Book provides probing, provocative analysis of American attitudes in the aftermath of 9/11

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BY DR. GLENN C. ALTSHULER
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At an event marking the ninth anniversary of the Sept. 11, 2001 attacks on the United States, Joseph Margulies asked members of the audience if they had an opinion about the USA Patriot Act, which gave the government new powers to conduct surveillance, collect information and detain aliens with little or no judicial oversight.

Almost every hand went up. Only two or three of them, it turned out, had actually read the legislation. They had reached their conclusions by relying on sources they trusted, a newspaper, magazine or blog, a politician, a pundit, or a “national security expert.” Better informed than most, Margulies points out, these folks – and the vast majority of their fellow citizens – are subject to elite manipulation.

In “What Changed When Everything Changed,” Margulies, a clinical professor at Northwestern University Law School and the counsel of record in Rasul v. Bush, the Supreme Court case that challenged the policy of indefinite detentions at Guantanamo Bay, provides a probing, provocative and, at times eye-opening analysis of American attitudes in the aftermath of 9/11.

Margulies challenges the conventional wisdom claim that repression is greatest right after an attack occurs and declines as the threat recedes. In October 2001, he reveals, as leaders across the ideological and political spectrum expressed support for religious diversity, the percentage of Americans who had a favorable impression of Muslims reached its peak.

New category: “Muslim-looking”

More recently, “hate-filled bigotry passes for legitimate social commentary” and has won over a sizeable fraction of the population: bills to ban reliance on sharia or international law have been introduced in two dozen states (even though the odds of sharia dominating American jurisprudence are about the same “as a polar bear wandering through a Texas picnic”) and many endorse a new category, “Muslim-looking,” that conflates religion and race (most American Muslims are from Asia and most American Arabs are Christians).

Support for torture as a legitimate tool in the war against terror has grown substantially, Margulies concludes. “Its own experts,” he charges, “were astonished by the unprecedented willingness of the government to use torture.” How did torture gain support when presented as the last resort, used within the framework of law and with deliberate and appropriate restraint, against those “whose sole goal in life is to kill us, to kill the West, to kill your children, to take us down.”

Margulies concludes with a warning for our post-9/11 world. Americans have integrated “a punitive turn” into our national identity. We have confronted and at times created monsters, and have dramatically expanded “the executive branch’s power to track, seize, and imprison the new demon in order to protect ‘us’ from ‘them.’”
Bolstered by the “unassailable power of the American Creed,” this narrative has become “the way things ought to be.”

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