. She was forcefully relocated from her home and interned in a different location following Executive Order 9066 (Aratani, 2019).

Endo’s legal team, consisting of attorneys James Purcell and Wayne Collins, filed a writ of habeas corpus on her behalf in a significant legal maneuver. Purcell argued that “If you can abrogate certain sections of the Constitution and incarcerate any person without trial or charges just because you do not like his nationality, what is to prevent from abrogating any or all of the Constitution?” (Buck, 2019). In contrast to the case of Fred Korematsu, which had a greater focus on more broad constitutional concerns, the case of Endo specifically challenged

the government regarding its authority to detain a loyal American citizen based on ancestry without probable cause.

The Supreme Court's ruling in 1944 of *Ex parte Endo* became a pivotal moment in the legal history of the internment of Japanese Americans. In the ruling, Justice Felix Frankfurter delivered his unanimous decision in favor of Mitsuye Endo. The Court stated that the government indeed did not have continuous authority to detain citizens deemed loyal to the nation, such as Endo or other Japanese Americans. The ruling underscored that regardless of national security status, individuals could not be detained without probable cause indefinitely (United States Supreme Court, 1944).

Even though *Ex parte Endo* did not directly lead to the closure of the Japanese internment camps, the government announced that all relocation centers would be closed by the end of 1945. The decision of the Supreme Court in *Ex parte Endo* affirmed that loyal citizens could not continue to be detained without probable cause and in turn placed pressure on the government to reassess its policies regarding the interment. The last camp closed in 1946, and the formerly interned Japanese Americans began rebuilding their lives (Britannica, 2024).

### **Long Term Repercussions**

Many Japanese Americans struggled with the psychosocial effects following the internment, forced relocation, and the stigma of being labeled as a national threat. As families and friends were often separated in different camps, many were left unable to see many of their loved ones for months or even years.

In addition to this, the financial losses of the internees were tremendous. As much as \$400 million in property were lost while incarcerated. In addition to this, the Japanese American community was heavily altered. Previously, the Japanese Americans followed closely to their cultural customs, as imposed by the older generation, the Issei. This oftentimes caused a distance between the second-generation Japanese Americans and the general American public. However, following the internment and forced Americanization classes, the second-generation Japanese Americans, the Nisei, became some of the best educated and successful individuals in their demographic. This did of course come at the cost of their own culture (National WWII Museum, n.d.).

Earl Warren, who during the beginning of the forced relocation stated his support of it, later expressed his regret for his role, and he acknowledged the injustices of it. The experiences he made in this time period leading up to his later decisions as Chief Justice were likely affected, as he actively worked for civil rights and equality under law. A stark difference to his majority opinion in the case of Korematsu, where the forced relocation of innocent individuals was upheld.

### **Attitudes to Japanese Americans after the Incarceration**

December 7<sup>th</sup> 1941 marks a day not only when the U.S. official had to decide whether to join World War II or not, but also as a major shift in the American general public's attitudes on Japan and Japanese immigrants. If one were to ask a Japanese person following the attack, it would be likely that it was seen as a successful military operation, following years of embargos on Japanese assets.

This was however information most Americans were unaware of, and they would be more likely to view it as a sneak attack without any provoking. Japanese kamikaze pilots crashing into the military base, and in turn killing themselves and others, sprung fear amongst the American population. This became highly visible in propaganda pieces, which oftentimes portrayed racist caricatures of Japanese people, at times former prime minister Hideki Tojo, attacking the U.S. in some sort of way. Many of these posters were initially made to encourage Americans to donate materials that may be useful in the war. It however also enabled hostile views on Japanese people (TAMUCC, n.d.).

### **Civil Liberties Act of 1988**

In the years after the Second World War and the internment camps, President Harry Truman signed the Japanese American Evacuation Claims Act of 1948. It enabled those affected by the internment and forced relocation to file claims of damages or financial losses. It was done as an attempt to compensate, however, proved inefficient as documented proof was necessary in order to obtain the compensation (Yamato, 2023).

The Japanese Americans remained relatively silent in the years following World War 2. However, in the 1960s, the civil rights movement amongst Japanese Americans was on the rise with growing activism. Edison Uno, a Japanese American activist led a movement with

the wish to gain reparations following the forced relocation and internment during World War 2. At the 1970s JACL convention (Japanese American Citizens League), Uno gained attention for his cause. Daniel Inouye, former senator of Hawaii, called for a commission to study incarceration during wartime and its effects. The formation of CWRIC (Commissions on Wartime Relocation and Internment of Civilians) came into law in 1980. They were nine people appointed by the U.S. Congress (Yamato, 2023).

On October 9th, 1990, the first redress checks of \$ 20,000 were handed out in a ceremony, alongside a formal apology signed by President George Bush. The apology stated that "In enacting a law calling for restitution and offering a sincere apology, your fellow Americans have. . . renewed their commitment to the ideals of freedom, equality, and justice.". However, these checks were not handed out until 1991-1993 to the remaining survivors. In total, 82,219 people affected by internment received these checks and apologies. These redress checks were first signed in 1988 by President Ronald Reagan (Yamato, 2023).

### **Educational and Research Programs**

In addition to the reparation checks to the individuals affected by the internment, aid towards educational programs was also part of the reparations. This was done to ensure that information about the internment of Japanese Americans would continue to be taught for the following generations (NPS, n.d.).

### **Comparisons with other wartime policies at the time**

The Japanese Americans were the primary target of forced relocation and internment. However, other groups also faced limitations. Individuals of the Aleut community in the Aleutian and Pribilof Islands faced similar treatment to that of the Japanese Americans, however, they were not granted reparations until 1993 (NPS, 2023).

### **3. Historical context 9/11**

In the morning hours of September 9th, the United States and the world were about to witness an attack that would shape the course of contemporary history. At 8:46 a.m., the first plane hit the North Tower of the World Trade Center. Around fifty thousand people worked at the World Trade Center, and on this specific morning, twenty thousand of them had already arrived at work. A quarter after the first plane hit, a second plane crashed into the South Tower. Thirty minutes later, a third plane hit the Pentagon. The hijackers had planned to crash a fourth plane into either the Capitol or The White House however, the passengers and remaining crew were able to gain a charge of the cockpit (Lepore, 2018). The plane crashed into a field outside of Pennsylvania. In total, 2,996 people died, with a majority of them in New York City (Dunlap, 2008). It was obvious - the U.S. was under attack.

This fateful day not only struck through steel beams and concrete but also the very core of American society and its values. The events following the attacks on 9/11 acted as a catalyst for extensive domestic and international political changes, forcing the United States to confront the complexity and complications of modern terrorism and its position as a nation under attack once again, 60 years after the attack on Pearl Harbor.

In this section, the landscape prior to the attack, government preparedness and intelligence failures, and domestic political responses will be examined in order to dissect the aftermath.

#### **Background**

To many Americans, the 9/11 attacks seemed like a random act of terror. However, in reality, it had been brewing for many years already. Even though Osama Bin Laden would not be seen as a major threat until the late 1990s, the threat of Islamist terrorism grew immensely. A multitude of groups had stated multiple times their wishes of destruction and goals of killing Americans in large numbers. In 1993, a group led by Ramzi Yousef were trying to destroy the World Trade Center with a truck bomb. They managed to kill 6 people and injured more than a thousand others. Yousef was later arrested due to his involvement on the Bojinka plot, which among other things had a goal of assassinating the pope as well as blowing up multiple U.S. airliners crossing the Pacific Ocean. Later that same year, Somali tribesmen shot down U.S. helicopters, which killed 18 and wounded 73 people in the event known as “Black Hawk Down”. Some years later it would be known that these Somali tribesmen were

supported by Al Qaida (National Commission on Terrorist Attacks Upon the United States, 2004).

The anti-American sentiment had been brewing for long and stretched far throughout multiple continents. To many, the 9/11 terrorist attacks came as a shock due to the pure magnitude of this fateful day, however, not as a surprise.

### **Attitudes to Middle Eastern people or Muslims, or those perceived to be, prior to the 9/11 attacks**

The general public's opinion on Arabic and Muslim minorities prior to the 9/11 attacks had some variations, however overall did not display major suspicion, mistrust or hostility. Foreign events like the Iranian Revolution in 1979, where the former Iranian dynasty was overthrown and replaced with an Islamic theocratic government, and the Gulf War in the early 1990s shaped somewhat of an image.

These attitudes however saw a major and significant shift following the 9/11 attacks. The attacks led to a period in time where those of Arab or Muslim descent (or those perceived to be Middle Eastern or Muslim) were met with greater suspicion, fear and conspiracies against them. This shift in attitudes happened as an immediate result following the 9/11 attacks, but was also fueled by media coverage, government response and political rhetoric.

Neither governmental agencies nor Middle Eastern or Muslim activist groups tracked incidents of violence or hate crimes aimed towards Middle Eastern, Muslims or those perceived to be in the 1970s. However, activist groups amongst these groups point out the Arab-Israeli oil embargo and war in 1973 as a point in time where a heightened prejudice against the group began. Don Unis, an Arab-American man from Michigan described the shifting attitudes like this; "There was the '73 (Arab-Israeli) war, then the oil embargo, and suddenly we were being held responsible for things we had nothing to do with and no control over and maybe didn't even support in the first place." (Lamb, 1987). Activists at the time also saw the Iran hostage crisis in 1979 along with the Iranian revolution as part of a major shifting point in attitudes.

Albert Mokhiber, former president of the ADC (American Arab Anti-Discrimination Committee) expressed that Iranians and Arab-Americans were lumped together and targeted with the same violence and hate crimes against them, even though the two groups are very



different. Where Iranians have a nation to rally around, Arab-Americans, whether they are Christian, Muslim, or something else, can stem from 22 different countries, stretching over a distance of more than 7000 kilometers. There is not one nation where an Arab-American or Muslim can unite as a common homeland like Irish-Americans or Jewish-Americans. The ADC stated in 1980, following the ABSCAM event, a federal political corruption event where agents posed as rich Arab sheikhs bribing American politicians, that “All Arabs were bad” and “- you became that horrible hook-nosed, terrorizing murderer. You were not to be trusted.” (Cooper, 1995).

October 7th 1985 The Palestinian Liberation Organization (PLO) hijacked an airline cruiser. What followed was a wave of violence against Arab-Americans and Muslims across the nation. The most immediate and well-known attack was 4 days later, when the regional director of ADC, Alex Odeh was killed when a bomb exploded outside of the door to his office outside of ADC Southern California. ADC in Houston, Texas was firebombed two months later. In the same year mosques around the country were faced with vandalizing and attacks, such as a Houston mosque being pipebombed causing damages at \$50,000, the windows at the Islamic Institute in Dearborn, the formerly mentioned Unis’ hometown, were broken, and a mosque in Maryland was damaged as well. In 1986, at the same day the U.S. launched its attack on Libya due to perceived terrorist activities, five Arab-American students at the Syracuse University were beaten, while the attackers screamed anti-Arab slogans (Human Rights Watch, 2002).

These violent attacks prior to 9/11 were however not limited to Arab-Americans or Muslims. During the Gulf War, violent attacks aimed at Arab-Americans were at a rise, similarly to that following the Iranian Revolution and PLO’s hijacking. This time period also saw attacks being aimed at those perceived to be Arab or Muslim, mostly due to their appearance. In Baltimore, a Polynesian Jew experienced an instance where a group of men destroyed his car while chanting “filthy Arab”(Gelb, 1995).

### **Oklahoma City Bombing in 1995 and TWA Flight 800**

In April 1995, a rented van which contained a massive homemade bomb made from fertilizer and fuel exploded, taking 168 lives, 19 of them being children, and destroying the Alfred P. Murrah Federal Building. It was the deadliest terrorist attack on U.S. soil until the 9/11 attacks six years after it. At first, suspicions and conspiracies arose revolving who

completed the attacks, where many believed it was performed by Middle Eastern terrorist groups. These assumptions could be seen in relation to the 1993 attack on the World Trade Center. In the two days before the federal authorities stated who were responsible, a massive rise in violence against Arab-Americans occurred. The Council on Islamic Relations recorded over two hundred accounts of anti-Muslim and anti-Arab harassment in these two days (Human Rights Watch, 2002).

In Oklahoma City, a Muslim pregnant woman experienced a miscarriage in her 7<sup>th</sup> month of pregnancy due to an attack on her home (Sennot, 1995). At a Muslim day care center, a teacher and her class were frightened as a driver passing by threw a bag of soda cans at them while screaming “Here is a bomb for you!”, and a mosque in the same area received multiple threatening phone calls (Moghradi, 1995). In New York City, Arab-owned businesses were called with threats of bombing and that violent attacks would occur to the business’ owners families (Outerbridge, 1995). Only a day after the attack, the President at the time, Bill Clinton urged Americans not to blame any specific religion for the attack (Nichols, 1995).

The first assumptions regarding those responsible for the bombing proved to be wrong. It was not performed by Arab-Americans or any sort of terrorist group at all. The former U.S. army veterans Timothy McVeigh and Terry Nichols were responsible. They both had attitudes that aligned with the extreme far-right and militant Patriot movement. The Patriot movement feared authoritarian plots by the U.S. government and corporate elites, and at its most extreme would deny the legitimacy of law enforcement and federal legislation. It eventually formed an armed militia, with a membership count believed to be at approximately 30,000 in the 1990s. Its existence was justified by a claimed right to protect oneself against an oppressive government. In the context of the Oklahoma City bombing, it occurred on an important day within the Patriot movement. April 19<sup>th</sup> was the anniversary of the American rebellion against the British authority at Lexington, Massachusetts in 1775, as well as the date where federal agents brought the Waco siege to an end by invading the compound of the heavily armed Branch Davidian religious sect. McVeigh stated that the attack on the building was to avenge the deaths at Waco (Phillip, 2024).

McVeigh was eventually charged with 11 counts of murder, conspiracy and taking use of a weapon of mass destruction. He was executed in 2001. Nichols was convicted of conspiracy and involuntary manslaughter, and was sentenced to life in prison.

On July 6<sup>th</sup>, 1996, TWA flight 800 exploded shortly after leaving New York, and in turn killed all passengers and crew onboard. Similarly to the Oklahoma City bombing, there were speculations on whether Arabs or Muslim terrorist groups were to blame, and CAIR received ten reports of hate crimes aimed at Arab-Americans or Muslims following the event. In the end, the explosion of TWA flight 800 was deemed a grave mechanical error rather than an action of terror (Cassidy, 1999).

### **Anti-American sentiment and Jihad against the U.S.**

The time after the 9/11 attack saw a profound shift in international relations, and as the U.S. dealt with the aftermath of the deadliest attack within the nations own borders, a series of foreign military invasions and interventions began.

In order to discuss the complex situation of the world post 9/11, it is crucial to look into the American military involvement overseas pre-9/11 first. This is done in order to contextualize it with the broader narrative of the anti-American sentiment that had been growing ever since the mid 20<sup>th</sup> century. American presence has been a case of both resentment and admiration. The following section aims to look into the interplay between American military presence abroad leading up to September 2001 alongside the growing anti-American sentiment.

### **Soviet-Afghan War (1979-1989) and foundation of Al Qaida**

Due to Afghanistan's strategic location to other Asian countries and the fear of Islamist fundamentalism spreading, the Soviets invaded the country in 1979. The US viewed the invasion as an expansion of the Soviet Communist ideology, and the response was to support anti-Soviet Afghan resistance groups, such as the Mujahideen. In turn, the Soviet Union saw this involvement as the U.S. undermining the Union's influence (Tanner, 2009, p.254-261). Osama Bin Laden, most known in the West as the organizer of the 9/11 attacks joined the Mujahideen in 1979, and recruited Mujahideen soldiers from abroad. In 1988, he founded the group Al-Qaida with the ambitions of international Jihad In the West (Tanner, 2009, p.271-286). Jihad is often described as "Holy War". In the religious sense however, it translates to the human struggle to prevent evil and enforce good (Afsaruddin, 2024).

### **Gulf War (1990-1991) and Presence of U.S. Military Personnel**

The Gulf War was triggered by the Iraqi invasion of Kuwait in 1990. It led to coalitions between Western and Arab Nations. U.S. troops were stationed in surrounding

countries, most notably close to holy sites such as Mekkah and Medina. This angered Islamist groups, including Al-Qaida and Osama Bin Laden. Osama Bin Laden offered his support to the royal Saudi family during the war, but they sought aid from the U.S. instead (Fischel, p.203). In the same year, Bin Laden was excluded from Saudi Arabia due to his anti-American views. This grew the tensions between Bin Laden and the U.S. and the Royal Saudi family, and he changed his base to Sudan following his exclusion. The continuous presence of U.S. military personnel was seen as a military affront, offending the principles of Islam and some of its holiest sites (Fischel, p.201-205).

### **1993 Bombing of The World Trade Center**

The 1993 bombing can be seen as a foreshadowing to the 9/11 attack, which eventually took the WTC down to the ground alongside thousands of civilians 8 years later. A bomb, made from a mixture of urea nitrate and hydrogen gas, was detonated in the parking garage of the North Tower. It immediately killed 6 individuals, and thousands were wounded. The perpetrator were motivated by a strong anti-American sentiment, extremism, as well as a wish to stand up against the perceived injustice they believed Muslims at the time experienced at the time at the hand of Western nations, with the U.S. as a central target. The goal of the bombing was to topple the North Tower into the South Tower, causing both of them to be crushed and immense casualties (FBI, n.d.).

The attack served as a wake-up call to the U.S., with the need to improve their counterterrorism measurements as well as having to come to the realization that the nation was no longer immune to acts of terror.

### **Government preparedness and intelligence failures**

When the shock of the events of 9/11 had calmed down, many began to question to what extent the U.S. government had been prepared for a situation like this, and what led to the intelligence failures that eventually allowed an attack on this scale to happen. The 9/11 commissions report revealed the many systemic failures and poor inter-intelligence communication amongst eg. NSA, CIA and FBI. The information revealed in the commission report became crucial for the following legislation and political reactions that came into place with the goal of being preventative actions against potential attacks in the future.

## **9/11 Commission Report**

The 9/11 Commission Report, or the Final Report of the National Commission on Terrorist Attacks Upon the United States, is a thorough analytical report into the many events and intelligence failures that eventually enabled the 9/11 terrorist attacks. It was processed by the 9/11 Commission, led by Thomas Keen, the former governor of New Jersey. It consists of interviews of more than 1200 people and it acts as a review of more than 2,5 million related documents, with FBI's PENTTBOM (Pentagon/Twin Tower Investigation) being a main contributor. The goal of the Commission group was to answer to why these events happened, as well as how to avoid an event like it happening again (National Commission on Terrorist Attacks Upon the United States, 2004, p. xv-xvii). The Congress and President George W. Bush created the National Commission on Terrorist Attacks Upon the United States in 2002 (Public Law 107-306, November 27th, 2002).

The report identified a vast set of recommendations that could be improved to increased national security, with a large emphasis on the need of further and improved communication amongst intelligence agencies. It identified several incidents where information was limited to one or few agencies, which could be a potential hindering of recognizing potential national threats. Intelligence-sharing was therefore a key finding of the report (U.S. Commission on National Security/21<sup>st</sup> century, 1999).

The report and its impact was visible in subsequent political reactions, such as the Intelligence Reform and Terrorism Prevention act of 2004, which was signed into law by President George W. Bush in 2004. It aimed to enhance the inter-intelligence community in the U.S., as well as implementing measures and strategies to prevent terrorism. In addition to this, it also led to the establishment of the Creation of the Director of National Intelligence (DNI) and the National Counterterrorism Center (NCTC) The DNI was supposed to be a leading figure, whose role was to make sure information between agencies was unified and accessible amongst agencies, meanwhile the NTCT was designed to analyze information related to terrorism and national threats (Intelligence Reform and Terrorism Prevention Act of 2004, 2004) . These provisions were crucial in the restructuring of the intelligence community in the U.S.

## **The USA PATRIOT Act**

The USA PATRIOT Act (Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001) is a law that was signed into law by President George W. Bush in 2001 following the events of 9/11. Its main role was to enhance law enforcement and security agencies' abilities to prevent terrorist attacks and terrorism by enabling greater methods of surveillance. The act enabled enhanced electronic investigation, such as gaining access to the emails of targets without requiring the usual search warrant that would be required, as well as what would be known as roving wiretaps. This enabled security agencies and law enforcement a permit wiretapping that follows the target itself rather than e.g. the phone of the target (Cruze & Zelizer, 2019, p.257).

## **Establishing Homeland Security**

The need for revisions of national security was seen as highly relevant even prior to the 9/11 terrorist attacks. The Hart-Rudman Commission, which began in 1998 and was released officially in January 2001, was tasked with analyzing the national and international security environment and potential threats, as well as finding a strategy that would align with this security environment (U.S. Commission on National Security/21<sup>st</sup> century, 1999). This along with the revelations of significant vulnerabilities following the 9/11 commissions report, proved the necessity of the creation of a National Homeland Security Agency, specifically working with the addressing potential national threats.

The Homeland Security Act was signed into law in 2002 by President George W. Bush. It marked a significant shift in security agencies, leading them to be branched out from one single department. The Homeland Security Act led to the Department of Homeland Security (DHS) being established and officially inaugurated in 2003, incorporating 22 different federal agencies. DHS was tasked with a mandate stretching from border control and immigration, to prevention of terrorism and terrorist attacks, as well as coordinating the national response to natural disasters (Homeland Security, 2016).

The creation of the DHS also led to the creation of the Transportation Security Administration (TSA), which increased security efforts regarding air travel by screening passengers, luggage and cargo for elements which can pose as potential threats (FreightWaves, 2002).

## **Invasion of Afghanistan 2001**

Less than a month after 9/11, Operation Enduring Freedom, a military intervention in Afghanistan began. The invasion was led by the United States and supported by NATO nations. The 9/11 attacks urged the United States to take action. They demanded that the Taliban regime in Afghanistan had to hand over Osama Bin Laden, the leader of Al-Qaida, as well as put an end to terrorist training and terrorist harboring in the country. In addition, the U.S. sought to remove Taliban entirely from power in an effort to prevent future terrorist attack on U.S. soil and its interests abroad.

Operation Enduring Freedom began with airstrikes targeted at positions and sites that belonged to Taliban and Al-Qaida. This part of the operation focused mainly on disrupting the military efficiency and capabilities of Al-Qaida and Taliban. The U.S. also took use of ground troops, which acted as supports to anti-Taliban groups in Afghanistan.

The Taliban government quickly lost its power, and the remaining members scattered into hiding, either abroad or in the mountainous regions of the country. Here they continued their insurgency against the U.S. and the new anti-Taliban government.

The invasion of Afghanistan was at the time seen as successful in the sense of dismantling the Taliban regime, however, Osama Bin Laden was not captured and/or killed in this invasion. Even though, Taliban and Al-Qaida suffered losses, they were never eradicated. Both sides, both military personnel and civilian lives, saw tremendous losses totaling at 176,000. In addition to this, the budgetary cost of the war has been immense. The estimated congressional appropriations and spending is at \$2,313,000,000,000 (or \$2,313 trillion). This is excluding future interest and cost of Veterans care (Watson Institute for International and Public Affairs, Brown University, 2021).

### **A Televised War**

The invasion of Afghanistan was extensively televised. A multitude of media outlets, but especially Fox News, covered the many air strikes and military operations. Civilians could watch the invasion unfold safely from their own homes, and it enabled most to view the progress of the invasion in real-time. The constant coverage created a strong sense of patriotism and unity amongst especially Americans. The support for the U.S. military troops grew stronger, as many demanded accountability and possibly revenge for those responsible for the 9/11 attacks.

The visibility of the war sparked discourse and political debate in the United States. With the magnitude of media coverage and accessibility of information, conspiracies and perspectives,

many began to question the consequences of the invasion, the ethicality of strategies employed and whether the invasion itself was a rational decision (Rutenberg, 2001). The televised war had large societal implications, and was part of shaping societal perceptions on the “War on Terror”. Even though Hofstadter’s theory on political paranoia primarily focuses on domestic political responses to malevolent events or movements, certain elements of it can be applicable in the sense of the media coverage of the invasion of Afghanistan. The war being televised enabled a visual of a perceived threat to both American civilians as well as military personnel, and was a part of shaping a somewhat collective mindset amongst the American people.

### **Attitudes to Middle Eastern Individuals and/or Muslims after the 9/11 attacks**

The detention of those suspected of engaging in terrorist activities was one of the more extreme reactions following 9/11, and shaped the general public’s attitude towards Middle Eastern people or Muslims, or those perceived to be. This section is more aimed at discussing the part of this demographic that was not suspected of participating in terrorist activities in the eyes of governmental instances, but who were still targeted following 9/11.

The backlash of the 9/11 terrorist attacks in New York and Washington D.C. confirmed something that already had revealed itself years prior – a nationwide fear of Muslims, Arabs or those perceived to be. The hate crimes following events such as after the Oklahoma City bombing and the hijacking performed by PLO where those perceived to be Arab or Muslim saw a significant uprise following 9/11. The hate crimes became more violent and ferocious, as well as extent. It would include events such as murder, arson, physical and psychological violence, damage to both personal property and places of worship.

Both governmental and non-governmental agencies documented a massive increase in anti-Arab and anti-Muslim behavior. The FBI reported that instances of crime and violence targeted at Muslims multiplied by seventeen, rising from 28 in 2000 to 481 in 2001, after the attacks, meanwhile, the ADC reported more than 600 instances of hate crime targeting those perceived to be Arab or Muslim, which also included crimes against Sikhs and South East Asians. CAIR reported 1700 incidents where this group was targeted, whether it was hate crimes, employment discrimination or airport profiling (CAIR, as cited in Human Rights Watch, 2002).



Many immigrants from the Middle East would work within the same lines of work when arriving in the US. For many, this meant working at grocery stores, within the taxi industry, or at gas stations. This however meant that those working within these industries were also prone to experience hate crimes following 9/11.

At least three innocent people were murdered as a direct consequence of 9/11. The first one was Balbir Singh Sodhi, a gas station worker and father of three. He was shot and killed September 15<sup>th</sup> by Frank Roque while planting flowers outside of his gas station. Roque had earlier been at a bar bragging about finding and killing those responsible for 9/11. After murdering Sodhi, he later went on to shoot into the home of an Afghan American, however it did not lead to any casualties. Before being arrested, he also shot at two Lebanese gas station workers (Human Rights Watch, 2002)..

On the same day, Mark Stroman shot and killed Waquar Hassan, a grocery store worker, who was cooking hamburgers outside of his store. The case remained somewhat a mystery for some time, as it was initially believed that the murder was part of a robbery. The Hassan family however were certain that the murder of Waquar was a hate crime, as no money had been stolen. Two weeks later, another grocery store clerk, Vasudev Patel, was killed while at work. Stroman was identified as the murderer, and while incarcerated, he admitted the murder of Hassan to a fellow inmate who later reported it. Stroman was convicted of capital murder and was sentenced to death in April 2002.

In addition to these three murders, it is believed that four others are directly linked to hate crimes following 9/11 (Human Rights Watch, 2002).

### **Hate crime prevention efforts following the backlash of 9/11**

On a more specific, both federal and local level, authorities faced challenges with the prevention of hate crimes. Many of the instances of either biased hate crimes or acts of violence were often performed by individuals, not by organized groups, which made the work of predicting and in turn preventing them difficult. Public condemnation therefore acted as one of the most important and effective tools. Both New York Mayor Rudolph Giuliani and President Bush became prominent figures in this work (President George W. Bush, 2001). President Bush famously stated following the 9/11 attack the importance of distancing terrorists from the Muslim and Arab communities. On September 17<sup>th</sup> 2001, only 6 days after the attacks, President Bush spoke at the Washington D.C. Islamic Center, where he stated that “The face of terror is not the true faith of Islam. That's not what Islam is all about. Islam is

peace. These terrorists don't represent peace. They represent evil and war.” (Bush, 2001). On September 20<sup>th</sup>, just three days later he famously stated in a joint session of Congress and the American people that “The terrorists are traitor to their own faith, trying, in effect, to hijack Islam itself. The enemy of America is not our many Muslim friends; it is not our many Arab friends. Our enemy is a radical network of terrorists and every government supporting them.” (Bush, 2001).

President Bush actively encouraged the American people to be aware of the difference between terrorists and regular Middle Eastern and Muslim individuals (or those perceived to be). “Be afraid, always” is a phrase that has been attributed to the Bush administration in the context of its response to terrorism in the post 9/11 era. However, it is important to know that these exact words may never have been uttered by the President himself.

Instead, it can be seen as a general sentiment of the Bush administration positioned in a time faced with the ongoing threat of terrorism with a need of active steps to avoid further attacks. The administration adopted a political rhetoric urging Americans to remain prepared for eventual threats, while also urging awareness of the difference between a religion and those practicing it and terrorists.

The implementation of the Patriot Act, Homeland Security, foreign invasions and eventually taking use of Guantanamo Bay portrays the message “Be afraid, always” even though it may not have ever been actually stated. This in turn proves a period of mixed messages. Both Arab and Muslim activists at the time questioned the statements expressed by prominent public figures, who at the same time enabled the specific changes mentioned above, implemented following 9/11, which heavily profiled those perceived to be Muslim or Arab and/or believed to be part of plotting terror against the nation (Human Rights Watch, 2002).

### **Guantanamo Bay**

In the fall of 2001, the U.S. military began dropping leaflets over cities and towns in Afghanistan offering bounties varying from \$5,000 to \$25,000 for the names of those either part of Al-Qaida or the Taliban, or those affiliated with them. The flyers stated that “This is enough money to take care of your family and tribe – for the rest of your life”. At the time, the average annual income in Afghanistan was approximately \$300.

The name of hundreds of men were handed in, and as the men were gathered up abroad, the U.S. ministry of defense were trying to figure out where to place them, but with great difficulty (Lepore, 2018, p. 743).

One of those whose name was reported was Tarek Dergoul. Originally a British man of Moroccan origin. He stated that during the war in Afghanistan, him and two Pakistani friends decided to travel to Afghanistan, pooling all their fund together, and begin working in real estate. They believed that buying property at the time would be a great investment once the war was over. As they were finalizing a deal in Jalalabad, an American bomb hit their location. The two Pakistani men were instantly killed. Tarek woke up in the hospital with his left arm amputated and under armed guard. After spending time in Afghan custody, he was sold to the American military for \$5,000, one several similar individuals (Lasseter, 2008).

Considerations of reopening Alcatraz, a former prison off the coast of San Francisco which closed in 1963 as well as a federal penitentiary in Kansas were made, but eventually rejected. This was due to both being in American states, which would enable suspected terrorists to appeal their cases under U.S. federal and state laws.

An island in the Indian Ocean was also considered, but due to it being a British territory, and therefore subject to British law, it was eventually declined as well.

Eventually the island of Guantánamo was elected. It was a U.S. naval base off the coast of Cuba, however did not belong to neither the United States nor Cuba. John Yoo, a lawyer under Bush's administration called it a "legal equivalent to outer space". It was known as one of the last no man's lands on earth. (Lepore, 2018, p. 746). Suspected terrorists could be interrogated and detained with greater ease compared to e.g. what would have been possible at Alactraz, due to Guantánamo being located outside of U.S. jurisdiction.

In February of 2002, President Bush issued the Executive Order 13259. It established a framework related to detention procedures, trials, and treatment of those detained as a result of the global war on terror. These individuals were to be considered "enemy combatants". A key component of Executive Order 13259 was that those deemed as enemy combatants were not to be protected under the Geneva Convention in its section regarding the treatment of prisoners of war (Bush, 2002).

On January 9<sup>th</sup> Yoo and other colleagues submitted the first of what would eventually be known as the “torture memos”. In this it was stated that international treaties and laws, such as the Geneva convention did not apply to the Taliban militia and those associated with it. They were not to be called “criminals” as criminals have to be charged with a crime. They were not prisoners of war, as prisoners of war are obligated to certain rights. The detainees captured in the context of the “War on Terror” were therefore classified as “enemy combatants” and were not to be protected by any international law. This was supported due to Afghanistan being a “failed state”, even though Afghanistan was present under the 1956 Geneva Convention,. On January 11<sup>th</sup>, two days after the first torture memos were submitted, the first detainees arrived at Guantánamo Bay (Lepore, 2018, p.746-747).

### **Bybee Memo**

One of the most known torture memos was the Bybee Memo, named after the then-head of the Office of Legal Counsel (OLC) Jay Bybee, and was authored by then-OLC lawyer Yoo and addressed to Alberto Gonzalez, former White House counsel. Aside from the fact that the United States’ presence under the Geneva Convention of 1956, there was a major obstacle against the use of torture in interrogation of detainees at Guantánamo Bay. The U.S. had signed “The Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment” in 1988, therefore stating its opposition to extreme methods of interrogation and use of torture. The Bybee Memo however provided a legal analyzation that eventually concluded with extreme methods of interrogation were not to be understood as torture under U.S. law. There were also attempts to prove a distinction between acts that were seen as “cruel, inhuman or degrading” and acts that were seen as torture. Severe pain was seen as “pain that caused death, organ failure or permanent damage and/or loss of bodily functions”, meanwhile torture was understood as e.g. “shaking, exposure to treatment of either extreme heat or cold, sexual humiliation or threats to the detainees’ families”. The chief counsel of the CIA at the time even stated bluntly that “- if the detainee dies, you are doing it wrong” (Lepore, 2018, p. 747).

The extreme methods of interrogation used such as waterboarding and sleep and sensory deprivation were therefore justified due to legal memos such as the Bybee Memo, and it was argued that they were not meeting the legal criteria of torture under U.S. and international law.

## **Conditions within Guantanamo Bay**

Camp X-ray was the first incarnation at Guantanamo Bay. It was a makeshift facility, consisting of crammed and small cages with chain-link fences as walls and metal roofing. The sanitary facilities were very limited. Mohammed Sangir, a former detainee describes that Muslim detainees were not allowed to pray, and were beaten if they were caught praying (Human Rights Watch, 2004).

Asif Iqbal, who was a British detainee, describes that they all lived in one-person cells, that contained a mat, a blanket, toothbrush, and two buckets. One for water and one to use as an urinal. They were granted two minutes a week to leave the cell in order to shower.

Communication was extremely limited, as detainees were not allowed to speak to each other. He stated that eventually the limits on communication eventually became more relaxed, and some were able to have short conversations with military police. The military police had been told by supervisors that the detainees would “kill them with their toothbrushes at the first opportunity, - that they were all members of Al-Qaeda and that we had killed women and children indiscriminately”(Statement of Asif Iqbal, 2004).

Tarek Dergoul, who had been sold by Afghan militia to the American military for \$5,000, alleged to be chemically sprayed during cell searches. He stated that he “often refused to cooperate with cell searches during prayer time. One reason was that they would abuse the Koran. Another was that the guards deliberately felt up my private parts under the guise of searching me. If I refused a cell search MPs would call the Extreme Reaction Force [the actual name is the Initial Reaction Force] who came in riot gear with plastic shields and pepper spray. The Extreme Reaction Force entered the cell, ran in and pinned me down after spraying me with pepper spray and attacked me. The pepper spray caused me to vomit on several occasions. They poked their fingers in my eyes, banged my head on the floor and kicked and punched me and tied me up like a beast. They often forced my head into the toilet” (Statement by Tarek Dergoul, 2004).

He was one of the first inmates to be repatriated, and was taken into British custody under its Prevention of Terrorism Act. He eventually sued the British government, and claimed that the MI6 and MI5 had been cooperating with the interrogations he endured at Guantanamo Bay, which violated both American and British obligations to the human rights agreement (Dodd, 2007). Alongside four other British former detainees, Dergoul was released two days after as there were no grounds for their detention. Dergoul, who earlier had worked as a taxi driver

and a care worker was left unable to return to work following his detention (Laville, Britten & Davies, 2004).

The accounts of former Guantanamo Bay detainees Mohammed Sangir, Asif Iqbal and Tarek Dergoul all offer a small glimpse into the treatment of the detainees at Guantanamo Bay. The U.S. army classified that almost 100 Guantanamo Bay detainees had psychological and psychiatric illnesses such as severe depression, bipolar disorder, and schizophrenia in 2011 (The Guardian, 2011).

These revelations of use of torture, abuse and mistreatment within the detention center offers a reminder of the possible dangers of unsupervised executive power and lack of civil liberties in times of national crisis.

### ***Hamdan v. Rumsfeld***

In regards to the treatment of detainees at Guantanamo Bay, *Hamdan v. Rumsfeld* represents an important verdict. The case directly challenged the military commissions and operations that were signed by the Bush administration in the War on Terror, with Donald Rumsfeld as the Secretary of Defense at the time.

Salim Ahmed Hamdan was a former driver for Osama Bin Laden. He was captured by Afghani forces in 2001 and handed over to the U.S. military, who transferred him to Guantanamo Bay. Before being Osama Bin Laden's driver, he worked on an Afghan agricultural project made by Bin Laden. After being handed over to the U.S. military, he was transferred to Guantanamo Bay and defined as a "military enemy combatant". Hamdan however explained that he was not participating in terrorist activities and that he was simply an employee of Bin Laden.

In the 2006 ruling, the Supreme Court led by Chief Justice John Roberts and Justices Breyer, Ginsburg, Souter, and Kennedy, delivered a disapproval of the practices of the administration. It was stated that the military commissions were unlawful due to a major lack of Congress authorizations, as well as inadequate provision of procedural safeguards, as the detainees enabled the basic procedural rights and legal protections that are granted in such trials. The military commissions violated both the Geneva Convention as well as Uniform Code of Military Justice (*Hamdan v. Rumsfeld*, 2006).

It was a major victory for the former detainees at Guantanamo Bay while at the same time serving as a harsh criticism towards the Bush administration's attempts at founding alternative legal frameworks and procedures for those prosecuted of participation in terrorist activities. The ruling endorsed the fact that even those detained or designated as "military enemy combatants" are still entitled to their basic judicial rights and that they are protected under both national and international law.

### **Military Commissions Act of 2006**

Following the Supreme Court's ruling concerning the *Hamdan v. Rumsfeld*, there were significant changes in the prosecution of those detained at Guantanamo Bay. The ruling cautioned Congress to take action, which eventually led to the execution of the Military Commissions Act of 2006. The aim of it was to provide a legal framework for the detention and prosecution of individuals who were suspected of being involved in terrorist organizations and/or terrorist activities, specifically those detained at Guantanamo Bay. This led to defining the term "unlawful military enemy combatant" as an individual who was to engage in unlawful and/or hostile activities against the U.S. and its coalition partners.

It also established the creation of military commissions. These were specially made commissions tasked with determining the cases involving unlawful military enemy combatants. These operated differently from the traditional court system, as there were modifications to the rules of prosecution.

The Military Commissions Act of 2006 aimed to have limitations on detainees' abilities to challenge their detention through habeas corpus. This meant that the military commissions would be the primary means of handling the legal disputes regarding treatment and detention, rather than a traditional court.

Finally, the act provided some procedural safeguards for those facing their trial by the special military commissions, such as the right to have a lawyer or defendant, even if he cannot afford an attorney or the presumption of innocence (United States Congress, 2006).

The Military Commissions Act of 2006 faced major criticism from legal experts and human rights advocates. Many critics argued that fundamental principles of justice were overlooked when these special military commissions were authorized, as the judicial oversight was minimal. Critics also argued that the procedural safeguards that were provided were

inadequate in comparison to the standard processes that are required by both U.S. law and international law.

### ***Boumediene v. Bush***

The legal challenges following the Military Commissions Act of 2006 were many, and its constitutionality as well as the indefinite detention without trial was challenged on several occasions. A relevant such case was in *Boumediene v. Bush*, which concerned the rights of habeas corpus for detainees at Guantanamo Bay.

Lakhdar Boumediene, an Algerian-born man, worked in Saudi Arabia with the Red Crescent Society of the UAE. It had an office in Bosnia, and following the Yugoslavian Wars, Boumediene was transferred there where he served as a director of humanitarian aid for orphaned children after the war (Boumediene, 2012).

A month after the 9/11 attacks, intelligence analysts at the U.S. embassy in Sarajevo observed an increase in intercepted communication in the area and defined it as a potential clue that Al Qaida or another terrorist organization was planning to attack the embassy. Bosnian-born Bensayah Belkacem was arrested by Bosnian forces as requested by the U.S. embassy, following a multitude of suspicious calls to Pakistan and Afghanistan, alongside 5 other of his acquaintances. All of the acquaintances worked within charity organizations. One of them was Boumediene.

In January 2002, the Bosnian Supreme Court saw no evidence in keeping the men in custody, and they were released shortly. However, American forces were awaiting their release, and they were quickly seized and transferred to Guantanamo Bay for detention and investigation. Boumediene experienced force-feeding, as he was doing a hunger strike during his imprisonment. The force-feeding was grotesque, and Boumediene's nose was broken as a result of it, as well as experiencing complications with his lungs as the food sometimes went there instead of into his stomach (Boumediene, 2012).

The most central issue in *Boumediene v. Bush* was whether or not the constitutional right of seeking habeas corpus relief was relevant to detainees at Guantanamo Bay. The U.S. government argued that due to the facility's location being outside of the U.S., detainees did not have the right of habeas corpus relief in court. Instead, it was argued that their rights were controlled by the rights of prisoners of war, not that of regular U.S. prisoners.



The Supreme Court disagreed. In a 5-4 ruling it was stated that detainees at Guantanamo bay did indeed have the constitutional right of habeas corpus. Justice Anthony Kennedy who wrote the majority opinion, emphasized that denying the prisoners this right would be to ignore crucial elements of the Constitution, and underscored the importance of it as a right against unreasonable government detention (*Boumediene v. Bush*, 2008).

The case was an important victory for the detainees and the principle of upholding constitutional rights and due process.

### **Legislative Redress for Detainees at Guantanamo Bay**

As of April 2024, there has not been a formal legislative redress or restitution which is specifically aimed at former or current detainees at Guantanamo Bay. However, numerous legal challenges are being waged on behalf of detainees, such as *Boumediene v. Bush* and *Hamdan v. Rumsfeld*. These cases, which often circulate detainees' rights to habeas corpus, have been appealed in both federal and international courts, contesting the legality and constitution of their indefinite detainment.

The Obama administration in particular made efforts to shut down. In an episode of "60 Minutes" Obama stated that; "I have said repeatedly that I intend to close Guantanamo, and I will follow through on that. I have said repeatedly that America doesn't torture, and I'm going to make sure that we don't torture. Those are part and parcel of an effort to regain America's moral stature in the world." (Obama, 2008). However, resistance from Congress in particular resulted in the prevention of closure during his presidency (Bruck, 2016).

## 4. Theoretical Framework

In this section of the thesis, a written academic work by Richard Hofstadter will be used and its use of historical examples to explain and exemplify the paranoid style, before discussing the aftermath of Pearl Harbor and 9/11 through the lens of the paranoid style. Written in the political climate of the 1960s, it can offer a nuanced view on both past and future events.

### Defining The Paranoid Style in American Politics

Richard Hofstadter's "The Paranoid Style in America" was first printed in Harper's Magazine in 1964, and since then been widely used when discussing right-wing political reactions and movements in the United States. It dives into the recurring political thought patterns that he defined as "the paranoid style".

*American politics has often been and arena for angry minds* (Hofstadter, R. 1964, p.4).

In his introduction, he states that American politics has been affected by *angry minds* at work, mainly among extreme right-wingers specifically mentioning the Goldwater movement as an important influence on right-wing radicals that were influenced by it (Hofstadter, 1965, p.3). The Goldwater movement refers to a political movement inspired by the Arizonian senator Barry Goldwater during the 1964 election. It was attractive to conservative voters and activists, unenthusiastic to liberal policies, as it emphasized strong national defense, free-market capitalism, and a limited government. Even though Barry Goldwater ended up losing with his campaign, the ideas formed in this time period enabled a resurgence of conservatism in the United States, influencing future presidential campaigns and presidential periods such as that of Ronald Reagan and the "Age of Reagan" in the 1980s. Democrats who backed Lyndon Johnson saw Goldwater as a dangerous extremist and even Goldwater himself later recalled that "The whole campaign was run on a fear of me" and that he himself would not have voted for himself had he not known about Goldwater. (U.S. Senate, n.d.).

Hofstadter states that the "paranoid style" is not necessarily limited to right-wing extremists, but rather a mindset that is far older, with the word "paranoid" being used in a lack of more suitable options. He also states that even though he himself has chosen to focus on American politics for his portrayal of the paranoid style, it is not done due to it not being evident in other parts of the world, but rather due to him being an Americanist (Hofstadter, p.6, 1964).

The paranoid style is explained as a collective state of mind rather than paranoid individuals. Where clinical paranoia is limited to individuals who experience severe anxiety, fear or conspiracy thinking accompanied with irrationality and false accusations, the paranoid political style is rather paranoid thinking aimed at “a nation, a culture, a way of life whose fate affects not himself alone but millions of others” (Hofstadter, 1965, p. 4). It can be defined as a mindset defined by deeply rooted mistrust and conspiracy theories, with a common enemy fighting against what is believed to be good.

### **Paranoia in American History**

The path of American political history has and is a result of many major historical events. They have shaped and altered its path into becoming an intricate web, shaped by periods of political paranoia and mistrust. This thesis aims to see whether there are similarities between the domestic political responses to the attack on Pearl Harbor in 1941 and the 9/11 terrorist attacks of 2001 by applying Richard Hofstadter’s theory on political paranoia from his work “The Paranoid Style in American Politics.”

Hofstadter’s analysis of the paranoid style offers a way to dissect and understand these moments in history. By using historical examples such as the anti-Masonic movements in early 19<sup>th</sup> century, The Know-Nothing party in the mid 19<sup>th</sup> century and McCarthyism in the mid 20<sup>th</sup> century, one can discover how the Paranoid Style has manifested itself throughout American history.

### **Anti-Masonic Movements in early 19<sup>th</sup> century**

The anti-masonic movements in the early 19<sup>th</sup> century offer a fascinating chapter in American history where the paranoid style is made visible. Surfacing following the Morgan Affair, an event where the former Mason, William Morgan, mysteriously disappeared before he allegedly would expose Masonic secret rituals (Hofstadter, 1965, p.15). Morgan disappeared after serving time as he was unable to pay his debt of \$2.69, and was never seen again in public. The anti-masonic movement gained popularity after his mysterious disappearance and eventually turned into a political movement (Vaughn, 1983, p.1-9, ).

At the very core of the anti-masonic movement lied a mistrust of the Freemasons, a fraternal organization characterized by mysterious rituals and symbolism. Anti-Masons believed that

the Freemasons were engaged in illicit behavior, such as manipulation of political powers and economic institutions. David Bernard, who in the anti-masonic book “Light on Masonry”, stated that Freemasons was “- an engine of Satan . . . dark, unfruitful, selfish, demoralizing, blasphemous, murderous, anti-republican and anti-Christian” (Hofstadter, 1965, p. 17).

Political parties focused on combating Masonic influences on American society, such as the Anti-Masonic political party, gained momentum in the first half of the 19<sup>th</sup> century. Their rhetoric can be characterized as heavily focused on conspiracy theories revolving around the Freemasons and how its members worked against the greater good of societal interests. Anti-Masonic newspapers, pamphlets and books proved to be an important role in order to gain public opinions. The fears of Freemasons were likely not without somewhat logical reasons. In a time shaped by temperance and modest behavior, a community of individuals believed to e.g. consume wine from human skulls in mystical rituals ought to raise some attention (Hofstadter, 1965, p. 18).

The Anti-Masonic political party is marked as one of the first times in American history where a political movement emerges as a result of rejecting a secret society, and the suspicion and conspiracies formed by it displays the paranoid style (Britannica, 2011).

### **The Know-Nothing Party in the mid 19<sup>th</sup> century**

The Know-Nothing party, formerly known as the Native-American party and later the American Party increased in popularity in the 1850s due to increased concerns regarding economic changes, increased immigration and the viewed threats following especially German, Irish and Italian immigration. The members were recognized as native-born Americans (not to be confused with the modern term of Native Americans), that held a strong anti-Catholic and anti-immigration stance and believed that government positions should be reserved to native-born Americans. It gained its name as its members were instructed to respond with “I do not know anything” when questioned about the political party’s secretive nature (Boissoneault, 2017).

The nativist ideas along with the perception of conspiracies of the formerly mentioned immigration groups were a threat to American values and institutions substantiates the Paranoid Style in several ways. Positioning oneself as a defender of “good”, meanwhile assigning a common enemy with the use of populist mobilization aligns with the Paranoid Style’s tendencies.

## **McCarthyism in the 20<sup>th</sup> century**

McCarthyism, also known as the *Second Red Scare*, indicates the social and political movements led by Senator Joseph McCarthy in the late 1940s and throughout the 1950s. In a time heavily affected by the Cold War following WW2, fears of Soviet, left-wing influence and espionage ravaged American everyday-and-political life (Storrs, 2015). Inspired by the *First Red Scare* under Harry Truman and Executive Order 9835, which enabled screening of government officials, McCarthy took use of anti-communist and anti-left campaign, as well as persecutions of individuals believed to be left-wing or communist. The most notable instances of this were investigations of suspected individuals which was led by a committee known as the HUAC, or House Un-American Activities (NARA, n.d.)

In the case of McCarthyism and the Second Red Scare, the identified enemy is communism and individuals suspected to be sympathizers of it and/or far left-wing ideologies.

Conspiracies revolving communist influences spread through campaigns and efforts led primarily by McCarthy and his followers, further imposing the idea of communism being a national threat and common enemy, which in turn enabled public political paranoia. All these points aligns with the Paranoid Style.

These three historical events and movements used to exemplify the Paranoid Style have three main components that aligns them with it;

### *1. Identification of an enemy or a threat*

There is a clear identification of a common enemy which can be seen as a threat to American political, economic, or everyday life. The Anti-Masonic movement saw the Freemasons as a secretive and dangerous force, able to manipulate political powers and economic institutions. The Know-Nothing party perceived Catholic Irish and German immigration as a threat to native-born Americans and their way of life. Finally, McCarthyism feared the threat of communism and viewed it as an enemy of the nation.

### *2. Conspiracies*

Each of the three formerly mentioned movements embodied conspiratorial ways of thinking, which further undermined the idea of illicit groups or movements posing as an enemy of the nation or society. The Anti-Masonic movement believed that the Freemasons were controlling the government, The Know-Nothings enforced the fears of Catholic

immigrants threatening the native-American way of life, and McCarthyism conspired in ideas of communist infiltration.

The Paranoid Style also explains the concept of confirmation bias. It refers to the impulse of those inclined to align with the paranoid style to understand information in a way that aligns with their pre-existing beliefs or understanding of a situation. New information is then oftentimes interpreted similarly, while simultaneously magnifying and exaggerating the pre-existing beliefs.

This leads to a reinforcement of their worldview, and new information that happens to not align with their existing beliefs may be filtered out, either subconsciously or actively.

Confirmation bias can lead to great polarization in society. Those affected by it and employ the paranoid style may be rooted in their own beliefs, either by seeking approval by those with similar beliefs or by limiting themselves to information that confirms their beliefs as mentioned. This can lead to viewing skeptics as ignorant, wrongful or simply misguided.

### 3. Gaining public momentum

Each movement used strategies, from propaganda and pamphlets, to literature and movies to enforce their rhetoric and ideas. This enabled an arena to create fear against their perceived enemies in the general public, as well as enforcing their own position as defenders against these enemies. In addition, paranoid thinkers may view these skeptics as part of the very topic they are conspiring.

To summarize the paranoid style, it has been visible throughout many events in American history. By using historical examples like the formerly mentioned anti-masonic movement, the Know Nothing party and McCarthyism, Hofstadter shows how the rhetoric of the paranoid style has been employed, where the earliest examples fight against mystic movements, and more contemporary events see a fight between political minorities against individuals and political movements and ideologies with a goal of gaining one's country back. The Paranoid style can be summarized into three main components; Identification of an enemy or threat, either against one's own beliefs or against the nation itself, conspiracies against these enemies or threats, and finally, gaining public momentum in order to spread the message against these enemies.

## **5. Discussion**

When analyzing the responses to the events of Pearl Harbor and 9/11 attacks through the lens of Richard Hofstadter's Paranoid Style, we are able to gain insight into the many ways political leaders, institutions, individuals, and groups responded to these fateful events in times of national crisis. His theory exhibits how individuals and political movements employ a paranoid worldview, heavily shaped by strong fear and collaborative conspiracies directed at potential threats to the nation or their own way of life. By applying it to the aftermath of each event, one can gain insight into how public discourse was shaped, as well as policies within the government and public attitudes in the United States.

### **Pearl Harbor in the Light of the Paranoid Style**

Diving deeper into Hofstadter's paranoid style when applied to the responses to Pearl Harbor, it is crucial to evaluate and examine the events and times of paranoia in U.S. legislation, policy decision and political discourse after.

The 1941 attack on Pearl Harbor evoked a deep and instinctive emotional response in most Americans at the time, political individuals, leaders and the public alike. "A date that will live in infamy", as famously stated following the attack by President D. Roosevelt captures the anger, sadness, fright and shock felt by the entire nation. The immediate feelings of fright contributed to the immediate increase of pre-existing suspicions and conspiracies against Japanese immigrants, who were viewed as potential spies and saboteurs working for the Japanese military.

The governments immediate reactions to the attack employs elements of Hofstadter's paranoid political style, as policymakers affected by fears sabotage and espionage, condoned the aggressive measures with the goal of ensuring national stability. Roosevelt signed Executive Order 9066 in February 1942, which enabled military zones to be created that authorized the exclusion of anyone for more or less any reason. This allowed the forced relocation of approximately 120,000 Japanese-Americans on the West Coast, solely for their Japanese ancestry. This was a policy deeply rooted in political paranoia and racial prejudice, and as innocent individuals were deprived of their freedom and rights, proved to be a violation of the nation's civil liberties as well as a violation of constitutional rights.

Additionally, the legal challenges that many of the affected Japanese American internees faced following the forced internment showed clear signs of the influence paranoia had on the government, as well as in judicial decisions.

After the utilization of Executive Order 9066, some groups and individuals challenged it and its constitutionality. A notable case of this was the Fred Korematsu v. United States.

Korematsu, who refused detention, argued that the forced internment and relocation was against his constitutional rights under the Fifth Amendment. It states that “no individual shall be deprived of liberty or property without due process of law - ” (United States, 1791).

However, the Supreme Court decided to rule against Korematsu, despite the breach of the Fifth Amendment. Justice Hugo Black who wrote the majority opinion held that the need to protect the nation against potential sabotage, attacks and espionage outweighed the individual rights of Fred Korematsu. The ruling legitimized the actions of the government, and allowed an environment of fear, suspicions and conspiracies aimed at Japanese-Americans. It set an early example that in turn allowed the government to diminish individual constitutional rights in favor of national security in times of crisis, even with a lack of actual evidence against the perceived threat.

The case was appealed in 1944. In the ruling, with a 6-3 decision, it was stated that the decision was a “military necessity” and not based on race, which in turn justified the government’s actions (Administrative Office of the U.S. Courts., n.d.).

Another notable case at the time was the Ex parte Endo. It can be viewed as a contrast to the Korematsu case, as the Court ruled in favor of Mitsuye Endo. She argued her loyalty to the U.S. and that the continuous internment and detention was therefore unjustified. Even though the ruling ended in Endo’s favor, the government initially viewed her as a national threat alongside other Japanese-Americans. However, the Court’s ruling undermines the justification of forced internment and brings to light the unjustified actions by the government. The decision ends up challenging the paranoid narrative that was formerly employed by government officials and proves the importance of individual constitutional rights being upheld, even in the times of national crisis.

The long term social and economic effect of the internment and negative portrayal of Japanese individuals in the U.S. highlights the destructive impact the paranoid style had on American society at the time. As families were torn from one another, homes were lost and



jobs and livelihoods were destroyed, those affected experienced discrimination and stigma for a long time after the war ended. Not until 1988, when the The Civil Liberties Act offered some compensation and redress to those immediately affected by the internment, was the unjust treatment of Japanese Americans in the 1940s truly acknowledged and compensated by the Government.

When analyzing attitudes after Pearl Harbor in the lens of Hofstadter's Paranoid Style, it becomes highly visible how fears and conspiracies aimed at Japanese individuals influenced the governments actions. It proves to be an example and reminder of the danger of paranoid thinking, and how it can lead to loss of civil constitutional rights and cause stigma for decades following the initial governmental reaction.

### **9/11 in the Light of the Paranoid Style**

Similar to the responses to Pearl Harbor, the aftermath of 9/11 saw political leaders employing elements of the Paranoid Style in the "War on Terror", as well as justifying extensive and far-reaching measures to secure the nation, such as the PATRIOT ACT and eventually taking use of Guantanamo Bay as a place of detention and interrogation. President George W. Bush declared that the attacks were attacks on freedom and democracy, and in turn, creating an image that the terrorists were against clear American values. Even though President Bush responded quickly in regards to making sure the American people were aware that the terrorists were not to be misunderstood with Arab-Americans or Muslims, this still led to somewhat of a narrative of us versus them, a good versus evil kind of situation. This eventually accumulated into an environment shaped by fear, suspicion and conspiracies aimed at Muslims and Arabs, or those perceived to be, and eventually the neglect of civil constitutional liberties in the name of national security, similarly to the aftermath of Pearl Harbor.

The introduction of the USA PATRIOT ACT is a blunt reflection of the paranoid style in the governance of the U.S. post-9/11. It was an implementation that prioritized national security over individual rights, and was characterized by expanded and extensive surveillance. It granted government agencies access to e.g. emails and phone calls by authorizing wiretaps without needing a search warrant, and without the need of probable cause or any sort of judicial oversight. The Act in turn provoked fears and conspiracies of an omnipresent

government. Citizens of the U.S. had to confront the reality of a government being aware of their every electronic move, and any digital interaction could be under scrutiny by governmental instances.

However, it is important to note that these tools of surveillance were not completely new. Many of the tools the Act provided in order to fight terrorism had already been in use in the fight against organized crime and drug trafficking long before. Joe Biden, who was a senator at the time stated that “the FBI could get a wiretap to investigate the mafia, but they could not get one to investigate terrorists. To put it bluntly, that was crazy! What's good for the mob should be good for terrorists” in a debate regarding the Act in 2001 (U.S. Department of Justice, 2001).

The difference after the Act was that the general public was now at greater risk of surveillance, not just those associated with organized crime and drug trafficking, as the need for search warrants had been eliminated.

The role of media outlets after 9/11 proves to be a clear example of the paranoid style in action. In the aftermath of the attack, different newspapers and tv channels, driven by a craving for solid ratings and sensationalism, and rather than critically serving information and international news, many news outlets became conduits of amplified government propaganda. This in turn led to an exaggerated environment shaped by xenophobia, fear and extreme nationalism. Media and news outlets often shaped articles and broadcasts as in an “us versus them” frame, portraying those responsible for the attack as enemies of the United States, and as fanatical and evil terrorists.

Especially Fox News, known for its more conservative-leaning, employed a more aggressive narrative following 9/11, often making use of a narrative shaped by the need for military intervention against those perceived to be national enemies. This frequently demonized Middle Eastern individuals and Muslims. Fox News made it clear that the War on Terror was a war between good and evil, Americans versus those perceived to be terrorists (Rutenberg, 2001). Patriotic articles and an abundance of American flags were broadcasted, while terrorists were deemed as cowards. In January of 2002, Fox News surpassed CNN. Criticism of this depiction arose, and comedian Bill Maher in his tv show “Politically Incorrect” stated that “*We* have been the cowards lobbing cruise missiles from 2,000 miles away”. His show was shortly after taken off air (Kruse & Zelizer, p. 260).

This enabled extreme attitudes towards Arab or Muslim communities, or those perceived to be part of these communities, as media coverage oftentimes portrayed these individuals through a stereotypical lens. Media outlets would often highlight broadcasts that included Arab or Muslim individuals, either arrested for participating in terrorist activities and in turn broadcasting less of stories that offered a more nuanced view of the situation.

The human brain is relatively simple in the sense of learning and association, however, it can have negative consequences for those affected. Repeated exposure to two (or more) kinds of stimuli may lead some to believe that these are connected to one another, even if they in reality are two different types of concepts (Nickerson, 1998, p. 177-178). In the case of media, when certain groups, images or terms are paired together consistently, our brains may instinctively begin to associate these with each other. This is called associative memory or associative learning

The terms used by media outlets, such as “Muslim terrorists” or “Islamic extremism”, were commonly used to describe those involved in the attacks or organizations or events related to them. This in turn created somewhat of a link between Muslims and Islam with terrorism, rather than differentiating an extremely small minority from the majority of Muslims who are unlikely to be posing as a national threat. In 2004, CAIR accused the tv show “24” of perpetuating the stereotypes against Muslims and Arabs in its language use and general traits of Islamophobia (Alsultany, 2012, p.18-22) The Supreme Court also stated its disapproval of the tv show and its framing of national security (Kruse & Zelizer, 2019, p.259).

In addition to language, media coverage also played an important role in the shaping of public perception. Images of individuals of Middle Eastern descent accompanied by imagery of destruction, explosion, and violence reinforced the idea of terrorism amongst those of similar looks. Whether the idea of this selective media broadcasting was intentional or unintentional, its simplification and reinforcement shaped negative views regarding Arabs, Muslims, and those perceived to be amongst many of the general public due to, amongst many things, associative memory.

In relation to this, confirmation bias becomes highly relevant. Individuals who begin to believe that e.g. Islam and terrorism are two terms connected to each other may begin to seek information that confirms this prior belief. Those with these stereotypical beliefs may either

actively seek confirming information, or even inactively ignore information that does not align with their prior beliefs. This in turn creates an arena where conspiracy theories are created, and individuals with similar beliefs may gather. Confirmation bias is closely related to the paranoid style, as it involves the tendency of paranoid individuals to understand the world through a lens shaped by conspiracies, and in turn, understand and interpret events and ideas in a way that confirms their prior suspicions.

The detainees at Guantanamo Bay, in contrast to the Japanese internment camps, where the internees experienced internment due to their ethnic background, detainees at Guantanamo Bay were mainly detained due to allegations of them being terrorists and/or participants of terrorist activities. Their detention did not extend to their families, as the case was with the Japanese internment camps. This specific distinction between the two groups portray certain aspects of the paranoid style in regards to confirmation bias, as those of Japanese ancestry were viewed through a collective lens shaped by suspicion and preconceived biases.

Following 9/11, individuals and stories of innocent people being killed solely due to the perception of them being part of terrorist organizations, such as Balbir Singh Sodhi, Waquar Hassan, and Vasudev Patel, may show elements of the paranoid style and confirmation bias in regard to paranoid individuals in the public. However, no governmental efforts were made in order to actively detain, punish, or limit the freedom of an entire demographic, including innocent individuals solely based on ancestry, such as in the case of Japanese internment.

### **Comparison of Guantanamo Bay and Japanese Internment Camps**

Comparing and differentiating Guantanamo Bay and the Japanese internment camps enables the possibility to examine examples of the paranoid style in American politics in two different times of national crisis. Both of the facilities acted as detention facilities, however with different aims. What they do have in common is that they were both established in times of national crisis following an attack by foreign forces and the time that followed was shaped by fears of external threats, as well as beliefs of conspiracies against the nation.

By exploring the differences and similarities between the two, we can gain insight into how the paranoid style has portrayed itself and affected government responses following fateful attacks.

## **Comparing and differentiating legal justifications and frameworks**

The legal basis for both the internment of Japanese people in internment camps and the detention of individuals suspected of participating in terrorist activities in Guantanamo Bay were all invoked in times of national crisis and emergency. Both are rooted in legislative measures and interpretations, as well as executive orders.

The Japanese internment camps were established following Executive order 9066, which led to the forced relocation of Japanese nisei and issei, solely based on their ancestry, and a lack of actual suspicion of espionage, sabotage or any other kind of wrongdoing.

Similarly, Guantanamo Bay opened up as a detention center following several executive order by the Bush administration such as Executive Order 13259. These executive orders enabled the detention of individuals supposedly suspected of involvement in terrorist activities without access to constitutional legal rights or trial.

The human rights and constitutional rights implications of both instances of detention in U.S. history are profound. The forced relocation and internment of Japanese Americans led to multiple violations of their legal rights. This includes instances of denial of habeas corpus, such as the case of Fred Korematsu, and equal protection under U.S. law.

Similarly, the detention of individuals suspected of terrorism at Guantanamo Bay raises questions regarding the individual rights that are stated in the Constitution. Individuals detained at Guantanamo Bay were, similarly to the Japanese internment camps, denied habeas corpus, such as the case of *Boumediene v. Bush* in 2006. In addition, the suspected use of torture has sparked international debate as well as public condemnation.

## **Shift in Attitudes Related to Race in the 1950s**

After World War II the U.S. saw a major shift in attitudes related to race in ethnic minorities. This period is marked by certain distinctive international events as well as national. The adoption of the Declaration of Human Rights in 1948 declared an international pledge to promote non-discriminatory equality, which led to certain changes in the U.S. President Harry Truman issued Executive Order 9981 in 1948, which desegregated the army (NARA, 2022). This was a major step in racial and ethnic equality.

In 1952 the McCarran-Walter Act was passed, which made changes concerning racial restrictions on immigration. In short, it maintained the former quotas based on national origin while removing the restrictions based on race. It also gave preference to skills needed at the

time. It was a positive move in the sense of racial discrimination as explicit racial restrictions were no longer accepted in U.S. immigration law. However, it still perpetuated former restrictive quotas, which especially affected certain areas of Asia (Office of the Historian, U.S. Department of State., n.d.).

The *Brown v. Board of Education of Topeka* (Brown v. Board of Education of Topeka, 1954) decision in 1954 serves as a landmark judicial decision. In a 9-0 decision, segregation in schools was defined as unconstitutional and marked the end of a time shaped by the “separate but equal” notion while also laying the foundation of coming civil rights legislation. In conclusion, the decade following World War II was shaped by a significant shift in attitudes related to racial and ethnic minorities in the U.S. The pivotal events mentioned above underline the complexity of attitudes toward race in the 1950s.

The paranoid style is evident in the justifications regarding Guantanamo Bay and the internment of Japanese Americans. In both of these cases, the government and government authorities, affected by fear of external threats, justified the breach of civil liberties as well as the expansion of executive powers.

The language used both legal memos and executive orders portrayed those who were or were to be detained as potential enemies of the state, which in turn further evolved the image of national danger. In both cases, the legal strategies that were used in order to maintain these instances of detention were shaped by a paranoid worldview, that prioritized national security concerns, while also dismissing the civil constitutional rights of specific groups.

### **Comparison of Treatment of Detainees and Internees**

Living conditions of detainees at Guantanamo Bay and Japanese American internees bear some striking resemblances, but also major differences. What they do have in common in regards to treatment is the systemic injustices made to them, invoked by the detention regimes.

Both groups endured loss of personal property, limited freedom, denial of due process rights and of course forced relocation and detention. The Japanese American internees were forcibly removed following Executive order 9066, and confined to camps with limited possibilities in secluded locations inland, and were as mentioned deprived of their constitutional rights due to their ancestry. Many experienced living conditions where families were forced to live in

cramped barracks.

The detainees at Guantanamo are believed to have experienced harsher conditions to that of the internment camps. They faced indefinite detention, often in either confined spaces or complete isolation, and were subjected to harsh methods of interrogation which included methods of torture.

### **Comparing the Remedial Measures Following the Japanese-American Internment and Detention at Guantanamo Bay**

In the comparative analysis of the repercussions of Japanese-American internment and those detained at Guantanamo Bay, it becomes evident that both groups have made extensive efforts to redress the injustices they have endured. Despite differences in time and therefore in historical context and legal frameworks, parallels in their experiences of detention raise ethical questions regarding social justice, racial injustice, and the importance of protecting civil rights and liberties in times of crisis.

The Civil Liberties Act of 1988 aimed at former Japanese-American internees, proved to be an official apology as well as a financial compensation of \$20,000 to the former internees. In contrast, no similar act has been aimed at those detained at Guantanamo Bay. The situation has been more complex, with ongoing debates, international condemnation and scrutiny and efforts of closing the facility down, such as that of the Obama administration. Despite these ongoing debates, former legal cases and efforts of closing the facility, the 30 remaining detainees, where most have been in indefinite detention since 2006, underlines the ongoing difficulties of justice and accountability towards those enduring government-led detention (New York Times, 2024).

## 6. Conclusion

This thesis has demonstrated that there are specific reactions to attacks on U.S. soil. Pearl Harbor and 9/11 are the most significant attacks on U.S. soil by external forces.

After the attack on Pearl Harbor, a whole ethnic group consisting of 120,000 individuals was placed in internment camps indefinitely. Roosevelt's orders, Executive Order 9066, and the Korematsu decision paved the way for this continuous detention. This policy ended with the court ruling of Mitsuye Endo in 1944, where the Court stated that the government did not have the authority to detain citizens deemed loyal to the nation. The act of forcefully relocating an entire ethnic group could no longer be conducted.

World War II showed the ethical complications of racial discrimination. After the war, attitudes both internationally and nationally began to change. With new policies such as the McCarran Act and the Brown decision, the U.S. began to respond to racial inequality in a more direct manner.

Government discrimination against whole ethnic groups could not happen in recent decades. After 9/11 only those suspected of terrorism were placed at Guantanamo Bay, not all individuals of the same ethnic or religious background as those responsible for the attacks. Such as in the case of Boumediene, there was *some* reason for his suspicion, but his whole family or those of the same ethnic group were not prosecuted without suspicion, which may have been the case if Boumediene was a person of Japanese ancestry in post-Pearl Harbor.

However, this does not mean that attitudes visible in the general public change accordingly. This became evident following the Oklahoma City Bombing where Muslim and Middle Eastern individuals were blamed by individuals in the general public before the revelation of the perpetrators being white, extreme-right-leaning individuals. White right-leaning individuals did not face the same collective treatment.

Similar attitudes became visible following 9/11, where innocent individuals of the same demographic group were affected by hate crimes. This happens despite President Bush stating that Islam is a religion of peace and that Muslims are friends of the nation, not enemies.

Bush's policies regarding Guantanamo Bay were controversial. The Supreme Court stated in the Hamdan case that the military commissions were illegal, underlining the ethicality of the treatment of detainees and their constitutional right to fair trial.



As the legal and ethical debate surrounding the detainees at Guantanamo Bay persists, the fact that 30 individuals are still under detention as of 2024, (despite more than one hundred human rights organizations sending letters to President Biden urging him to shut it down), underlines the continuous legacy of the War on Terror (Center for Victims of Torture, 2024).

There is a balance between society's need for protection and the protection of individual liberties. However, as we have seen throughout U.S. history, the government may have overreacted in certain instances. This reaction can be seen as a result of political paranoia and fear. How we react to fear has proven to shape political responses, which in turn has led to certain amplifications and legislations that led to infringements upon individual constitutional liberties.

By examining the domestic political responses to these two events through the lens of Hofstadter's theory on political paranoia and observing instances of racial and ethnic injustice, this thesis has shed light on reoccurring events of paranoia and fear.

While the need for national protection and security is understandable, it becomes evident that the demand for national security should not come at the cost of individual rights.

## 7. References

### Books;

Hofstadter, R. (1965). *The Paranoid Style in American Politics and Other Essays*. Cambridge: Harvard University Press.

Kashima (1983). *Personal justice denied: Report of the Commission on Wartime Relocation and Internment of Civilians*. Washington, D.C.: The Commission

Kruse & Zelizer (2019). *Fault Lines: A History of the United States Since 1974*. W.W. Norton & Company.

Lepore, J. (2018). *These Truths: A History of the United States*. W.W. Norton & Company.

National Commission on Terrorist Attacks Upon the United States. (2004). *The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks Upon the United States*. W.W. Norton & Company.

National Commission on Terrorist Attacks Upon the United States. (2004). Preface. In *The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks Upon the United States* (pp. xv-xvii). W.W. Norton & Company.

Tanner, S. (2009) *Afghanistan: A Military History from Alexander the Great to the War Against the Taliban*. Da Capo Press.

Vaughn, W. P. (1983). *The Morgan Affair and Its Consequences. The Anti-Masonic Party in the United States: 1826-1843*. University Press of Kentucky.

## News Paper Articles:

Adam Gelb, "War's Backlash: Two Communities Torn by Conflict. Arabs Emerge as New Target of Prejudice," *Atlanta Journal and Constitution*, January 19, 1991.

Alsultany, E. (2012). Challenging the Terrorist Stereotype. In *Arabs and Muslims in the Media: Race and Representation after 9/11*. NYU Press.

<http://www.jstor.org/stable/j.ctt9qfv0k.5>

Aratani, L. (2019, December 18). *She fought internment of Japanese Americans during World War II and won*. The Washington Post.

<https://www.washingtonpost.com/history/2019/12/18/she-fought-internment-japanese-americans-during-world-war-ii-won/>

Boissoneault (2017). How the 19<sup>th</sup>-Century Know Nothing Party Reshaped American Politics. *Smithsonian Magazine*. Smithsonian Institution.

Boumediene, L. (2012, January 7). My Guantánamo Nightmare. *The New York Times*, p. SR9.

Buck, C. (2016, August 1). Why Obama has failed to close Guantanamo. *The New Yorker*.

<https://www.newyorker.com/magazine/2016/08/01/why-obama-has-failed-to-close-guantanamo>

Charles M. Sennott, "After the bombings, America Faces up to Prejudice," *Boston Globe*, June 21, 1995.

David Lamb, "Loyalty Questioned; U.S. Arabs Close Ranks Over Bias," *Los Angeles Times*, March 13, 1987.

<https://www.latimes.com/archives/la-xpm-1987-03-13-mn-5585-story.html>

Dodd, V. (2007, September 12). MI5 and MI6 to be sued for first time over torture. *The Guardian*.

<https://www.theguardian.com/politics/2007/sep/12/uk.humanrights>

Hamzi Moghradi, "A Rush to Judgment – Again," *Plain Dealer*, April 23, 1995.

John Nichols, "Bumbling Analysis Of Bombing Promoted Ethnic Stereotypes," *Capital Times*, April 24, 1995.

Lasseter, T. (2008, June 15). Guantanamo Inmate Database: Tarek Dergoul. *Miami Herald*.

Laura Outerbridge, "American Muslims Articulate Fear of Backlash," *Washington Times*, April 21, 1995.

Laville, S., Britten, N., & Davies, C. (2004, March 11). Guantanamo four freed without charge after families protest. *The Telegraph*.

<https://web.archive.org/web/20130421055253/http://www.telegraph.co.uk/news/uknews/1456509/Guantanamo-four-freed-without-charge-after-families-protest.html>

New York Times (2024) The Guantanamo Docket. The New York Times.

<https://www.nytimes.com/interactive/2021/us/guantanamo-bay-detainees.html>

Patrick Cooper, "Daschle's Proud Mentor Looks Back," *Roll Call*, July 19, 2001; "Human Rights: American-Arab Committee Fights Discrimination," Inter Press Service, August 20, 1985; Alan Achkar and Michele Fuetsch, "Taking Pride In Their Heritage; Arab-Americans Battle The Sting Of Stereotypes As They Work To Open Others' Eyes To Reality Of Their Culture," *Plain Dealer*, November 26, 1995.

Pegler, W. (1942, February 16). Fifth Column problem on Pacific Coast very serious—Japs should be under guard. DOJ 146-13-7-2-0 (CWRIC 13333).

Rutenberg, J. (2001, December 3). Fox portrays a war of good and evil, and many applaud. The New York Times.

<https://www.nytimes.com/2001/12/03/business/fox-portrays-a-war-of-good-and-evil-and-many-applaud.html>

Suzanne Cassidy, "Muslim Report Validates Local, National Aura of Bias: Pervasive Bigotry Alleged to Arise from Unjust, Constant Media Pairing of Islam with Terrorism," The Harrisburg Patriot, August 5, 1997.

The Guardian. (2011, April 25). Guantanamo files reveal mental health impact on prisoners.

The Guardian. <https://www.theguardian.com/world/2011/apr/25/guantanamo-files-mental-health-suicides>

The New York Times. (1942, February 6). Dual Nationality Another F.B.I. Task, Biddle and

Stimson Say. The New York Times. <https://www.nytimes.com/1942/02/06/archives/dual-nationality-another-fbi-task-biddle-and-stimson-say-this.html>

## Legal Documents and Government Publications:

["About DHS"](#). Homeland Security. June 29, 2016

Administrative Office of the U.S. Courts. (n.d.). Facts and Case Summary - Korematsu v. United States. United States Courts. <https://www.uscourts.gov/educational-resources/educational-activities/facts-and-case-summary-korematsu-v-us>

Brown v. Board of Education of Topeka, 347 U.S. 483 (1954)  
<https://supreme.justia.com/cases/federal/us/347/483/>

Boumediene v. Bush, 553 U.S. 723 (2008)  
<https://supreme.justia.com/cases/federal/us/553/723/>

Bush, G. W. (2002, February 7). Detention, treatment, and trial of certain non-citizens in the war against terrorism (Executive Order No. 13259).  
<https://www.govinfo.gov/app/details/CFR-2003-title3-vol1/CFR-2003-title3-vol1-eo13259>

Bush, G.W. (2001). Address to a Joint Session of Congress and the American People [Speech transcript]. Retrieved from

Federal Bureau of Investigation. (n.d.). World Trade Center Bombing, 1993. FBI. Retrieved from <https://www.fbi.gov/history/famous-cases/world-trade-center-bombing-1993>.

Foldvary, F (1999). Roving Wiretaps. *The Progress Report*.

FreightWaves (2002). Mineta Outlines Mission for TSA, Security Directors.

George W. Bush White House Archives. (n.d.). Islam: A Religion of Peace. George W. Bush White House Archives. <https://georgewbush-whitehouse.archives.gov/infocus/ramadan/islam.html>

Hamdan v. Rumsfeld, 548 U.S. 557 (2006).  
Retrieved from <https://supreme.justia.com/cases/federal/us/548/557/>

<https://georgewbush-whitehouse.archives.gov/news/releases/2001/09/20010917-11.html>

Intelligence Reform and Terrorism Prevention Act of 2004, Pub. L. No. 108-458, 118 Stat. 3638 (2004)

NARA (n.d.) Executive Order 9066: Resulting in Japanese-American Incarceration (1942) <https://www.archives.gov/milestone-documents/executive-order-9066>

NARA. (2022). Executive Order 9981. National Archives.

<https://www.archives.gov/milestone-documents/executive-order-9981>

Obama, B. (2008, November 16). [Interview segment with Steve Kroft]. 60 Minutes. CBS.

Office of the Historian, U.S. Department of State. (n.d.). Immigration Act of 1952.

Milestones: 1945-1952. <https://history.state.gov/milestones/1945-1952/immigration-act>

President George W. Bush, in a telephone conversation with New York Mayor Rudy Giuliani, September 12, 2001, retrieved on April 9th, 2024, from [http://www.aaiusa.org/PDF/healing\\_the\\_nation.pdf](http://www.aaiusa.org/PDF/healing_the_nation.pdf).

President George W. Bush. (2001, September 12). Telephone conversation with New York Mayor Rudy Giuliani. Retrieved September 9, 2002, from [http://www.aaiusa.org/PDF/healing\\_the\\_nation.pdf](http://www.aaiusa.org/PDF/healing_the_nation.pdf)

Public Law 107-306. (2002)

Supreme Court of the United States. (n.d.). Facts and Case Summary: Korematsu v. United States. United States Courts. Retrieved from <https://www.uscourts.gov/educational-resources/educational-activities/facts-and-case-summary-korematsu-v-us>

Truman Library. (n.d.). House Un-American Activities Committee. Truman Library. <https://www.trumanlibrary.gov/education/presidential-inquiries/house-un-american-activities-committee>

U.S. Commission on National Security/21st Century. (1999). *New World Coming: American Security in the 21st Century* (Publication No. v). U.S. Government Printing Office.

U.S. Department of Justice. (2001). The USA PATRIOT ACT: Preserving Life and Liberty. Retrieved from [https://www.justice.gov/archive/ll/what\\_is\\_the\\_patriot\\_act.pdf](https://www.justice.gov/archive/ll/what_is_the_patriot_act.pdf)

U.S. Senate. (n.d.). Barry Goldwater of Arizona. Senate.gov.  
[https://www.senate.gov/artandhistory/history/minute/barry\\_goldwater\\_of\\_arizona.htm](https://www.senate.gov/artandhistory/history/minute/barry_goldwater_of_arizona.htm)

United States Congress. (2006). S.3930 - Military Commissions Act of 2006.  
<https://www.congress.gov/bill/109th-congress/senate-bill/3930>

United States Supreme Court. (1944). U.S. Reports: Ex Parte Endo (323 U.S. 214).  
<https://www.loc.gov/item/usrep323283/>

United States. (1791). Constitution of the United States of America: Analysis and Interpretation. Amend. V.



## Other:

Britannica, T. Editors of Encyclopaedia (2011, September 23). *Anti-Masonic Movement*. *Encyclopedia Britannica*. <https://www.britannica.com/event/Anti-Masonic-Movement>

Brown Uni. (2021) Cost Of War: Human and Budgetary Costs of Afghanistan War <https://watson.brown.edu/costsofwar/figures/2021/human-and-budgetary-costs-date-us-war-afghanistan-2001-2022>

Center for Victims of Torture. (2024). CVT and coalition partners call on President Biden to close Guantanamo permanently. Center for Victims of Torture. <https://www.cvt.org/statements/cvt-and-coalition-partners-call-on-president-biden-to-close-guantanamo-permanently>

Densho (2017). *Of Spies and G-Men: How the U.S. Government Turned Japanese Americans into Enemies of the State*. <https://densho.org/catalyst/of-spies-and-gmen/>

Human Rights Watch, "Presumption of Guilt: Human Rights Abuses of Post-September 11 Detainees," *A Human Rights Watch Report*, vol. 14, no. 4(G), August 2002.

Human Rights Watch, *USA: 'We Are Not the Enemy': Hate Crimes Against Arabs, Muslims, and Those Perceived to be Arab or Muslim after September 11*, G1406, 14 November 2002 <https://www.refworld.org/reference/countryrep/hrw/2002/en/21884> [accessed 08 April 2024]

Jenkins, J. Philip (2024, February 15). *Oklahoma City bombing*. *Encyclopedia Britannica*. <https://www.britannica.com/event/Oklahoma-City-bombing>

National WWII Museum. (n.d.). Japanese American Incarceration. Retrieved from <https://www.nationalww2museum.org/war/articles/japanese-american-incarceration>

Statement by Tarek Dergoul made available to Human Rights Watch. (2004, May 24). Retrieved from [https://www.hrw.org/legacy/backgrounder/usa/gitmo1004/9.htm#\\_ftn76](https://www.hrw.org/legacy/backgrounder/usa/gitmo1004/9.htm#_ftn76)

Statement of Asif Iqbal (2004). "Detention in Afghanistan and Guantanamo Bay," para. 75. Retrieved from <http://www.ccr-ny.org/v2/reports/docs/Gitmo-compositestatementFINAL23july04.pdf>

Storrs, Landon R. Y. (July 2, 2015). "[McCarthyism and the Second Red Scare](#)". *American History*. doi:10.1093/acrefore/9780199329175.013.6. ISBN 978-0199329175.

Su (2011) An Ambitious Social Experiment: Education in Japanese-American Internment Camps, 1942-1945. <https://dspace.mit.edu/bitstream/handle/1721.1/65525/746805717-MIT.pdf?sequence=2&isAllowed=y>

TAMUCC (n.d.). Pearl Harbor: Japanese vs. American Perspective. Texas A&M University-Corpus Christi Library. <https://www.tamucc.edu/library/exhibits/s/hist4350/page/pearl-harbor-japanese-vs-american-perspective>

Watson Institute for International and Public Affairs, Brown University. (2021). Human and budgetary costs to date of the US war in Afghanistan (2001-2022). Costs of War. <https://watson.brown.edu/costsofwar/figures/2021/human-and-budgetary-costs-date-us-war-afghanistan-2001-2022>