

## **Case 15**

The tension between civil liberties and national security is posing new challenges for United States public policy. The events of September 11, 2001 have dramatically affected Arab communities across the nations. Nearly 1,200 people have been detained by law enforcement agencies on charges not yet made public. On November 9, the Justice Department announced that over 5,000 visitors from middle eastern countries would be contacted in an effort to discover possible ties to the Al-Qaeda terrorist network. A recent Gallup poll shows that 1 out of 4 Americans support these unusual measures and believe that some civil liberties may have to be compromised in order to combat terrorism. On the other hand, there is growing concern that federal authorities are over-stepping constitutional bounds and violating the rights of individuals of Arab ethnicity.

Across the country, local law enforcement agencies, in conjunction with the Federal Bureau of Investigation are conducting interviews with Arab individuals. There interviews range from door to door visits to the mailing of letters encouraging recipients to schedule appointments at designated law enforcement offices. According to several police chiefs, these on-going queries are similar to those used in any standard crime investigation. According to one federal spokesperson, "These people are not suspects ... they are simply people we want to talk to because they might have helpful information."

These investigative tactics, however, have been severely criticized. The American Civil Liberties Union and National Association for the Advancement of Colored People assert that targeting persons of a specific ethnicity in criminal investigations is patently unconstitutional. Several police departments have refused to collaborate with federal investigators because, they claim, the procedures violate either state laws or department guidelines. Although officials from the Immigration and Naturalization Service claim the interviews are "voluntary," some legal experts feel that the threat of incarceration may cause some foreigners to believe cooperation is mandatory, and unwittingly subject themselves to detention.

The question of racial profiling has lawmakers divided. While the Bush administration is pressing forward with the counter-terrorism investigation, many members of Congress who once supported stiff counter-terrorism measures now express misgivings. An Assistant Attorney General defended the Justice Department's methods, however, by saying: "I agree we have taken steps here that represent a departure from what we have done in recent times. We are not in recent times. Are we being aggressive and hard-nosed? You bet."