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The Criminalization of Muslims in the United States, 2016

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Abstract

The criminalization of Muslims—framing an Islamic religious identity as a problem to be solved using state crime control logic—is undeniably in process in the United States. Local, state, and federal statutes target Muslims for surveillance and exclusion, and media sources depict Muslims as synonymous with terrorism, as others have shown. This paper analyzes the public’s role in the criminalization of Islam, which I call “cr-Islamization.” Drawing on in-depth, qualitative interviews in a major South-west city during the lead-up to the 2016 presidential election, I detail how the majority of 144 politically, racially, and economically diverse interviewees talk about Muslims as a potential “racial threat,” using “fear of crime” language indicative of the mass incarceration era. This suggests that criminalization theory should be central to sociological studies of Muslims in the contemporary United States, and that criminalization rhetoric remains powerful, despite mainstream enthusiasm for criminal justice reform. I argue that criminalization’s power might reside in its ability to mutate in the “post-racial” era. The mechanisms supporting crimmigration, the criminalization of black Americans, and cr-Islamization are related but not identical. Muslims are religiously and racially subjugated, but more economically secure compared to other criminalized groups. This paper’s findings should prompt scholars to re-examine the relationships between racialization, criminalization, religious subjugation, and economic exploitation in the twenty-first century United States.

Keywords Muslims · Racialization · Criminalization · Crimmigration · Trump · “Racial threat” · Fear of crime

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In August 2016, I was running a small focus group in a major Southwest city. My colleagues and I were looking to answer two questions: What did Americans think about the 2016 presidential candidates' statements about Muslims? And how did they impact the public's understanding of the religion of Islam? That afternoon, one participant who I'll call Karen, was reluctant to talk. She had marked "very liberal" on her participant survey, and I assumed she agreed with the three more vocal members of her group. They were using metaphors that we would hear repeatedly in our large-scale interview project: Trump was scapegoating Muslims, his proposal to ban Muslims was bringing out Americans' racism, and it was similar to other examples of bias against minority groups in U.S. history. Eventually I asked Karen if she had anything to add, and she said that she didn't want to "sound like a crazed Trump person," which she was "totally not," but that she felt like she had come to her position honestly. For three years, she explained, she and her husband had lived in a small village in South Asia, working for a health services organization with a population that was majority Muslim. She explained:

I can say that people who were highly educated were *horrible* people when they were speaking privately ... they would forget that my husband wasn't one of them because he also spoke the language so they spoke completely freely in front of him and then he would tell me what they said. They were *horrible* people. Towards women, towards Jews, towards Westerners, towards each other.

Growing increasingly vitriolic, she continued:

We had people who, I don't want to call them friends, but we spent time with them, who were in blood feuds, which meant they *killed* other people, and then they would get visas to the U.S. and settle in the U.S. because they didn't want to be killed in their turn.

Karen then turned to her groupmates. She said it was "naïve of Americans to think that Muslims are 99% peaceful," and that all Americans should be grappling with a major question: "What does a tolerant society do with an intolerant element?" The others appeared shocked, and struggled to provide counter arguments. Karen had essentialized the more than 1.7 billion Muslims who make up approximately one quarter of the world's population as intolerant and violent. Despite identifying as politically liberal, her generalization obscured differences in nationality, ethnicity, political beliefs, schools of theology, and level of religious commitment, among others. Karen's call to protect Americans from Muslims is a view that was isolated in "fringe" political groups in the U.S. until well after 9/11 (Bail 2012, 2015), explained by sociologists as a remnant of ethno-, racial, and religious Orientalism (Asad 2007; Bail 2012, 2015; Braunstein 2017; Cankar 2002, 2009; Cankar and Selod 2018; Casanova 2011; Cesari 2013; Considine 2017; Garner and Selod 2015; Love 2017; Meer 2013; Mondon and Winter 2017; Peek 2005; Selod 2018; Selod and Embrick 2013; Shams 2018; Silva 2017; Turner and Nasir 2013; Williams 2013; Zopf 2017). But this paper argues that Americans' contemporary beliefs about Muslims should also be sited as part of the U.S. history of criminalization. Karen, along with more than half of our 144 interviewees, spoke of Muslims as people that non-Muslim Americans should fear. The criminalization of Muslims—which I call "cr-Islamization"—by people across the political spectrum, demonstrates both the relevance and the mutability of "fear of crime" talk in the twenty-first century. Although the mass incarceration of racialized Americans is declining according to some (cf. Clear and Frost 2014), this paper joins others in suggesting that criminalization is mutating rather than diminishing (cf. Beckett et al. 2016 et al.).

The U.S. is relatively late to mainstream discrimination against Muslims compared to Europe (Bulut 2016; Cesari 2013; Mondon and Winter 2017), and Islam in the United States has only recently been centralized as a concern for sociologists of race and ethnicity. Scholars have shown that Muslim and those imagined to be Muslim in the twenty-first century U.S. experience homogenization and subordination similar to other racialized groups (Bayoumi 2006; Cainkar 2009; Cainkar and Selod 2018; Considine 2017; Garner and Selod 2015; Love 2017; Meer 2013; Meer and Modood 2010; Peek 2005; Selod 2015, 2018; Selod and Embrick 2013; Shams 2018; Zainiddinov 2016; Zopf 2017). This paper confirms that Muslims are imagined to be a racial group in the twenty-first century United States, but argues that this racialization is a specific type. In-depth interviews with 144 people show how Muslims are spoken about using “racial threat” talk—a technique of the mass incarceration era—which simultaneously subjugates and poses crime control solutions to problems ascribed to blacks and Hispanics in the U.S. (Blalock 1967; Bobo and Hutchings 1996; Eitle et al. 2002). Muslims therefore join African Americans and Hispanic migrants in the late modern canon of racialized-criminalized populations, talked about as object of the “fear of crime” rhetoric that helped construct the mass incarceration era.

This work is significant for a number of reasons. First, my collaborators and I interviewed everyday Americans just prior to the Trump presidency. Our research shows that Americans were *primed* for President Trump’s “Muslim ban” that barred visitors from Muslim-majority nations, held to be constitutional by the U.S. Supreme Court in June 2018. As a sociological “event” (Sewell Jr. 1996) of some import in the history of U.S. immigration policy, the “Muslim ban” should not be viewed as driven solely by its author, but also as the manifestation of already circulating prejudices. Second, situating cr-Islamization in tandem with other racialized groups imagined to be dangerous “others” from whom “innocent” Americans need protection, illuminates its stakes. Muslims in the United States do not occupy the same socio-economic milieu as other criminalized populations. Thus, Muslim threat talk is both similar to and different from previous incarnations of fear of crime discourse. Feared to have bodies inherently dangerous like black and Hispanic Americans, Muslims are also spoken about as an organized and sophisticated ideological threat to American “culture.” This has implications for criminalization theory in the supposedly post-racial era (Bonilla-Silva 2014). As Christian hegemony continues to decline in the U.S. (Jones 2016), sociologists who study crime, race, and religion should use the conceptual tools of criminalization to interrogate Muslim subjugation on the one hand; and gain insight on resistance from groups who have struggled against such subjugation on the other. Including Muslims in the cannon of criminalized populations opens up new territory for exploring and critiquing “fear of crime.” Previously tied to economically disadvantaged populations in the U.S., this case suggests criminalization discourse is mutating.

Muslims and the “West”

On December 7, 2015, almost a year before he was elected President of the United States, Donald Trump released a statement saying that he would ban all foreign Muslims from entering the country as part of his plan to fight terrorism. In an interview, he explained: “It has nothing to do with religion, it’s about safety.”¹ As my colleagues and I embarked on a large-scale interview project to understand the impact of the candidates’ statements on Islam, we assumed the reactions to this proposal would

¹ Interview transcript available at <http://abcnews.go.com/Politics/donald-trump-insists-muslim-ban-safety-religion/story?id=35666498>. Despite this disclaimer, discourse analysis reveals anti-Muslim rhetoric throughout Trump’s campaign (Khan et al. 2019).

be interesting but not necessarily historically important, as Hillary Clinton was predicted to become President. The significance of our research only became apparent later, first when Trump was sworn in as the President, and again when his newly-reconfigured U.S. Supreme Court upheld his executive order banning foreign nationals from Chad, Iran, Libya, Syria, Yemen.²

Islam's perceived "incompatibility" with the West is not new. Social scientists explain "Western" views on Muslims at the intersection of politics, religion, and race. Said (1978) first documented how Orientalism was produced by the Western gaze. Colonial forays into Asia, Africa, and the Middle East popularized the notion that "Oriental" people were inferior, underdeveloped, sly, and untrustworthy. That is to say that Muslims, or more precisely, *people perceived to be Muslim* are not just beginning to experience discrimination in the United States. While scholars have documented how religious Muslims, Arab-Americans, Sikhs, women wearing head coverings, and others have been the targets of anti-Muslim harassment especially since 9/11 but also before (Aseltine 2014; Bakalian and Bozorgmehr 2009; Cainkar 2002, 2009; Cainkar and Maira 2005; Hamm 2013; Jamal and Naber 2008; Joshi 2006; Love 2017; Meer and Modood 2010; Rana 2011; Selod 2018; Singh 2002; Zopf 2017), the idea that *Islam* is dangerous has had a more recent renaissance.³ Samuel Huntington (1993) ushered into U.S. conservative foreign policy circles the notion that Islam is incompatible with the "West," in what is now called the "clash of civilizations" thesis. Huntington (1993) argued that Islamic "culture" is so antagonistic to "Western" culture that U.S. foreign policy should draw boundaries around allies and enemies according to this division.⁴ The "clash of civilization" rhetoric was isolated in fringe organizations during the 1990s, but in the wake of 9/11, the media's search for expertise on Islam provided platforms for such marginal voices (Bail 2015). In 2016, with the Trump administration, formerly fringe notions about Islam also moved into the White House. Michael Flynn and Sebastian Gorka, both of whom occupied positions of influence in Trump's administration, are also prominent members of what the Southern Poverty Law Center calls "anti-Islamic hate groups."⁵

Sociologists have explained this recent shift with theories of *racialization*. Using Omi and Winant's (1994) frame of extending a racial definition to a "previously racially unclassified group," scholars show that Americans who are thought to be Muslim, experience ostracization and hostility (Cainkar 2009; Cainkar and Selod 2018; Considine 2017; Elver 2012; Garner and Selod 2015; Jamal and Naber 2008; Love 2017; Meer 2013; Meer and Modood 2010; Nader 2006; Nasser 2013; Peek 2005; Rana 2011; Selod 2015, 2018; Selod and Embrick 2013; Zainiddinov 2016; Zopf 2017).⁶ But this racialization literature does not capture the meaning-making accomplished by those *doing* the racialization.

² The full text of this ban available at <https://www.federalregister.gov/documents/2017/09/27/2017-20899/enhancing-vetting-capabilities-and-processes-for-detecting-attempted-entry-into-the-united-states-by>. It also bans North Koreans, as well as Venezuelan officials and their families.

³ There is substantial sociological literature on the perception of Arab-Americans and those perceived to be "Middle Eastern" in the United States, both before and after 9/11. This is related to, but not synonymous with the perception of Muslims. Like Muslims, Arabs and Middle Easterners are imagined as potentially violent enemies of the United States. But narratives surrounding Arabs and Middle Easterners work differently, in part because of the discourse surrounding the Israel-Palestine conflict, and the "model minority myth" that historically racializes Arabs as white (cf. Cainkar 2009; and Jamal and Naber 2008).

⁴ Not incidentally, Huntington's ideas borrow heavily from Orientalist historian Bernard Lewis (1990).

⁵ See the complete list at: <https://www.splcenter.org/fighting-hate/extremist-files/ideology/anti-muslim>

⁶ Perceptions of black Muslims in the United States have a different history. Between 15 and 30% of African slaves were estimated to be Muslim upon arrival in the U.S. (Austin 1997), and the Nation of Islam, formed in the first decades of the twentieth century as part of the black nationalist movement, still has tens of thousands of active members today. Contemporary Muslim racialization is entwined with the history of Orientalism and more specifically the anti-Arab prejudices of late twentieth century.

Criminalization, I argue, best describes non-Muslim Americans' imaginings of Muslims in the early Trump era. Criminalization takes place when a social issue or group is shifted into a category of problems to be solved using the logic and structure of state crime control (Jenness 2004). Governing bodies are prime actors in this process. As other scholars have demonstrated, Muslims have suffered through broad-scale treatment as potential criminals, especially in the wake of 9/11. Muslims have been targeted for surveillance and detention (Ali 2016; Kamali 2017; Modood et al. 2006; Razak 2008; Selod 2018; Shams 2018; Shiek 2011) and received enhanced punishments in prisons (Aseltine 2014). Islamic or "Sharia" law has been banned by a dozen state courts (Mitchell and Toner 2016; Patel et al. 2013), and most recently foreign nationals from majority Islamic countries have been excluded from the United States altogether. As such, Muslims have been veritably "cast out" from Western legal systems following 9/11 (Razack 2008).

But state actors do not operate in a vacuum. Criminalization relies on the circulation of beliefs and ideas throughout the public sphere. For one, experts and interest groups in prime social locations—sometimes called "moral entrepreneurs" (Becker 1963)—supply frames that successfully resonate in media, political, and public discourse in service of criminalization (Hall et al. 1978). Especially since the publication of Huntington's (1993) "Clash of Civilization," Muslims in the United States have become the purview of such entrepreneurs. Right-wing Christian organizations (Bail 2012, 2015; Emerson and Smith 2000) and political actors (Braunstein 2017; Coen 2017; Khan et al. 2019; Mueller 2009) have positioned Muslims as a problem to be solved. Accomplishing criminalization also necessitates the participation of the media and public (Ferrell 1999; Ferrell et al. 2015; Hall et al. 1978). Indeed, Muslims are portrayed in the American media as potential terrorists (Altheide 2006; Morey 2010; Nacos and Torres-Reyna 2003; Silva 2017), part of what Morgan and Poynting (2012) argue is the construction of Muslims as "transnational folk devils" in Western political discourse.

This paper builds on the research about the public's role in criminalization, bringing Americans' everyday meaning-making about Muslims into focus. Black and Hispanic people in the U.S. have been the prime targets of public and state criminalization. In the era of mass incarceration, criminalization has depended on the circulation of public "fear of crime" as an ongoing concern. Described as an "epidemic" (Glassner 1999), scholars demonstrate how fear of crime has organized U.S. culture (Garland 2001), governance (Simon 2007), community (Sasson 1995), politics (Beckett and Sasson 2004), and media (Glassner 1999) in the late twentieth and early twenty-first century.

Surveys suggest that the American public consider Muslims to be a potential "racial threat" as well (Kalkan et al. 2009; Lajevardi and Ooskoi 2018; Panagopoulos 2006; Sides and Gross 2013). Stemming from Blumer's (1958) theory of "group threat," the racial threat thesis links minority resentment with hegemonic vulnerability: members of dominant groups express insecurity by constructing less dominant groups as threatening. This has been used to explain why Americans have supported policies that criminalize racial minorities in the build-up of mass incarceration. Whether the threat is perceived to be African American (Bobo and Hutchings 1996; Chiricos et al. 2001; Eitle et al. 2002; King and Wheelock 2007; Liska 1992) or Hispanic (Stewart et al. 2015; Wang 2012; Welch et al. 2011; Wang 2012), white Americans who experience vulnerability demonstrate increased support for crime control policies as a response to this fear. Fears associated with "racial threat" have multiple dimensions. Americans fear not only physical violence, but also losing economic and political supremacy (See Stewart et al. 2015: 72–74 for a review of racial threat studies.) Indeed, surveys from soon after 9/11 have shown that Muslims belong in this canon. Americans perceive Muslims to be a threat due to their racial and cultural "otherness" (Kalkan et al. 2009;

Panagopoulos 2006) because they are untrustworthy and potentially violent (Sides and Gross 2013); and because of what Lajevardi and Ooskoi (2018) call “blatant racism,” or the assumption that Muslims are biologically inferior, less evolved than “white” Americans. Surveys also find that Americans think Muslims are intelligent and hard-working (Sides and Gross 2013).

Such quantitative work demonstrates the relevance of the “threat” narrative, but does little to explain how Americans construct Islam on their own terms. The present study’s inductive method allows respondents to supply the language through which they build meaning. Our respondents “try on” positions about Islam in the United States, discursively situating their beliefs about Muslims through “fear of crime” discourse. Muslims are spoken about as a homogenous, threatening population on the one hand, and in need of state crime control measures on the other. This construction places Muslims in the canon of American populations that have been both racialized and criminalized. It also reveals the ongoing importance of such “fear of crime” talk, even in an era when criminal justice “reform” is ascendant.

Research Strategy

During the 2016 presidential election season—between May and October 2016—the author and two collaborators worked with four undergraduate research assistants to interview adults in a major southwestern city about the candidates’ stated positions on Muslims and Islam. We wanted to understand the extent to which the candidates’ views were impacting the general public. Previous literature suggests that in the United States, religious identity and political affiliation most impact opinions about Islam. Those who say religion holds an important place in their lives—and especially evangelical Christians—are most likely to believe Islam is inherently dangerous, while people who report no religious affiliation are least likely to think of Islam as threatening (Pew 2014; Sherkat and Lehman 2018). Registered Republicans are also more concerned about “Islamic terrorism” than Democrats in the United States (Pew 2016). Our primary sampling goal therefore was to ensure a wide range of religious affiliations and a spectrum of political identities.

To build our respondent pool, we used theory-driven, purposeful sampling (Morse 2007) in combination with a “saturation” approach (Small 2009). We contacted and interviewed local congregational leaders from major religions around the city. We then requested that leaders ask members of their congregations to participate. By the end of our data collection period, we had interviewed people from Baptist, Episcopal, Evangelical, “non-denominational” Christian, Catholic, and Unitarian Universalist churches; Reform, Conservative, and Orthodox synagogues; a Sikh temple, three mosques, and a pagan group. We also targeted a variety of secular civic organizations to assure the participation of people who are religiously non-affiliated. These included students, faculty, and staff at three universities; members of two LGBTQ political organizations; people affiliated with a nearby military base; staff and clients at a refugee organization; senior citizens at a community center; and members of a national organization whose goal is to protect “national security.” We proceeded using a snowball method until major religious groups were relatively saturated, though we also agreed that we could have continued mining our diverse respondent pool. The election in November determined our stopping point for data gathering, when all interviews and focus group recordings were professionally transcribed.

Like Abrams et al. (2004) and others using a modified grounded theory approach (Glaser and Strauss 1967), we were interested in capturing the way that meaning is created as

important events unfold, recording “culture on the street” before positions become ossified in policy (Abrams et al. 2004, 194, citing Williams 1977). Using semi-structured, open-ended interviewing that aims to develop respondent-centered data (Weiss 1995), we tracked how meaning is created, rather than imposing meaning ourselves. We asked all respondents questions on four general topics:

1. What have you heard about Islam during the presidential campaign?
2. Does this conversation remind you of others in history?
3. How did you form your ideas about Islam?
4. Have you ever experienced fear around these issues?

We also made available three scenarios based on current events if interviewees needed examples to prompt responses. The full interview schedule is appended to this paper. After initial pilot interviews, we decided to add focus groups to our data collection strategy because we were concerned that foreign nationals were less free with their speech compared to American nationals. We employed a “mini” focus group methodology (Morgan 1997), arranging sessions with 2–5 people from shared social networks so that participants would be “highly involved” both with one another and with the interview material.⁷ By adding these, we were able to capture the development of group knowledge, especially among people we thought would otherwise feel vulnerable by exposing their opinions and experiences.⁸ We conducted 30 focus groups with a total of 89 people, and interviewed 83 people individually. In total, 172 people participated, with interviews and focus groups ranging from 30 minutes to over two hours.

Twenty-four respondents identified as religiously Muslim, and are thus excluded from this paper’s findings about Islam’s criminalization. This is not to suggest that Muslims would have a uniform response to our questions (In fact, see Pew Research Center 2017 and Yukich 2018 for the diversity of American Muslims’ reactions to Trump). Rather, Muslim respondents in our study uniformly discussed the ways in which their communities were being spoken about, a different discursive task than commenting on an imagined “other”. Their experiences are discussed in a separate paper, Kaufman and Niner (2019). In addition, three non-Muslim respondents denied having any knowledge of the ways in which Islam was being discussed during the election. One of these was a foreign national, which prompted us to rethink our research strategy as discussed above, and the other two were incoherent. The remaining 144 respondents’ answers are analyzed below, with the help of a qualitative software analysis program, NVivo.

Along with interviews, we collected basic demographic data from respondents in order to assure a variety of racial, ethnic, generational, and socioeconomic positions. Our respondents reflect this diversity, coming from over half of the city’s zip codes. Table 1 shows that although white, educated Democrats are over-represented, the 144 non-Muslim respondents are split about evenly as to their political leaning, with about one-third of each reporting as (1) liberal or

⁷ “Mini groups” are defined in contrast to the standard group size of 6–10 that would have produced less in-depth answers and interactions (Morgan 1997).

⁸ This is a typical strategy in studies using mixed methods interviews and focus groups. Wilkinson (1999) and other feminist researchers argue that by allowing naturalistic group dynamics to develop, researchers inevitably give up some level of control, therefore becoming less commanding. Focus groups promote ease of conversation to mitigate a potentially inhibitory power dynamics and give access to beliefs and feelings that researchers might miss. We used these, then, when we suspected researchers’ memberships in relatively privileged or outsider groups would inhibit respondents: with Muslim foreign nationals and refugees especially. To balance the potential for “group think” to influence our findings, we also continued to conduct one-on-one interviews.

Table 1 Participant characteristics ($N = 144$)

Gender	Female	76 (52%)
	Male	68 (48%)
Political Affiliation	Democrat	80 (55%)
	Republican	28 (20%)
	Independent	28 (20%)
Position on Fiscal Issues	Conservative or Very Conservative	50 (35%)
	Moderate	41 (28%)
Highest Degree Earned	Liberal or Very Liberal	51 (35%)
	Current student	25 (17%)
	Less than High School	3 (2%)
Household Income	High school or GED	26 (18%)
	BA	40 (28%)
	Advanced Degree	48 (33%)
	Below \$20 k	11 (8%)
	20–50	21 (15%)
Religious Affiliation	50–80	27 (19%)
	80–110	25 (18%)
	Above \$110 k	38 (26%)
	Protestant	57 (40%)
	Catholic	21 (15%)
	Jewish	20 (14%)
	Atheist/Agnostic	6 (4%)
Age	Other	5 (4%)
	Sikh	4 (3%)
	70 and above	29 (20%)
	50–70	53 (37%)
	30–49	26 (18%)
Race/Ethnicity	29 and below	39 (27%)
	White	82 (57%)
	Hispanic	36 (25%)
	Black	11 (8%)
	Asian	6 (4%)
	Middle Eastern	4 (3%)

As is typical in survey research, some respondents left blank or supplied write-in answers. We treated these both as “missing data,” so that responses in some categories do not add up to 100%. All categories are missing fewer than 10% of responses, except household income, which nearly 20% of respondents did not indicate. Past work suggests that this level of non-response to income questions is distributed across income groups (Moore et al. 2000), and therefore does not significantly impact the description of the sample

very liberal, (2) moderate, or (3) conservative or very conservative. We also over-sampled for non-Protestant religions. As such, the sample has good variation with respect to political leaning and religious affiliation, the two most important indicators of difference with respect to Islam.

Findings: The Criminalization of Muslims

Although about half of our interviews took place before Trump was chosen as the Republican candidate in July 2016, his proposal to ban Muslims structured most of our conversations. According to an NVivo search of our interview transcripts, Trump’s name had almost 900 unique mentions, far more than Hillary Clinton (220 mentions), Bernie Sanders (160 mentions), or Ted Cruz (fewer than 50 mentions), even though all of these candidates issued

statements about Islam. When we asked respondents our first question—what they had heard the candidates say about Islam—most told us that Trump was proposing to ban Muslims in order to prevent terrorist attacks. As one respondent in a neighborhood community center serving low-income senior citizens told us, she'd heard “the one where the Muslims should be sent out of this country. I mean, let's get rid of them. Let's don't let them in. They're all bad.” This was no longer “dog whistle” politics (Rosino and Hughey 2015), using coded language to signal allegiance to white voters with obtuse language. Our respondents understood that candidate Donald Trump thought Americans would be safer without Muslims in the country because they are “all bad.”

After this first question, we prompted respondents to make sense of what they heard from the candidates, asking: “Why do you think Islam has been an issue in the campaign?” It is from these responses that most of the data in this paper draws. For this paper, I eventually coded for three themes. I first was struck by the ubiquitous mention of race and racism, and began tracking the way racial metaphors were employed. Nearly two-thirds of respondents said Trump's proposal was similar to policies targeting other racial minorities. Interviewees spoke of Japanese-American internment during the Second World War; Jewish genocide during the Third Reich; and Hispanic immigrants and African-Americans during recent decades to explain their position on the potential ban. I also marked language describing fear, dissatisfaction, or caution about Muslims or Islam in the United States; and language objecting to generalizations about the religion and its adherents. To my surprise, most respondents spoke about Muslims as a problem to be solved, using language that not only homogenized a diverse group, but also located it as a threat to public safety. As I will describe, 74 out of the 144 non-Muslim respondents employed “racial threat” talk to speculate about Muslims and Islam.

Fewer than half of non-Muslim respondents—70 out of 144—refrained from drawing any parallels between Islam and dangerousness. While these are not the subject of the current paper, it is worth describing them briefly, as two sub-groups. The first sub-group was composed of nine Sikh, Hindu, and self-described Christian Middle Eastern respondents who feared for their own safety at the hands of anti-Muslim Americans and were trying to make sense of an historical moment that endangered their well-being. Their stories recall the experiences of other Americans impacted by the gaze of those who presume, mistakenly, to “know” them (Dawkins 2012; Sanchez and Schlossberg 2001), discussed in a separate article (Kaufman and Niner 2019). The second sub-group of respondents who did not speak of Muslims as a threat ($n = 61$), were largely college-educated, self-described politically “liberal” from minority religious and racial groups. Some of these were the quieter members of focus groups, while others actively objected to generalizations about Islam.⁹ For example, a Rabbi in his 70s explained to me that there was no one, unified Islam. Muslims are “very disparate, and very diverse,” he told me matter-of-factly. “You have all the sub-groups, and they don't relate to one another necessarily. They don't talk about an ‘Islamic people,’ like we talk about a ‘Jewish people.’” A university professor explained that the religion of Islam could not explain “terrorist” violence. “Islam is a red herring in this stuff,” she said. “If you want to know why certain groups in the Middle East are murderously angry with the West, look at the politics of the region. Don't try to read the Qur'an. That's just ridiculous.”

⁹ As one reviewer pointed out, focus group members' “quietness” on this issue could mean that they were swayed or cowed by the views of their groupmates. It is possible that these respondents would have expressed fears about Muslims if interviewed individually.

The majority of respondents ($n = 74$), however, spoke about Muslims as if they were a homogenous and potentially criminal group. As I will describe, they demonstrate concerns similar to those who fear African Americans and Hispanics. Like past instances of racial threat, cr-Islamization is multi-faceted. Our respondents frame Muslims as a potential physical threat on the one hand, and political threat on the other. They then suggest crime control measures familiar to the mass incarceration era that they would like state agencies to take in order to control the threat. Notably, less than a third of respondents who criminalize Muslims ($n = 23$) reflect the unapologetic anti-Islamic “fringe” discourse that Bail (2012, 2015) describes. The remaining two-thirds ($n = 51$) simultaneously oppose Trump’s “racist” exclusion of Muslims but also wonder whether the presence of Muslims in the United States necessitates increased crime control measures. As such, cr-Islamization accounts for both “liberal” and “illiberal” (Mondon and Winter 2017) perspectives.

Fear of Violent Bodies: “It’s the Caution that Has Come About Me”

Like African-Americans and Hispanic migrants, Muslims were described by respondents as physically threatening the safety of American citizens. Fear of terrorist bombings was widespread among our respondents, and located on the bodies of Muslim men and women. Thomas, for example, is a black Baptist Democrat and professional employed in the nonprofit sector. When asked what he had heard from the presidential candidates about Islam, he said that the proposed ban against Muslims was akin to a racial bias against blacks like himself. But when asked if he had “fear” around these issues, he reflected on a contradiction:

I wouldn’t call it fear, but you’re just aware of your surroundings. I don’t know what they’re called, and excuse me, but you find there’s some of the women that wear the covering, or certain dress, or whatever ... I want to be honest. I hope you understand the way I phrase this. My caution when I see someone like that really has nothing to do with their person. I say 90 percent has nothing to do with the person, but it’s the caution that has come about me because of what I’ve heard that is happened in other places.

As a black man, Thomas had experienced prejudice due to profiling, yet he admits concern for his own safety when encountering women wearing what he perceives to be Islamic head coverings. He discovers this as an uncomfortable contradiction in himself, apologizing and rewording his answers several times. The “caution” that has come about him, he says, is not an intellectual reaction, but a visceral one. Another interviewee named Amelia encounters a similar paradox in herself. She describes herself as a Catholic, Latina high school teacher in her 40s who is politically moderate. She was part of a focus group of teachers, all of whom were denouncing Trump’s racism. When asked about “fear” directly, however, Amelia self-consciously examined her behavior when encountering women wearing hijabs. She said: “I’ve been in Walmart and HEB and I’m just like, ‘Okay, I’m done,’ and I walk out.” She then said she knew her fear of Muslims was something that she needed to “deal” with because it was irrational, yet she could not help what she described as an “emotional” feeling of insecurity.

Both Amelia and Thomas mimic what anti-Islamic groups have said: a hijab worn in the “West” should be a sign of potential radicalism and considered dangerous. Despite their acknowledgement of prejudice and its irrationality, they find themselves fearful when they

encounter signs of the Islamic religion. A white, Baptist minister named William described similar fear, using language that more clearly reflects anti-Islamic discourse. He asked:

Who is hiding under the blanket? Are they hiding explosive vests? Are they in fact men? Because some of the terrorists have disguised, over in France, as women with the big Hajib [sic]. Are they in fact what they appear to be? We don't know. They choose not to identify themselves; they are hiding.

For William, Muslim bodies are not only potentially dangerous, they are *hidden*. This provokes double anxiety: there is potential physical danger, and William does not know exactly where it might be. Indeed, the fear of physical closeness to “dangerous” bodies is as old as the creation of racial categories used to draw distinctions between native “black” and civilized “white” bodies (Fanon 1952). The hijab is one of the ways that Muslims have been racialized and ostracized in Western contexts (Byng 2010; Haddad et al. 2006; Selod 2015, 2018). When used in the twenty-first century context of “threat” and fear of violence, it is also a marker of cr-Islamization.

A woman's hijab was also evidence of Muslim men's criminality, especially among the half dozen white, baby boomer interviewees who identified as feminists. Natalie, a white, political “moderate” in her 60s, saw Muslim women as victim to “their men's” tendencies towards religious violence. She wondered: “What happens with women when they strap a bomb on and die, unless they're doing it to be faithful to the man that they have?” In Natalie's thinking, Muslim men monopolize violence and use Muslim women to enact it. Like Thomas and Amelia, interviewees using this kind of logic tended toward self-reflection. Dana had always worried about Muslim women, she said: “As a “card-carrying feminist my whole life, that's really what I focus on.” But she recognized, as we were talking, that this kind of essentializing might be inconsistent with her other core beliefs. As she said: “I feel like one of the things that I do, which is really, completely wrong ... lump all these countries together.” Karen, quoted in this paper's introduction, however, was singularly unselfconscious in talking about Muslim men's capacity for violence. In her experience, she explained, Muslim men routinely brutalized women, killing them with “complete impunity” if “the least little thing went wrong”:

We saw it every day, every single day. A woman was bitten by a rabid dog. Her husband took her to the clinic. My husband is there. He's speaking the language so he knows exactly what's going on, and so they wanted to give her the rabies shots. Well, that particular day there were no female vaccinators available ... These women are completely covered. They have to have part of their sleeve cut out so that they could just vaccinate through their arm. Well that particular husband wouldn't even agree to that because it would be a male vaccinator, and so they just left. My husband said, “She's going to get rabies.” Then he answered with, “insha'Allah.” God wills it.

This was not an isolated incident, Karen explained. She told us: “I could go on for hours about the way they treated women.” Muslim men were not only dangerous to Westerners, but regularly endangered the lives of the women in their communities, in her perspective. This led Karen to conclude that all Muslim men must be dangerous to women's interests. Critical feminists call this “imperial feminism,” white, where Western notions of female empowerment justify condemnation of Muslim women's practices (cf. Russo 2006). In this context, however, the condemnation of Muslim women is also used as a foil to construct Muslim men as the true locations of violence.

Thus, the threat of Islamic violence was manifest in a distinctly gendered way. According to our respondents, the hijab is a physical marker of potential violence, while the ideological

impetus is male. While state policies tend to target men (Selod 2018; Cainkar and Selod 2018), it is interesting that our respondents find men and women to be sites of potential violence. This is reminiscent of the ways in which criminality has been gendered more generally. Women are often constructed as “dupes” or “foils” for the violence inherent in masculinity, especially in the context of black masculinity (cf. Collins 2004).

Fear of Takeover: “The Best Funded, Financed Group in the History of Groups Like That”

Other respondents described a more ideological threat emanating from the religion of Islam. This argument was embodied by Jay, a retired military officer and local leader of an organization working for anti-Islamic policy as a matter of national security. Jay said that Islam should be considered a political ideology rather than a religion, a common argument from anti-Islamic organizations (Bail 2012, 2015). Like communism, Jay explained, Islam is a threat to Western democracy. Both “movements” had leaders who aim to overthrow Western governments. The difference between the two was that “Marx didn’t find a religion to be able to hang his hat on,” but “Muhammed did and it was a very smart, smart strategy.” Muslims therefore, like people suspected of Marxist or Leninist sympathies, should be targets of mass enquiry to protect the security of the United States, he argued. Jay’s position constructs Islam as a dangerous ideology, as singular and identifiable as that of a lone philosopher. It also places Muslims within the purview of the criminal justice system, as a danger to national security. William, the Baptist minister, explained that Muslims are in fact one of the most serious threats to America’s security in history, citing their economic and organizational prowess:

They’re highly technical. They’re probably the best funded, financed group in the history of groups like that, by taking over other countries with oil fields and things of that nature. They know how to use social media and the internet to propagandize their cause and recruit.

For Jay and William and the 21 other respondents who employed similar logic, Islam has an ideological agenda as clear and nefarious as Karl Marx’s, and an organization as sharp as any in history.

The Muslim takeover, these respondents explained, will be affected through multiple U.S. institutions, attacking U.S. religion, law, and education. Marty, a retired intelligence officer and current staff for a Christian broadcasting network, explained that Islam is a threat to U.S. Judeo-Christianity. Islam is not only *different*, but dangerous. Betty, an evangelist missionary, explained: “Islam is a religion of hate because there is nothing in the Qur’an, not one time ever, that they talk about a loving God.” A young man recently out of high school elaborated how the religion itself was a problem. Although he admitted that he did not understand Islam exactly, he knew it was a threat to Americans. He was “not sure if all Islams [sic] believe Americans should be murdered,” or if “they believe *all* people who disagree with their beliefs should be murdered,” but he concluded, it’s giving Islam “a really bad reputation.” Together, these three respondents demonstrate a range of potential thinking about the threat of the Islamic religion: it is foreign to the United States’ Judeo-Christian culture, based in hate, and poses a direct, deadly threat to “Americans.”

Several other respondents highlighted the role of Sharia—the Islamic code of laws—in the threat to America. Jay pointed out all that all “real” Muslims must be loyal to both the Qur’an and Sharia law, and that they could not do this and obey U.S. law at the same time. Marty

explained that this takeover was already in effect, telling us that there were “over 150 cases” in the courts that had relied on Sharia law, replacing Muslim ideology for law in “our *own* justice system.” This view was not limited to the most conservative respondents. Cora and Camila, two politically moderate Hispanic retirees in a senior citizens’ community group, explained that they were worried about Muslims’ ability to be loyal members of the United States. Speaking of Sharia law, Camila said that its entrance into courts of law demonstrated that Muslims “want a revolution. They want control.” Cora agreed, adding that she thinks “they want to take over.” For all of these respondents, the problem was framed as an impossible dualism of loyalties. One could not believe both in an Islamic religious text and the U.S. Constitution, they argued.

The threat of Islam was also evident in the education system, our respondents told us. Marty described how public schools were being “invaded,” and would soon be taken over:

Our schools, public schools, many times are celebrating Ramadan because the Muslims demanded it. By the time a minority group gets up to 10 percent, they will have enclaves where no one else other than their own are allowed. It’s happening. . . . Pretty soon the majority people lose all of their rights because the minority takes over.

By framing the celebration of Ramadan as a lead-in to the large-scale loss of rights, Marty turns the idea of freedom of religion on its head. If Islam is allowed in schools, it will displace the majority. This fear of minority “power” was echoed by others. Michelle, a white homemaker in her 30s, said: “We’re not saying Pledge of Allegiance in school, but we are doing prayer time for Islam students to stop school and do prayer . . . we’re giving them a huge power.” Another evangelical respondent named Alexander told the members of his focus group how local universities too were at risk. A member of the Council on American-Islamic Relations (CAIR)—the U.S.’ largest Muslim civil liberties organization—had recently given a lecture at a local university, he said. This in itself was evidence of criminal threat. CAIR, Alexander explained, is an “unindicted co-conspirator” in a case where Muslim foundation leaders were supporting terrorist activities.¹⁰ These sorts of organizations, he argued, plant the seeds of terrorist thought. His suggestion that non-Christian religious speakers at colleges should be viewed as evidence of potential violence is particularly notable. American universities, long seen as bastions of “liberalism,” also become sites of potential criminality. The term “unindicted co-conspirator” is a legal one, evidence of criminal association. Attaching a criminal identity to a party that has not been confirmed to be criminal by legal due process (Ratner 2012; Tayeh 2014), it is similar to a technique of the mass incarceration era—using arrests without convictions to argue for enhanced criminal sentencing (Roberts 1997; Robbins 2004).

Together, these narratives about religion, law, and education, describe Islam as an advancing and dangerous threat. Islam’s violence is located in its religious tenets, and evident in its creep into legal and educational settings. Whoever should become president, Jay said, must be prepared for a “long, hard fight,” to rid the country of such threats. Importantly, the dangers that respondents describe are both similar to and distinct from the fear of other racialized bodies in the mass incarceration era. Like African Americans and Hispanic migrants, Muslims are spoken about as homogenous, violent, and physically threatening. Yet they are also spoken about as organized, sophisticated, and ideologically-motivated, qualities not commonly linked with criminalized racial groups in the mass incarceration era. In the next section, respondents describe crime control techniques that the U.S. government might deploy in order to protect the American public from such a multi-faceted threat.

¹⁰ The speaker is referring to the “Holy Land Foundation,” the prosecution of which has been fodder for controversy in both civil liberty and anti-Islamic groups. See Ratner (2012).

Crime Control Solutions: “For the Protection and Safety of its Citizens”

Samuel and Marley are a self-described white, liberal couple who are politically active; both had been delegates for the Democratic Party in their local districts. When asked what they heard about Islam during the campaign, Marley said that Trump’s Muslim ban was a “racist-based ideology working through our immigration policies.” The couple then took turns listing minority groups who have likewise been singled out in American history: “Jews were treated like that. The Irish ... the Japanese-Americans, after bombing Pearl Harbor ... slavery from Africa ...” But Samuel then clarifies his position, saying he wants the government to act “more expertly” to assure Muslims with the potential for terrorist violence are not admitted to the U.S.:

Saying all of that, however, I think we should expect our government to do things more expertly when they get into something. Vetting people. I wouldn’t want a Nazi sympathizer or a former Nazi still practicing his viewpoints allowed to come in without normal vetting.

Samuel wonders whether immigrant “vetting” is strong enough to flush out potential terrorists. He evokes the metaphor of Nazi sympathizers as an explanation for a threat emanating from Islam. He wonders whether the government should do *something more* to assure that Muslims seeking entrance into the country are not in fact dangerous. Indeed, the language of “vetting” and border security was raised in a full dozen of the interviews and focus groups we conducted. Andrew, a liberal white millennial who identifies as an atheist, assures us that he is against Trump’s proposed ban because he does not think that Muslims are “all terrorists.” Rather, “there is a certain element to the environment there that allows thoughts to blossom.” This generalized Muslim “environment” makes extra government screening necessary. Other respondents put it more bluntly. Alexander says:

It’s not that we’re trying to keep ’em out of the country, but it’s just making sure we identify the ones we don’t want here ... A government’s first and primary responsibility is for the protection and safety of its citizenry.

This language is similar to contemporaneous media scares about “radicalized” Syrian refugees who are feared to be sneaking across the border (Bhatia and Jenks 2018). Public fears of crime are often entwined with media frames; while there is a legion of evidence that immigration does not cause increased crime (Ousey and Kubrin 2018), for example, popular media outlets are more likely to cover instances of Hispanic immigrant criminality than conformity, thus fueling the false notion that immigrants commit more crime than American nationals (Menjívar 2016). Indeed, scholars who study the “fear of crime industry” point to the media as one of the keys mechanisms for supplying Americans with evidence of criminal threat (Beckett and Sasson 2004; Glassner 1999; Lee 2001). In the case of cr-Islamization, the media’s influence is likewise apparent.

Other interviewees advocated for criminal justice practices used in urban policing. One of the prompts available to interviewees was to ask respondents whether they would support “stop and frisk” policies for Muslims. Responding to this question, Charles, a Hispanic, Catholic Democrat in his mid-60s responded: “I’m all for frisking Muslims, no matter what! ... If they don’t have a background in terrorism, I want to know.” A conservative professor the same age mentioned a similar strategy, although without the prompt. Barry explained that he did not support Trump’s proposal to “close” the borders to Muslims, because it would not be effective. But targeted, increased scrutiny within U.S. borders, he thought, was necessary.

If there is a phenomenon of radical jihadists that tend to come for the most part from one section of the world, and therefore can be identified physically ... it doesn't seem to me crazy to understand the threat that way.

Arguing that the failure to use sight-based profiling would be “political correctness gone mad,” Barry says: “We should be able to say something like it was a six-foot black guy who stole my purse without feeling like we’re somehow being racist or racist.” Explicitly drawing together black and Muslim criminality, Barry argues that targeted population surveillance is a legitimate tool to prevent violence.

Together, these respondents describe crime control techniques they think appropriate to use in defense against Muslims: penalizing unindicted criminal conspirators, targeted “vetting” by U.S. border security, and racial profiling in urban settings. These are the tools of cr-Islamization, borrowed from the criminal justice regime. In a process familiar to those who study institutional isomorphism (DiMaggio and Powell 1983), practices developed as part of the build-up of the mass incarceration era have been adopted by the U.S. immigration system, and are now also a strategy for distinguishing Muslims as a new threat to American’s safety.

Discussion and Conclusion

The findings in this paper show that a new criminalization is ascendant in the United States. Although Muslims have experienced outsider status in the United States since its founding, Trump’s so-called “Muslim ban” thrust the question of Muslim belonging into the forefront of public consciousness. Nearly all of our respondents were familiar with, and opined about, the proposal to ban Muslims from coming to the United States. To make sense of the proposal, they leveraged—explicitly or implicitly—“fear of crime” arguments familiar to the late mass incarceration era. Our respondents speak of Muslims as a potential threat in multiple ways. Both male and female bodies are potential generators of violence. For some, women in public spaces who are “covered” trigger fear of violence. For others, violence is enacted *through* female bodies, situating the ideological threat with Muslim men. Respondents also liken Islam to communism in its potential to threaten America’s Judeo-Christian culture, its laws, and schools. This makes Islam not only a threat to American bodies, but to an American way of life. Techniques from the mass incarceration era are then suggested as tools to combat it: criminal labels without convictions, increased surveillance and policing, and targeted interrogation.

Taken together, our respondents constructed Muslims as both foreign and familiar—rooted in the familiar racial stratification of American bodies, yet alien in their cultural and ideological identity. Islam’s vilification would not be possible without the U.S.’ long history of criminalization of black and brown bodies. Our respondents assume that they can *see religion* on the bodies of people in the public sphere, just as race has been constructed to be phenotypically identifiable. As Angela Davis wrote at the height of the criminalization of black Americans, crime discourse is “one of the masquerades behind which ‘race,’ with all its menacing ideological complexity, mobilizes old public fears and creates new ones” (Davis 1997). Joining Hispanic migrants (Bhatia and Jenks 2018; Chavez 2008; Menjivar 2016; Menjivar and Kil 2002; Romero 2008; Stumpf 2006) and

African Americans (Collins 2004; Davis 1997; Goffman 2014; Rios 2011) then, Muslims are talked about as inhabiting dangerous bodies in the public sphere. This fear of racialized bodies comes not only from white Americans. In the “post-racial” era, the racial identities of respondents like Thomas and Amelia do not prevent them from criminalizing Muslims but do provoke self-conscious questioning in response. Scholars who study racial threat should take note: hegemonic insecurity and cr-Islamization should not be studied as a project of white America alone. Instead we might ask: how do intersectional (racial, class, religious) identities impact cr-Islamization?

Cr-Islamization also has features that differentiate it from the criminalization of black and Hispanic Americans. Williams (2013) argues that Barack Obama’s presidency must be taken into account when thinking about Muslims’ place in contemporary America: the President’s very *name* and *body* disrupted the hegemonic identities that have historically limited the American presidency. The Obama Presidency might also be implicated in this new criminalization of Muslims. Like those who questioned President Obama’s belonging in the U.S., our respondents posit Islamic racial-religious identity as foreign. Like Hispanic immigrants on the southern border (Chavez 2008), Muslims are described as an invading force, with a potential for changing American institutions. But unlike Hispanic immigrants, Muslims’ invasion is *religious*. To make this claim, a dual erasure is necessary: notably, our respondents barely mention the black Muslims whose lives and labors helped build this country during slavery’s rein, nor do they acknowledge that there are millions of American Muslims who regularly negotiate the posed “conflict” between religious and secular commitments. Islam has been a part of the country’s religious make-up since its founding.

Also unlike the criminality discourse surrounding blacks and Hispanics, our interviewees describe the Muslim threat as well-financed, sophisticated, and ideologically-motivated. This might be explained as a type of political and cultural insecurity stemming from Muslim’s relatively high socio-economic status in the United States. While black Americans became part of the United States largely through enslavement, and Hispanics as economically disadvantaged migrants, a large portion of Muslims migrated to the United States as middle-class professionals.¹¹ This suggests a need to re-examine the ways in which criminalization works in tangent with economic exploitation.

The criminalization of Muslims is now a part of the American landscape. Others should make use of sociology’s extensive engagement with criminalization theory to reexamine its relationship to racialization, economic exploitation, and religious subjugation, and to document how the perceived social problem of Islam’s incompatibility with the West serves state power. This is especially important during a time when Islam’s professed threat provides fodder for political gain. One of the most powerful elements of criminalization discourse is its nominal commitment to democracy, by subjugating those perceived to threaten it (Aas and Bosworth 2013; Hirschfield and Celinska 2011; Lyons and Drew 2006; Lerman and Weaver 2014). Cr-Islamization then, like the criminalization of African-Americans, Hispanics, and immigrants, has consequences not only for those perceived to threaten democracy, but for those who hope that the U.S. democracy will survive its racist origins.

¹¹ See for example, Casanova (2007) on comparisons between E.U. and U.S. religious group immigration patterns.

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Appendix: Interview Guide

Engagement Questions

- 1) Tell me a little about yourself ... anything you think is important.
- 2) Where do you get your news?

Political Rhetoric

- 3) In the Presidential campaign, there's been a lot said about Islam. What have you heard?
 - a. Are these issues being talked about in your social network?
 - b. When was the last time you heard a conversation about Islam?
 - c. Why do you think Islam is an issue in the campaign?
 - d. How much has the campaign affected your thinking?

Attitude Questions

- 4) Does this discussion around Islam remind you of any other political conversation in history?

#5, 6, and 7 IF NECESSARY:
- 5) Do you remember hearing about this story? *A few weeks ago, young man had boarded a plane on Southwest Airlines when he was overheard speaking Arabic on the phone. A passenger alerted a crew member, and the young man was escorted off the plane and not allowed to fly. It was later confirmed that he was a U.S. citizen with no links to any terrorist organization.* How would you feel if you witnessed this?
- 6) And do you remember this? *A young couple, one American-born and the other Pakistan-born, shoot up a room full of people in San Bernardino, California, killing 14 and injuring 28 others. The FBI calls them "homegrown terrorists," motivated by sympathy with extremist Islamic groups. They were not shown to have any official ties to terrorists groups.* Do you think this is different from other mass shootings in the U.S.?
- 7) There is an argument that the police in the United States should be able to "stop and frisk" people they find suspicious. What do you think of this policy and would you support a similar policy for Muslims?

Personal History Question

- 8) I'm curious about how you've formulated your ideas about Islam.
 - a. Do you know any Muslims?

- b. Can you remember how old you were when you first heard about Islam talked about in politics?
 - c. Has your (education, church group, social group) been influential?
 - d. How do your opinions compare to your parents' or other (community groups or the nation)?
- 9) Have you ever experienced fear around these issues?

Exit Question

- 10) Is there anything else I should have asked you or you would like to tell us about Islam or the election?

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