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Racial Profiling: Security and Pragmatism

A dark, oppressive cloud of smoke engulfs the bright morning sky. Everything is in chaos, everyone in distress. Where there had once stood two structural mammoths, two symbols of progress and prosperity, now stands a dismal pile of dust and rubble. “Freedom itself had been attacked” and the world was forever changed. Indeed, the September 11 terrorist attacks fundamentally changed America’s path politically, socially, and militarily. No longer do oceans give security; no longer is war strictly a military affair. The Land of the Free must cope with the brutal reality of terrorism and protect its citizens. Unfortunately, security comes with a great price. Racial and ethnic profiling might seem oppressive, undemocratic, and wholly un-American, but the reality is its cost greatly outweighs its benefit. In fact, its use is not only upheld by American history but also by common sense. The great American patriot Thomas Paine once said that “those who expect to reap the blessings of freedom must undergo the fatigue of supporting it.” I tend to agree; like all great causes, democracy and liberty require sacrifices.

Of course before the merits of profiling can be discussed, one must have a firm understanding of what racial and ethnic profiling truly is. While variations exist, it is generally understood to be “a law enforcement action” taken based on someone’s race, ethnicity, or national origin rather than credible proof or suspicion of crime or wrongdoing (Fayette County). In a practical sense, it generally comprises stops and searches at airports or subways of people who meet certain racial or ethnic criteria.

On the surface this appears to be a ghastly, authoritarian practice attributable less to American democracy than to oppressive Soviet communism. Critics are quick to make the

allusion to “Big Brother” and George Orwell’s chilling portrayal of totalitarianism in 1984. However, such profiling encompasses neither imprisonment nor torture; its aims are neither racist nor tyrannical. That is not to say that suspects are not detained and searched—they are if suspicion warrants it. Yet profiling is above all a law enforcement tool meant to increase the *efficiency of security* in a world where mass transit dominates and security personnel are just too few. For, no matter one’s political ideology or position on racial, ethnic, and religious profiling, the fact remains that *all* of the suicide hijackers of September Eleven were Muslims of Middle-Eastern descent and *all* of today’s major terrorist organizations reside in the Mid-East region. What sense is there to search 70 year-old American grandmothers at airports when the characteristics of the group actively seeking to do harm to the United States is all the while known? Such instances are a fundamental waste of the world’s already limited resources. Perhaps the best word, to describe profiling would be *pragmatism*. It would be pragmatic—it would be sensible and logical—to apply our experience with terrorism and knowledge of world affairs to most effectively safeguard our most treasured asset: our safety.

In fact, it is not just logical to engage in such profiling, but it would be *negligible* not to do so. In the end, Americans and all the people in the world must decide whether their absolute right to privacy is more important than their safety. While in a peaceful world it would be base and oppressive to profile based on race or ethnicity, such is not the case in the modern world. If another terrorist infiltrated our airports, would not all the people of the country condemn the leadership and airport security for their ineptness and neglect? Citizens would decry the government that disregarded viable information and common sense in protecting their loved

ones. The unfortunate truth is that such critiques usually surface only after the attack, after the horror, when it is too late.

Many, however, dismiss profiling not so much for its lack of merit as for its lack of precedence in a democratic world. Yet it does have precedence, and no country's situation is as comparable to that of the United States, nor as relevant to racial and ethnic profiling, as that of Israel. For, while America has truly embarked on its "global war on terrorism" in the past five or so years, Israel has been burdened with a similar war from its inception in 1949. Of course there have been several attacks on Israeli soil, from the Yom Kippur war in 1973 to the Intifadas of the eighties, and hundreds more suicide attacks ("Israel (country)"). But in terms of hijacking—a terrorist activity that is most directly affected by profiling—Israel has not experienced a significant crisis since the 1968 hijacking of an El Al airplane and 1976 Entebbe airport takeover (Karmon). Indeed, Peter Siggins, California's attorney general, cited in a speech to the Markalla Center for Applied Ethics that the same airline El Al, which now has a policy of "singling out young Arabs for extensive search procedures," has not experienced a hijacking in over "30 years" (Siggins). To simply dismiss this success as coincidence is absolute folly. Indeed, a responsible leader, one who has sworn to do everything necessary to protect the citizens of his nation, would be dangerously careless to ignore the realities of terrorism and the merits of racial profiling.

While America has been a beacon of liberty and freedom, even she has experienced periodic repressions of these same ideals in times of turmoil. Perhaps the most powerful example is that of Abraham Lincoln during the Civil War. As the author of the Emancipation Proclamation and a symbol of American equality, Abe had a profound respect for civil liberties.

After all, he himself said that “those who deny freedom to others deserve it not for themselves” (Peter 212). Nonetheless, faced with the onset of war—a war of unprecedented consequence—he found it necessary to “suppress any actions that might aid the enemy” (Lindop 35). In fact, not only were those “suspected of disloyal acts” arrested without warrant, but they were also denied the writ of habeas corpus, the fundamental right of the accused to be brought before a judge. What is more, newspapers were censored, and property was seized belonging to secessionists (Lindop 36). Now this is not to say that Lincoln’s extension of his power was justified, or that it was even legal. Yet it does show that extreme cases require extreme measures. For Lincoln was no hypocrite; rather he was a pragmatist willing to do what was necessary to preserve the union and serve the greater good of the nation.

A clear parallel can be drawn if not between America’s enemies of the two periods, then at least between the implications of the Civil War and our present War on Terrorism. For, while today’s war is a foreign one, based more on ideologies than on domestic social or economic crises, it is just as imperative to America’s existence. But before one can trust the government’s attainment of expansive powers during crises, one must consider the aftermath of the Civil War. Not only were Lincoln’s repressive measures rescinded, but in such cases as *Ex parte Merryman*, the Supreme Court safeguarded the rights of the accused (Mabie 92). Further, the Thirteenth, Fourteenth, and Fifteenth Amendments that empowered all minorities and safeguarded basic civil rights were all passed during this time. In fact, even in the more modern example of the Japanese internment ordered by President Roosevelt in the aftermath of Pearl Harbor in World War II, the president would cancel the repressive measures in 1944, *before* the war formally ended (Siasoco). In short, America has an inherent ability of *self-regulation* that acts

appropriately to threats and then reverts back—often with greater protection against abuse—to its original state. I believe strongly that the current security situation warrants profiling, and I believe equally strongly that when terrorism is conquered that America and the rest of the democratic world will rescind it.

Profiling is thus not only a practical measure of security, but also one stalwartly supported by history. While it is justly feared by those who appreciate their freedoms, this is a fear that fails to consider the reality of terrorism in the world. The remarkable success that such profiling has enjoyed in Israel as well as America's inherent capacity to adapt appropriately during times of war and peace, make racial profiling not just practical but crucial in the dangerous world we live in today. Sun Tzu, one of China's most brilliant generals and philosophers, warned that to triumph in war you must "know thy enemy." If we do not recognize who it is that seeks to do us harm and act appropriately, we are fighting a losing war. It is true that the Founding Fathers may well scoff at the idea of racial and ethnic profiling, but they lived in a different time, a different world. To preserve our world, our country, and our way of life, the sacrifice of a piece of our privacy is endurable.

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