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# Race, Surveillance, and Empire

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Beginning in June 2013, a series of news articles based on whistle-blower Edward Snowden's collection of documents from the National Security Agency (NSA) took the world by storm. Over the course of a year, the Snowden material provided

a detailed account of the massive extent of NSA's warrantless data collection. What became clear was that the NSA was involved in the mass collection of online material. Less apparent was how this data was actually used by the NSA and other national security agencies. Part of the answer came in July 2014 when Glenn Greenwald and Murtaza Hussain published an article that identified specific targets of NSA surveillance and showed how individuals were being placed under surveillance despite there being no reasonable suspicion of their involvement in criminal activity. <sup>1</sup> All of those named as targets were prominent Muslim Americans.

The following month, Jeremy Scahill and Ryan Devereaux published another story for *The Intercept*, which revealed that under the Obama administration the number of people on the National Counterterrorism Center's no-fly list had increased tenfold to 47,000. Leaked classified documents showed that the NCC maintains a database of terrorism suspects worldwide—the Terrorist Identities Datamart Environment—which contained a million names by 2013, double the number four years earlier, and increasingly includes biometric data. This database includes 20,800 persons within the United States who are disproportionately concentrated in Dearborn, Michigan, with its significant Arab American population. <sup>2</sup>

By any objective standard, these were major news stories that ought to have attracted as much attention as the earlier revelations. Yet the stories barely registered in the corporate media landscape. The “tech community,” which had earlier expressed outrage at the NSA's mass digital surveillance, seemed to be indifferent when details emerged of the targeted surveillance of Muslims. The explanation for this reaction is not hard to find. While many object to the US government collecting private data on “ordinary” people, Muslims tend to be seen as reasonable targets of suspicion. A July 2014 poll for the Arab American Institute found that 42 percent of Americans think it is justifiable for law enforcement agencies to profile Arab Americans or American Muslims. <sup>3</sup>

In what follows, we argue that the debate on national security surveillance that has emerged in the United States since the summer of 2013 is woefully inadequate, due to its failure to place questions of race and empire at the center of its analysis. It is racist ideas that form the basis for the ways national security surveillance is organized and deployed, racist fears that are whipped up to legitimize this surveillance to the American public, and the disproportionately targeted racialized groups that have been most effective in making sense of it and organizing opposition. This is as true today as it has been historically: race and state surveillance are intertwined in the history of US capitalism. Likewise, we argue that the history of national security surveillance in the United States is inseparable from the history of US colonialism and empire.

The argument is divided into two parts. The first identifies a number of moments in the history of national security surveillance in North America, tracing its imbrication with race, empire, and capital, from the settler-colonial period through to the neoliberal era. Our focus here is on how race as a sociopolitical category is produced and reproduced historically in the United States through systems of surveillance. We show how throughout the history of the United States the systematic collection of information has been interwoven with mechanisms of racial oppression. From Anglo

settler-colonialism, the establishment of the plantation system, the post-Civil War reconstruction era, the US conquest of the Philippines, and the emergence of the national security state in the post-World War II era, to neoliberalism in the post-Civil Rights era, racialized surveillance has enabled the consolidation of capital and empire.

It is, however, important to note that the production of the racial “other” at these various moments is conjunctural and heterogenous. That is, the racialization of Native Americans, for instance, during the settler-colonial period took different forms from the racialization of African Americans. Further, the dominant construction of Blackness under slavery is different from the construction of Blackness in the neoliberal era; these ideological shifts are the product of specific historic conditions. In short, empire and capital, at various moments, determine who will be targeted by state surveillance, in what ways, and for how long.

In the second part, we turn our attention to the current conjuncture in which the politics of the War on Terror shape national security surveillance practices. The intensive surveillance of Muslim Americans has been carried out by a vast security apparatus that has also been used against dissident movements such as Occupy Wall Street and environmental rights activists, who represent a threat to the neoliberal order. This is not new; the process of targeting dissenters has been a constant feature of American history. For instance, the Alien and Sedition Acts of the late 1790s were passed by the Federalist government against the Jeffersonian sympathizers of the French Revolution. The British hanged Nathan Hale because he spied for Washington’s army in the American Revolution. State surveillance regimes have always sought to monitor and penalize a wide range of dissenters, radicals, and revolutionaries. Race was a factor in some but by no means all of these cases. Our focus here is on the production of racialized “others” as security threats and the ways this helps to stabilize capitalist social relations.

Further, the current system of mass surveillance of Muslims is analogous to and overlaps with other systems of racialized security surveillance that feed the mass deportation of immigrants under the Obama administration and that disproportionately target African Americans, contributing to their mass incarceration and what Michelle Alexander refers to as the New Jim Crow.<sup>4</sup> We argue that racialized groupings are produced in the very act of collecting information about certain groups deemed as “threats” by the national security state—the Brown terrorist, the Black and Brown drug dealer and user, and the immigrant who threatens to steal jobs. We conclude that “security” has become one of the primary means through which racism is ideologically reproduced in the “post-racial,” neoliberal

era. Drawing on W. E. B. Dubois's notion of the "psychological wage," we argue that neoliberalism has been legitimized in part through racialized notions of security that offer a new "psychological wage" as compensation for the decline of the social wage and its reallocation to "homeland security."

### **Settler-colonialism and racial security**

National security surveillance is as old as the bourgeois nation state, which from its very inception sets out to define "the people" associated with a particular territory, and by extension the "non-peoples," i.e., populations to be excluded from that territory and seen as threats to the nation. Race, in modern times, becomes the main way that such threats—both internal and external—are mediated; modern mechanisms of racial oppression and the modern state are born together. This is particularly true of settler-colonial projects, such as the United States, in which the goal was to territorially dispossess Indigenous nations and pacify the resistance that inevitably sprang up. In this section, we describe how the drive for territorial expansion and the formation of the early American state depended on an effective ideological erasure of those who peopled the land. Elaborate racial profiles, based on empirical "observation"—the precursor to more sophisticated surveillance mechanisms—were thus devised to justify the dispossession of native peoples and the obliteration of those who resisted.

The idea of the American nation as the land of white Anglo-Saxon Protestants enabled and justified the colonial-settler mission. <sup>5</sup> Thus, when the US state was formed after the Revolutionary War, white supremacy was codified in the Constitution; the logical outcome of earlier settler-colonial systems of racial discrimination against African slaves and Indigenous populations. <sup>6</sup> But the leaders of the newly formed state were not satisfied with the thirteen original colonies and set their sights on further expansion. In 1811, John Quincy Adams gave expression to this goal in the following way: "The whole continent of North America appears to be destined by Divine Providence to be peopled by one nation, speaking one language, professing one general system of religious and political principles, and accustomed to one general tenor of social usages and customs." <sup>7</sup> This doctrine, which would later come to be known as "manifest destiny" animated the project of establishing the American nation across the continent. European settlers were the "chosen people" who would bring development through scientific knowledge, including state-organized ethnographic knowledge of the very people they were colonizing. <sup>8</sup>

John Comaroff's description of this process in southern Africa serves

equally to summarize the colonial states of North America: "The 'discovery' of dark, unknown lands, which were conceptually emptied of their peoples and cultures so that their 'wilderness' might be brought properly to order—i.e., fixed and named and mapped—by an officializing white gaze." <sup>9</sup> Through, for example, the Bureau of Indian Affairs, the United States sought to develop methods of identification, categorization, and enumeration that made the Indigenous population "visible" to the surveillance gaze as racial "others." Surveillance that defined and demarcated according to officially constructed racial typologies enabled the colonial state to sort "tribes" according to whether they accepted the priorities of the settler-colonial mission (the "good" Indians) or resisted it (the "bad" Indians). <sup>10</sup> In turn, an idea of the US nation itself was produced as a homeland of white, propertied men to be secured against racial others. No wonder, then, that the founding texts of the modern state invoke the Indigenous populations of America as bearers of the "state of nature," to which the modern state is counterposed—witness Hobbes's references to the "the Savage people of America." <sup>11</sup>

The earliest process of gathering systematic knowledge about the "other" by colonizers often began with trade and religious missionary work. In the early seventeenth century, trade in furs with the Native population of Quebec was accompanied by the missionary project. Jesuit Paul Le Jeune worked extensively with the Montagnais-Naskapi and maintained a detailed record of the people he hoped to convert and "civilize." <sup>12</sup> By studying and documenting where and how the "savages" lived, the nature of their relationships, their child-rearing habits, and the like, Le Jeune derived a four-point program to change the behaviors of the Naskapi in order to bring them into line with French Jesuit morality. In addition to sedentarization, the establishment of chiefly authority, and the training and punishment of children, Le Jeune sought to curtail the independence of Naskapi women and to impose a European family structure based on male authority and female subservience. <sup>13</sup> The net result of such missionary work was to pave the way for the racial projects of colonization and/or "integration" into a colonial settler nation.

By the nineteenth century, such informal techniques of surveillance began to be absorbed into government bureaucracy. In 1824, Secretary of War John C. Calhoun established the Office of Indian Affairs (later "Bureau"), which had as one of its tasks the mapping and counting of Native Americans. The key security question was whether to forcibly displace Native Americans beyond the colonial territory or incorporate them as colonized subjects; the former policy was implemented in 1830 when Congress passed the Indian Removal Act and President Jackson began to drive Indians to the west of the Mississippi River. Systematic surveillance

became even more important after 1848, when Indian Affairs responsibility transferred from the Department of War to the Department of the Interior, and the Bureau of Indian Affairs sought to comprehensively map the Indigenous population as part of a “civilizing” project to change “the savage into a civilized man,” as a congressional committee put it. By the 1870s, Indians were “the quantified objects of governmental intervention”; resistance was subdued as much through “rational” techniques of racialized surveillance and a professional bureaucracy as through war. <sup>14</sup> The assimilation of Indians became a comprehensive policy through the Code of Indian Offenses, which included bans on Indigenous cultural practices that had earlier been catalogued by ethnographic surveillance. Tim Rowse writes that

“ For the U.S. government to extinguish Indian sovereignty, it had to be confident in its own. There is no doubting the strength of the sense of “manifest destiny” in the United States during the nineteenth-century, but as the new nation conquered and purchased, and filled the new territories with colonists, it had also to develop its administrative capacity to govern the added territories and peoples. U.S. sovereign power was not just a legal doctrine and a popular conviction; it was an administrative challenge and achievement that included acquiring, by the 1870s, the ability to conceive and measure an object called “the Indian population.” <sup>15</sup>

The use of surveillance to produce a census of a colonized population was the first step to controlling it. Mahmood Mamdani refers to this as “define and rule,” a process in which, before managing a heterogeneous population, a colonial power must first set about defining it; to do so, the colonial state “wielded the census not only as a way of acknowledging difference but also as a way of shaping, sometimes even creating, difference.” <sup>16</sup> The “ethnic mapping” and “demographics unit” programs practiced by US law enforcement agencies today in the name of counterterrorism are the inheritors of these colonial practices. Both then and now, state agencies’ use of demographic information to identify “concentrations” of ethnically defined populations in order to target surveillance resources and to identify kinship networks can be utilized for the purposes of political policing. Likewise, today’s principles of counterinsurgency warfare—winning hearts and minds by dividing the insurgent from the nonresistant—echo similar techniques applied in the nineteenth century at the settler frontier.

### **Class, gender, and racial security**

While racial security was central to the settler-colonial project in North America, territorial dispossession was only one aspect of the process of capital accumulation for the new state; the other was the discipline and management of labor. As Theodore Allen shows in *The Invention of the White Race*, the “white race” did not exist as a category in Virginia’s colonial records until the end of the seventeenth century. Whiteness as an explicit racial identity had to be cultivated over a period of decades before it could become the basis for an organized form of oppression. <sup>17</sup> A key moment in the production of whiteness was the response of the ruling Anglo elite to Bacon’s Rebellion of 1676. The rebellion was begun by colonial settlers who wanted a more aggressive approach to securing the territory against Indigenous peoples. But it also involved African and Anglo bond laborers joining together in a collective revolt against the system of indentured servitude. This threatened not only the profitability but also the very existence of the plantation system.

Over the following three decades, the Virginia Assembly passed a series of acts that racialized workers as Black and white. Those who could now call themselves white were granted some benefits by law, whereas those designated Black were turned from bond laborers (who could therefore expect to be free after a period of time) into slaves—property with no rights whatsoever and no hope of freedom. To win them to the side of the plantation bourgeoisie, poor white men were given privileges—they had access to land and enjoyed common law protections such as trial by jury and habeas corpus that were denied to Black enslaved people. <sup>18</sup> In practice this meant that white men, for instance, could rape Black women and not be charged with a crime (because Blacks were property and so only “damages” were to be paid to the slave owner). Further, property rights and the legal notion of settled land not only denied Native American property claims but even erased the existence of Indigenous people on the basis that, because white settlers had transformed the pristine North American wilderness into productive land, they were the real “natives.” <sup>19</sup>

Once the legal and ideological work had been done to naturalize race as a visible marker of inherent difference and to separate “us” from “them,” it could be made use of as a stable category of surveillance; the patrols set up to capture runaway slaves—arguably the first modern police forces in the United States <sup>20</sup>—needed only to “see” race in order to identify suspects. Moreover, the plantation system was stabilized by enabling non-elite whites to see security as a racial privilege and shared responsibility. W. E. B. Du Bois argued in *Black Reconstruction* that, in the slave plantations of the South, poor whites were brought into an identification with the planter elite by being given positions of authority over Blacks as

overseers, slave drivers, and members of slave patrols. With the associated feeling of superiority, their hatred for the wider plantation economy that impoverished them was displaced onto Black enslaved people: class antagonism was racialized and turned into a pillar of stability for the system. Meanwhile, in the North, labor leaders had little appetite for abolition, fearing competition from a newly freed Black workforce. <sup>21</sup> After abolition, the same racial anxieties were mobilized to disenfranchise the Black laborer in the South. Du Bois used the term “psychological wage” to describe this sense of superiority granted to non-elite whites in the South:

“ It must be remembered that the white group of laborers, while they received a low wage, were compensated by a sort of public and psychological wage. They were given public deference and titles of courtesy because they were white. They were admitted freely with all classes of white people to public functions, public parks, and the best schools. The police were drawn from their ranks, and the courts, dependent under their votes, treated them with such leniency as to encourage lawlessness.... On the other hand, in the same way, the Negro was subject to public insult; was afraid of mobs; was liable to the jibes of children and the unreasoning fears of white women; and was compelled almost continuously to submit to various badges of inferiority. The result of this was that the wages of both classes could be kept low, the whites fearing to be supplanted by Negro labor, the Negroes always being threatened by the substitution of white labor. <sup>22</sup>

We suggest below that, since the 1970s, neoliberalism has involved a similar kind of process, in which the social wage of the New Deal welfare state was progressively withdrawn and racialized notions of security offered in its place as a psychological compensation.

These racialized notions of security are also inflected by gender. As Du Bois notes in the above quote, free Black men were positioned as threats to white women in the post-Civil War era. Unlike during slavery, when Black men were not indiscriminately labeled as rapists and lynching was rare, the period between 1865 and 1895 saw the lynching of over ten thousand African Americans. Fredrick Douglass argued that, when all the other methods of demonizing Black people failed, the myth of the Black rapist was developed to justify lynchings and white terror. <sup>23</sup> Vigilante groups like the Ku Klux Klan justified their brutality by claiming to keep



white women safe from the Black rapist, as visualized, for instance, in D. W. Griffith's *Birth of a Nation*. Such constructions of white women in need of protection from predatory Black men were reminiscent of the "captivity scenarios" of the seventeenth century, in which Native Americans were accused of kidnapping white women, a charge that then justified genocide.<sup>24</sup> Thus, from the early settler-colonial period onwards, "security" and "protection" were defined by elites in gendered and racial terms. In particular, the white, heterosexual family was positioned as the subject of a security narrative that cast racialized others as threats to the "homeland."

The "homeland" so defined also needed to be secured from racialized immigrant threats, but which immigrants counted as white in this "homeland" was somewhat unstable. When Irish immigrants began to arrive in the United States in large numbers from the 1850s onwards, they were considered nonwhite because they were perceived to be of Celtic rather than Anglo Saxon background. More importantly, Irish Catholics faced the same exclusionary practices that Catholics did in previous centuries. Even though by the mid-eighteenth century, the need for "English colonies to be economically sustainable and militarily secure from indigenous threat," opened up non-English immigration to North America, Catholics (along with Indian tribes) were denied basic rights on the grounds that they were religiously and culturally different from the WASP population.<sup>25</sup> Over time, however, Irish and Italian immigrants were made white.

From the late nineteenth century, the policing of the United States's borders was another context where racial and imperial security was intertwined with practices of surveillance. Congress first sought to police borders as part of a strategy of regulating labor in 1882, when it excluded Chinese immigrants. In 1909, US immigration officials began excluding around half of all Asian Indians from entering. Following concern from the British government that anti-colonial nationalists from India were using the United States as a base to spread radical politics, US officials began to interrogate Indian migrants at West Coast ports, and a British agent arranged for the Justice Department to monitor all mail moving between India and the Berkeley and San Francisco post offices.<sup>26</sup>

In 1917, legislation was introduced to create a "barred Asiatic zone," stretching from Afghanistan to the Pacific, from which no one could be admitted to the United States.<sup>27</sup> With the Johnson-Reed Immigration Act of 1924, a comprehensive system of national quotas was introduced reflecting a global racial hierarchy. Through immigration policy, an idea of the US homeland as a Western European, white ethnoracial identity was

institutionalized. To implement such a vision, appropriate systems of record keeping and surveillance of immigrants were required. <sup>28</sup> Through these various means, Mae M. Ngai argues, Asian Americans and Mexican Americans were produced as “alien citizens,” formally US citizens but legally racialized and excluded. The surveillance of these groups made possible the repatriation of 400,000 persons of Mexican descent during the Great Depression (of whom half had been thought to be US citizens) and the internment of 120,000 of Japanese ancestry during World War II (two-thirds of whom were citizens). <sup>29</sup>

In the nineteenth century, the political surveillance of labor militancy had routinely been practiced by private agencies such as Pinkerton and Burns, who were directly contracted by capitalists rather than through the state. But toward the end of the century, such practices began to be absorbed into government agencies. Following the so-called Tompkins Square Riot of 1874—actually a demonstration in New York against unemployment that was attacked by the police—the New York Police Department began to assign detectives to spy on socialist and union meetings. By the mid-1890s, the department was tapping 350 phones. <sup>30</sup> By 1900, a number of police departments in the United States had created “red squads” specifically to deploy informants to left-wing organizations and meetings.

### **Empire and the national security state**

By 1890, coast-to-coast colonization was effectively complete, with the surviving Native American population consigned to reservations. Thereafter, the priority became the projection of US power further afield, again justified through a racialized understanding of American exceptionalism. As Paul Kramer writes in the context of the US conquest of the Philippines:

“ [T]he war’s advocates subsumed US history within longer, racial trajectories of “Anglo-Saxon” history which folded together US and British imperial histories. The Philippine-American War, then, was a natural extension of Western conquest, and both taken together were the organic expression of the desires, capacities, and destinies of “Anglo-Saxon” peoples. Americans, as Anglo-Saxons, shared Britons’ racial genius for empire-building, a genius which they must exercise for the greater glory of the “race” and to advance “civilization” in general. Unlike other races, they “liberated” the peoples they conquered; indeed, their expressions of conquest as “freedom” proliferated as the terrors they unleashed became more visible. [31](#)

The resistance that Filipinos mounted to American benevolence could then only be seen as an atavistic barbarism to be countered through modern techniques of surveillance and repression. While local police departments within the United States had begun to develop techniques of political surveillance, it was under the US colonial regime in the Philippines that systematic and widespread surveillance of political opponents and the manipulation of personal information as a form of political control was first institutionalized. A unit within the police called the Constabulary Information Section was established in Manila in 1901, founded by Henry Allen, a former military attaché to Tsarist Russia. [32](#) The Constabulary Information Section cultivated hundreds of paid Filipino agents across the country, making it “scarcely possible for seditious measures of importance to be hatched without our knowledge,” as Allen wrote to President Theodore Roosevelt. [33](#) The techniques of compiling dossiers on dissidents’ private lives, spreading disinformation in the media, and planting agents provocateurs among militants were applied to combating radical nationalist groupings in Manila. Control over information proved as effective a tool of colonial power as physical force. As historian Alfred W. McCoy notes, during World War I

“ police methods that had been tested and perfected in the colonial Philippines migrated homeward to provide both precedents and personnel for the establishment of a US internal security apparatus.... After years of pacifying an overseas empire where race was the frame for perception and action, colonial veterans came home to turn the same lens on America, seeing its ethnic communities . . . as internal colonies

requiring coercive controls. [34](#)

On this basis, a domestic national security apparatus emerged, with notions of race and empire at its core. From 1917, the FBI and police department red squads in US cities increasingly busied themselves with fears of subversion from communists, pacifists, anarchists, and the ten million German Americans who were suspected of harboring disloyalties. During World War I, thirty million letters were physically examined and 350,000 badge-carrying vigilantes snooped on immigrants, unions, and socialists. [35](#)

Concerns over privacy set limits to such surveillance after the war, but with increasing left-wing and right-wing radicalization in the 1930s, President Roosevelt decided to issue a secret executive order that authorized a shift in the FBI's role from a narrowly conceived law enforcement agency focused on gathering evidence for criminal prosecutions into an intelligence agency. Thereafter, it was dedicated to spying on "subversive" political movements (primarily communists, but also fascists) and countering their ability to influence public debate. This meant the FBI systematically identifying subversives based on "ideological and associational criteria." [36](#) It also opened the door to the burgeoning counter-subversion practices that the bureau would launch over the following decades. Already during World War II, the FBI was collecting detailed files on suspected communists while Black organizations such as the National Association for the Advancement of Colored People and the Nation of Islam were also surveillance targets. [37](#)

At the end of the Second World War, the United States emerged as one of two superpowers on the world stage. Pushing back against the isolationists, Cold War liberals made the case for the establishment of a permanent national security state. According to historian Paul Hogan, the national security mindset that emerged involved

“ a conviction that a new era of total war had dawned on the United States. In total war, the battle was not confined to the front lines but extended to the home front as well, as did the awesome destruction that modern weapons could inflict not only on military combatants but also on industry, urban centers, and civilian populations. Modern war was total war in this sense that modern armies depended on the output of citizen soldiers in farms and factories behind the battle line. In total war all of the nation's resources and all of its energy and

talent had to be mobilized on behalf of the war effort, thereby obliterating the old distinction between civilian and military, between citizen and soldier, between home front and the front line. When American leaders talked about total war they did so in these terms and also in terms that recognized that modern weapons could bring massive destruction from great distances with barely a moment's notice. In the new age, American leaders would no longer have the time to debate the issue of war or peace or to prepare at a slow pace. <sup>38</sup>

This was an updating and reworking of the settler-colonial mentality, with the notion of Manifest Destiny being explicitly drawn on in making the case for an exceptional American empire. The notion of the "citizen-soldier" was built upon earlier settler-colonial racialized security narratives. However, American exceptionalism, as it emerged in this period, was based on the premise that the United States was not only unique among other nations and therefore destined to play a leading global role, but also a nation built upon liberal principles. This meant that the centrality of whiteness to the security narrative was muted and less prominent. Even though the white middle-class home was cast as the locus of a privatized notion of self-defense and military preparedness through government civil defense policies and programs, <sup>39</sup> the image of the US empire was one of liberalism, inclusivity, and the "melting pot." The United States sought quite consciously to differentiate itself from past empires as it positioned itself to be one of two hegemons on the global stage. In this context, the existence of Jim Crow segregation was an embarrassment for the ruling class.

In 1947, the National Security Act was passed which entrenched "security" as a key element of the postwar order. Every aspect of life—the social, political, intellectual, and economic—was conceived as playing a role in national defense, and a massive security establishment was built up. The 1947 act created the Office of the Secretary of Defense, the Joint Chiefs of Staff, the National Security Council (NSC), and the Central Intelligence Agency (CIA). The National Security Agency (NSA) was formed in 1952, conceived as an organization to carry out the gathering of "signals intelligence." During this period, there was also the integration of corporate America, of universities, of research institutions, and of the media into the machinery of the national security state. The earlier distinctions between the citizen and soldier and between the home front and the battle front were blurred to shore up an imperial system at home and abroad.

Surveillance was central to sustaining and reproducing this system. From the 1940s to the early 1970s, FBI wiretapping and bugging operations focused on a wide range of movements, activists, and public figures. The following list of targets compiled by historian Athan Theoharis gives a flavor of the surveillance and is worth quoting in full:

- Radical activists (David Dallin, Charles Malamuth, C. B. Baldwin, Frank Oppenheimer, Bertolt Brecht, Thomas Mann, Heinrich Mann, Helene Weigel, Berthold Viertel, Anna Seghers, Bodo Uhse, Richard Criley, Frank Wilkinson), prominent liberal and radical attorneys (Bartley Crum, Martin Popper, Thomas Corcoran, David Wahl, Benjamin Margolis, Carol King, Robert Silberstein, National Lawyers Guild, Fred Black),
- Radical labor leaders and unions (Harry Bridges; United Auto Workers; National Maritime Union; National Union of Marine Cooks and Stewards; United Public Workers; United Electrical Radio and Machine Workers; Food, Tobacco, Agricultural and Allied Workers; International Longshoremen's and Warehousemen's Union; CIO Maritime Committee; Congress of Industrial Organizations Council),
- Journalists (I. F. Stone, Philip Jaffe, Kate Mitchell, Mark Gayn, Leonard Lyons, William Beecher, Marvin Kalb, Henry Brandon, Hedrick Smith, Lloyd Norman, Hanson Baldwin, Inga Arvad),
- Civil-rights activists and organizations (Martin Luther King, Jr.; Malcolm X; Southern Christian Leadership Conference; National Association for the Advancement of Colored People; March on Washington Movement; Gandhi Society for Human Rights; Elijah Muhammad; Nation of Islam; Stokely Carmichael; H. Rap Brown; Student Non-Violent Coordinating Committee; Alabama Peoples Education Association; Committee to Aid the Monroe Defendants; Southern Conference for Human Welfare; Black Panther Party; Universal Negro Improvement Association; African Liberation Day Committee),
- The Students for a Democratic Society, Ku Klux Klan, National Committee to Abolish HUAC, Socialist Workers Party, Washington Bookstore Association, Northern California Association of Scientists, Federation of American Scientists, American Association of Scientific Workers, pre-World War II isolationists (Henry Grunewald, Ethel Brigham, John O'Brien, Lillian Moorehead, Laura Ingalls, America First, Jehovah's Witnesses, Los Angeles Chamber of Commerce), and even prominent personalities (Joe Namath, Harlow Shapley, Edward Condon, Edward Prichard, Muhammad Ali, Benjamin Spock). [40](#)

In a bid to shape public opinion, the FBI also launched a mass media campaign in 1946 that released "educational materials" to cooperative

journalists and legislators.

In the late 1950s, the FBI launched its secret counterintelligence program (COINTELPRO), which used provocateurs and informants to infiltrate communist groups initially, but later widened to include Puerto Rican nationalists, the student movement, the civil rights movement, and Black liberation movements. About 1,500 of the 8,500 American Communist Party members were likely FBI informants in the early 1960s. By the end of the decade, agents who had previously worked in US foreign intelligence were transferring to the burgeoning field of domestic intelligence to spy on radical movements, whether employed by the bureau, military intelligence, or the expanding red squads in local police departments. [41](#)

A key part of the FBI's countersubversion strategy was the manipulation of political activists into committing criminal acts so that they could be arrested and prosecuted. Agents provocateurs working for the FBI initiated disruptions of meetings and demonstrations, fights between rival groups, attacks on police, and bombings. FBI agents also secretly distributed derogatory and scurrilous material to police, Congress, elected officials, other federal agencies, and the mass media. [42](#) In an attempt to "neutralize" Martin Luther King, Jr., who, the FBI worried, might abandon his "obedience to white liberal doctrines" (as indeed he did), he was placed under intense surveillance, and attempts were made to destroy his marriage and induce his suicide. In various cities, the FBI and local police used fake letters and informants to stir up violence between rival factions and gangs to disrupt the Black Panther Party. [43](#) In a number of cases, police departments or federal agents carried out the direct assassination of Black Panthers. [44](#)

Since 1945, the government had been running a mass spying program known as Project Shamrock, which the NSA took over in 1952. The telecommunications companies at the time handed over to the NSA all telegrams sent out of and into the United States. By the early 1970s, NSA analysts were collecting and analyzing approximately 150,000 telegrams a month. In 1967, the FBI and CIA submitted lists of names to the National Security Agency of key activists in the civil rights and anti-Vietnam War movements, hoping that the NSA would be able to find evidence of the communist conspiracy that President Lyndon Johnson thought must be causing the new militancy of the 1960s. The list included politically active public figures such as actress Jane Fonda and singer Joan Baez, as well as Martin Luther King, Jr., Eldridge Cleaver, and Abbie Hoffman. NSA officers began surveillance of these activists' communications, using special records procedures to prevent discovery of what they knew to be an illegal program. This "watch list" program was expanded under President Nixon

and named Operation Minaret; in all, the international communications of more than a thousand US citizens and organizations and more than two thousand foreign citizens were intercepted. <sup>45</sup> Such was the proliferation of government spying in the 1960s that even such a minor law enforcement agency as the Ohio Highway Patrol ran an intelligence unit claiming to have student informers on every campus in the state. <sup>46</sup>

The vast expansion of state surveillance in the 1960s was a response to the new militancy of the movements against the imperialist war in Vietnam and for civil rights and Black liberation. Initially, security officials assumed the Civil Rights movement in the South, the campus protests, and the Black insurrections in northern cities were the result of a communist conspiracy; informants and electronic monitoring were deployed to try to identify the hidden agitators thought to be manipulating events behind the scenes. But it soon became apparent that these movements were manifestations of a new kind of politics that could not be understood according to the conspiratorial calculus of “front groups” and “fellow travelers”; surveillance therefore had to be widened to monitor ordinary participants, particularly in Black communities, in what was increasingly seen as a popular insurgency. Even then, the hope was that new electronic technologies would be the answer. National security advisor Zbigniew Brzezinski commented in 1970 that technology would make it “possible to assert almost continuous surveillance over every citizen and maintain up-to-date files, containing even personal information about the . . . behavior of the citizen, in addition to the more customary data.” <sup>47</sup>

### **Neoliberalism and racial security**

The expansion of the surveillance state in the twentieth century was one aspect of a wider penetration of the state into the lives of Americans. Working class struggle had somewhat unexpectedly driven this expansion: the state responded by taking on a mediating role between labor and capital, offering a measure of protection from the ravages of a market economy through Keynesian economics and the creation of a welfare state after the New Deal—albeit one that was underdeveloped compared to Western Europe. State managers sought to stabilize capitalism by imposing a degree of “rationality” on the system through regulating the economy and providing social services, all of which required a greater penetration of the state into civil society. <sup>48</sup> In the new era of neoliberal capitalism that began in the 1970s, ruling elites sought to break this social contract, which rested on the premise that, if the working class “played by the rules,” it could see increases in wages and living conditions. From the 1970s onwards, this arrangement was undone. Alongside, there were also the beginnings of a contraction of the social wage of welfare provisions, public housing, education, and healthcare. The end result was growing inequality



and a new regime of the one percent.

The state responded to the permanent joblessness, ghettoization, and stigmatization that neoliberalism produced among the poor by turning to policies of mass criminalization and incarceration. Thus, the neoliberal onslaught went hand in hand with securitization. As Loïc Wacquant writes, since the civil rights era

“ America has launched into a social and political experiment without precedent or equivalent in the societies of the postwar West: the gradual replacement of a (semi-) welfare state by a police and penal state for which the criminalization of marginality and the punitive containment of dispossessed categories serve as social policy at the lower end of the class and ethnic order. [49](#)

The law and order rhetoric that was used to mobilize support for this project of securitization was racially coded, associating Black protest and rebellion with fears of street crime. The possibilities of such an approach had been demonstrated in the 1968 election, when both the Republican candidate Richard Nixon and the independent segregationist George Wallace had made law and order a central theme of their campaigns. It became apparent that Republicans could cleave Southern whites away from the Democratic Party through tough-on-crime rhetoric that played on racial fears. The Southern Strategy, as it would be called, tapped into anxieties among working-class whites that the civil rights reforms of the 1960s would lead to them competing with Blacks for jobs, housing, and schools.

With the transformation of the welfare state into a security state, its embedding in everyday life was not undone but diverted to different purposes. Social services were reorganized into instruments of surveillance. Public aid became increasingly conditional on upholding certain behavioral norms that were to be measured and supervised by the state, implying its increasing intrusion into the lives of the poor—culminating in the “workfare” regimes of the Clinton administration. [50](#) In this context, a new model of crime control came into being. In earlier decades, criminologists had focused on the process of rehabilitation; those who committed crimes were to be helped to return to society. While the actual implementation of this policy was uneven, by the 1970s, this model went out of fashion. In its place, a new “preventive” model of crime control became the norm, which was based on gathering information about groups

to assess the “risk” they posed. Rather than wait for the perpetrator to commit a crime, risk assessment methods called for new forms of “preventive surveillance,” in which whole groups of people seen as dangerous were subject to observation, identification, and classification. [51](#)

The War on Drugs—launched by President Reagan in 1982—dramatically accelerated the process of racial securitization. Michelle Alexander notes that

“ At the time he declared this new war, less than 2 percent of the American public viewed drugs as the most important issue facing the nation. This fact was no deterrent to Reagan, for the drug war from the outset had little to do with public concern about drugs and much to do with public concern about race. By waging a war on drug users and dealers, Reagan made good on his promise to crack down on the racially defined “others”—the undeserving. [52](#)

Operation Hammer, carried out by the Los Angeles Police Department in 1988, illustrates how racialized surveillance was central to the War on Drugs. It involved hundreds of officers in combat gear sweeping through the South Central area of the city over a period of several weeks, making 1,453 arrests, mostly for teenage curfew violations, disorderly conduct, and minor traffic offenses. Ninety percent were released without charge but the thousands of young Black people who were stopped and processed in mobile booking centers had their names entered onto the “gang register” database, which soon contained the details of half of the Black youths of Los Angeles. Entry to the database rested on such supposed indicators of gang membership as high-five handshakes and wearing red shoelaces. Officials compared the Black gangs they were supposedly targeting to the National Liberation Front in Vietnam and the “murderous militias of Beirut,” signaling the blurring of boundaries between civilian policing and military force, and between domestic racism and overseas imperialism. [53](#)

In the twelve years leading up to 1993, the rate of incarceration of Black Americans tripled, [54](#) establishing the system of mass incarceration that Michelle Alexander refers to as the new Jim Crow. [55](#) And yet those in prison were only a quarter of those subject to supervision by the criminal justice system, with its attendant mechanisms of routine surveillance and “intermediate sanctions,” such as house arrests, boot camps, intensive supervision, day reporting, community service, and electronic tagging.

Criminal records databases, which are easily accessible to potential employers, now hold files on around one-third of the adult male population. <sup>56</sup> Alice Goffman has written of the ways that mass incarceration is not just a matter of imprisonment itself but also the systems of policing and surveillance that track young Black men and label them as would-be criminals before and after their time in prison. From stops on the street to probation meetings, these systems, she says, have transformed

“ poor Black neighborhoods into communities of suspects and fugitives. A climate of fear and suspicion pervades everyday life, and many residents live with the daily concern that the authorities will seize them and take them away. <sup>57</sup>

A predictable outcome of such systems of classification and criminalization is the routine racist violence carried out by police forces and the regular occurrences of police killings of Black people, such as Michael Brown in Ferguson, Missouri, on August 9, 2014.

### **The mass surveillance of Muslim Americans**

Discussions of the surveillance of Muslim Americans usually begin with 9/11 and make little attempt to locate them in the longer history of racial surveillance in the United States. Yet the continuities are striking, particularly for Black Muslims, who have been seen as extremists and subject to national security monitoring since the 1940s. Already in the late 1960s, Arab American student groups involved in supporting the Palestinian national movement had come under surveillance and, in 1972, the Nixon administration issued a set of directives known as Operation Boulder that enabled the CIA and FBI to coordinate with the pro-Israel lobby in monitoring Arab activists.

By the 1980s, but especially after 9/11, a process was under way in which “Muslimness” was racialized through surveillance—another scene of the state’s production of racial subjects. Since all racisms are socially and politically constructed rather than resting on the reality of any biological “race,” it is perfectly possible for cultural markers associated with Muslimness (forms of dress, rituals, languages, etc.) to be turned into racial signifiers. <sup>58</sup> This signification then serves to indicate a people supposedly prone to violence and terrorism, which, under the War on Terror, justifies a whole panoply of surveillance and criminalization, from arbitrary arrests, to indefinite detention, deportation, torture, solitary confinement, the use of secret evidence, and sentencing for crimes that

"we" would not be jailed for, such as speech, donations to charitable organizations, and other such acts considered material support for terrorism.

Significantly, the racial underpinnings of the War on Terror sustain not just domestic repression but foreign abuses—the war's vast death toll in Afghanistan, Iraq, Pakistan, Somalia, Yemen, and elsewhere could not be sustained without the dehumanization of its Muslim victims. As before, racism at home goes hand in hand with empire abroad. Counterinsurgency thinking that informed the strategies used in Iraq and Afghanistan in the face of popular insurrection are also brought home to be deployed in relation to Muslim American populations. Winning "hearts and minds," the counterinsurgency slogan first introduced by British colonialists in Malaya, and then adopted by the US military in Vietnam, reappears as the phrase that state planners invoke to prevent "extremism" among young Muslims in the United States.

Counterinsurgency in this context means total surveillance of Muslim populations, and building law enforcement agency partnerships with "good Muslims," those who are willing to praise US policy and become sources of information on dissenters, making life very difficult for "bad Muslims" or those who refuse (in ways reminiscent of the "good" and "bad" Indians). It is a way of ensuring that the knowledge Muslims tend to have of how US foreign policy harms the Middle East, Africa, and Asia is not shared with others. The real fear of the national security state is not the stereotypical Muslim fanatic but the possibility that other groups within US society might build alliances with Muslims in opposition to empire.

The various measures that the US national security system has adopted in recent years flow from an analysis of Muslim "radicalization," which assumes that certain law-abiding activities associated with religious ideology are indicators of extremism and potential violence. Following the preventive logic discussed above, the radicalization model claims to be able to predict which individuals are not terrorists now but might be at some later date. Behavioral, cultural, and ideological signals are assumed to reveal who is at risk of turning into a terrorist at some point in the future. <sup>59</sup> For example, in the FBI's radicalization model, such things as growing a beard, starting to wear traditional Islamic clothing, and becoming alienated from one's former life are listed as indicators, as is "increased activity in a pro-Muslim social group or political cause." <sup>60</sup> Thus, signifiers of Muslimness such as facial hair, dress, and so on are turned into markers of suspicion for a surveillance gaze that is also a racial (and gendered) gaze; it is through such routine bureaucratic mechanisms that counterterrorism practices involve the social construction of racial others.

Official acceptance of the model of radicalization implies a need for mass surveillance of Muslim populations and collection of as much data as possible on every aspect of their lives in order to try to spot the supposed warning signs that the models list. And this is exactly the approach that law enforcement agencies introduced. At the New York Police Department, for instance, the instrumentalizing of radicalization models led to the mass, warrantless surveillance of every aspect of Muslim life.

- Dozens of mosques in New York and New Jersey and hundreds more “hot spots,” such as restaurants, cafés, bookshops, community organizations, and student associations were listed as potential security risks.
- Undercover officers and informants eavesdropped at these “locations of interest” to listen for radical political and religious opinions.
- A NYPD “Moroccan Initiative” compiled a list of every known Moroccan taxi driver.

Muslims who changed their names to sound more traditionally American or who adopted Arabic names were investigated and catalogued in secret NYPD intelligence files.

It is clear that none of this activity was based on investigating reasonable suspicions of criminal activity. This surveillance produced no criminal leads between 2006 and 2012, and probably did not before or after. [61](#)

As of 2008, the FBI had a roster of 15,000 paid informants [62](#) and, according to Senator Dianne Feinstein of the Senate Intelligence Committee, the bureau had 10,000 counterterrorism intelligence analysts in 2013. [63](#) The proportion of these informants and analysts who are assigned to Muslim populations in the United States is unknown but is likely to be substantial. The kinds of infiltration and provocation tactics that had been practiced against Black radicals in the 1960s are being repeated today. What has changed are the rationales used to justify them: it is no longer the threat of Black nationalist subversion, but the threat of Muslim radicalization that is invoked. With new provisions in the Clinton administration’s 1996 Antiterrorism and Effective Death Penalty Act, the FBI can launch investigations of a suspected individual or organization simply for providing “material support” to terrorism—a vague term that could include ideological activity unrelated to any actual plot to carry out violence. While COINTELPRO violated federal laws, today similar kinds of investigation and criminalization of political dissent can be carried out legitimately in the name of countering terrorism.

For Muslim populations on the receiving end of state surveillance programs

designed to prevent “radicalization,” everyday life increasingly resembles the patterns described in classic accounts of authoritarianism. There is the same sense of not knowing whom to trust and choosing one’s words with special care when discussing politics, and of the arbitrariness and unpredictability of state power. <sup>64</sup> With the 2011 leaking of some NYPD intelligence files, individual Muslims have had the disturbing experience of seeing their names mentioned in government files, along with details of their private lives. Numerous businesses, cafés, restaurants, and mosques in New York are aware that the NYPD considers them hotspots and deploys informants to monitor them. And the recent outing of a small number of NYPD informants has meant some Muslims in New York have found that relationships they thought of as genuine friendships were actually covert attempts to gather intelligence. <sup>65</sup>

### **Racial security in the “post-racial” era**

The election of Barack Obama as president in 2008 was said to have ushered in a new “post-racial” era, in which racial inequalities were meant to be a thing of the past. African Americans and Muslim Americans placed their hopes in Obama, voting for him in large numbers. But in the so-called post-racial era, the security narrative of hard-working families (coded white) under threat from dangerous racial others has been as powerful as ever.

The unprecedented mass deportation of more than two million people during the Obama presidency is one form taken by this post-racial racialized securitization. Over the last two decades, the progressive criminalization of undocumented immigrants has been achieved through the building of a militarized wall between Mexico and the United States, hugely expanding the US border patrol, and programs such as Secure Communities, which enables local police departments to access immigration databases. Secure Communities was introduced in 2008 and stepped up under Obama. It has resulted in migrants being increasingly likely to be profiled, arrested, and imprisoned by local police officers, before being passed to the federal authorities for deportation. Undocumented migrants can no longer have any contact with police officers without risking such outcomes. There is an irony in the way that fears of “illegal immigration” threatening jobs and the public purse have become stand-ins for real anxieties about the neoliberal collapse of the old social contract: the measures that such fears lead to—racialization and criminalization of migrants—themselves serve to strengthen the neoliberal status quo by encouraging a precarious labor market. Capital, after all, does not want to end immigration but to profit from “a vast exploitable labor pool that exists under precarious conditions, that does not enjoy the civil, political and labor rights of citizens and that is disposable through

deportation." [66](#)

What brings together these different systems of racial oppression—mass incarceration, mass surveillance, and mass deportation—is a security logic that holds the imperial state as necessary to keeping “American families” (coded white) safe from threats abroad and at home. The ideological work of the last few decades has cultivated not only racial security fears but also an assumption that the security state is necessary to keep “us” safe. In this sense, security has become the new psychological wage to aid the reallocation of the welfare state’s social wage toward homeland security and to win support for empire in the age of neoliberalism. Through the notion of security, social and economic anxieties generated by the unraveling of the Keynesian social compact have been channeled toward the Black or Brown street criminal, welfare recipient, or terrorist. In addition, as Susan Faludi has argued, since 9/11, this homeland in need of security has been symbolized, above all, by the white domestic hearth of the prefeminist fifties, once again threatened by mythical frontier enemies, hidden subversives, and racial aggressors. That this idea of the homeland coincides culturally with “the denigration of capable women, the magnification of manly men, the heightened call for domesticity, the search for and sanctification of helpless girls” points to the ways it is gendered as well as racialized. [67](#)

### **The post-Snowden debate**

The mechanisms of surveillance outlined in this essay were responses to political struggles of various kinds—from anticolonial insurgencies to slave rebellions, labor militancy to anti-imperialist agitation. Surveillance practices themselves have also often been the target of organized opposition. In the 1920s and 1970s, the surveillance state was pressured to contract in the face of public disapproval. The antiwar activists who broke into an FBI field office in Media, Pennsylvania, in 1971 and stole classified documents managed to expose COINTELPRO, for instance, leading to its shut down. (But those responsible for this FBI program were never brought to justice for their activities and similar techniques continued to be used later against, for example in the 1980s, the American Indian Movement, and the Committee in Solidarity with the People of El Salvador. [68](#)) Public concern about state surveillance in the 1970s led to the Church committee report on government spying and the Handschu guidelines that regulated the New York Police Department’s spying on political activities. Those concerns began to be swept aside in the 1980s with the War on Drugs and, especially, later with the War on Terror. While significant sections of the public may have consented to the security state, those who have been among its greatest victims—the radical Left, antiwar activists, racial justice and Black liberation campaigners, and opponents of

US foreign policy in Latin America and the Middle East—understand its workings.

Today, we are once again in a period of revelation, concern, and debate on national security surveillance. Yet if real change is to be brought about, the racial history of surveillance will need to be fully confronted—or opposition to surveillance will once again be easily defeated by racial security narratives. The significance of the Snowden leaks is that they have laid out the depth of the NSA's mass surveillance with the kind of proof that only an insider can have. The result has been a generalized level of alarm as people have become aware of how intrusive surveillance is in our society, but that alarm remains constrained within a public debate that is highly abstract, legalistic, and centered on the privacy rights of the white middle class.

On the one hand, most civil liberties advocates are focused on the technical details of potential legal reforms and new oversight mechanisms to safeguard privacy. Such initiatives are likely to bring little change because they fail to confront the racist and imperialist core of the surveillance system. On the other hand, most technologists believe the problem of government surveillance can be fixed simply by using better encryption tools. While encryption tools are useful in increasing the resources that a government agency would need to monitor an individual, they do nothing to unravel the larger surveillance apparatus. Meanwhile, executives of US tech corporations express concerns about loss of sales to foreign customers concerned about the privacy of data. In Washington and Silicon Valley, what should be a debate about basic political freedoms is simply a question of corporate profits. <sup>69</sup>

Another and perhaps deeper problem is the use of images of state surveillance that do not adequately fit the current situation—such as George Orwell's discussion of totalitarian surveillance. Edward Snowden himself remarked that Orwell warned us of the dangers of the type of government surveillance we face today. <sup>70</sup> Reference to Orwell's **1984** has been widespread in the current debate; indeed, sales of the book were said to have soared following Snowden's revelations. <sup>71</sup> The argument that digital surveillance is a new form of Big Brother is, on one level, supported by the evidence. For those in certain targeted groups—Muslims, left-wing campaigners, radical journalists—state surveillance certainly looks Orwellian. But this level of scrutiny is not faced by the general public. The picture of surveillance today is therefore quite different from the classic images of surveillance that we find in Orwell's **1984**, which assumes an undifferentiated mass population subject to government control. What we have instead today in the United States is total surveillance, not on



everyone, but on very specific groups of people, defined by their race, religion, or political ideology: people that NSA officials refer to as the “bad guys.”

In March 2014, Rick Ledgett, deputy director of the NSA, told an audience: “Contrary to some of the stuff that’s been printed, we don’t sit there and grind out metadata profiles of average people. If you’re not connected to one of those valid intelligence targets, you are not of interest to us.” <sup>12</sup> In the national security world, “connected to” can be the basis for targeting a whole racial or political community so, even assuming the accuracy of this comment, it points to the ways that national security surveillance can draw entire communities into its web, while reassuring “average people” (code for the normative white middle class) that they are not to be troubled. In the eyes of the national security state, this average person must also express no political views critical of the status quo.

Better oversight of the sprawling national security apparatus and greater use of encryption in digital communication should be welcomed. But by themselves these are likely to do little more than reassure technologists, while racialized populations and political dissenters continue to experience massive surveillance. This is why the most effective challenges to the national security state have come not from legal reformers or technologists but from grassroots campaigning by the racialized groups most affected. In New York, the campaign against the NYPD’s surveillance of Muslims has drawn its strength from building alliances with other groups affected by racial profiling: Latinos and Blacks who suffer from hugely disproportionate rates of stop and frisk. In California’s Bay Area, a campaign against a Department of Homeland Security-funded Domain Awareness Center was successful because various constituencies were able to unite on the issue, including homeless people, the poor, Muslims, and Blacks. Similarly, a demographics unit planned by the Los Angeles Police Department, which would have profiled communities on the basis of race and religion, was shut down after a campaign that united various groups defined by race and class. The lesson here is that, while the national security state aims to create fear and to divide people, activists can organize and build alliances across race lines to overcome that fear. To the extent that the national security state has targeted Occupy, the antiwar movement, environmental rights activists, radical journalists and campaigners, and whistleblowers, these groups have gravitated towards opposition to the national security state. But understanding the centrality of race and empire to national security surveillance means finding a basis for unity across different groups who experience similar kinds of policing: Muslim, Latino/a, Asian, Black, and white dissidents and radicals. It is on such a basis that we can see the beginnings of an effective multiracial opposition to the surveillance

state and empire.

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