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In the post 9/11 world and the age of such conflicts as the “War on Terror,” even the United States, traditionally characterized by a principle of equality, is becoming increasingly more paranoid and suspicious of those who worship differently, who come from an unfamiliar culture, or who look foreign. While this is much easier than addressing the true problems underlying terrorism and is more comfortable than assuming that atrocities could be committed by someone like oneself, profiling is not the logical or fair way to approach our current global problems. Stereotyping based on such generalities fails to acknowledge that it is the desperate and the severely impoverished that truly need our attention if we hope to combat crime and that these people come from every faith, background, and skin color around the world.

Profiling is never an accurate way to classify people. The human character is far too complex to stereotype into different categories based on such circumstantial things as religion, race, and ethnicity. Last summer, I traveled in Guatemala with a group of students from my high school and throughout this experience, I was struck by the similarities between myself and the people I met there—even those living in isolated Mayan villages in the mountains whose way of life was entirely foreign to me. People are fundamentally the same regardless of where they come from. In a 2004 report, Amnesty International wrote, “From a domestic security perspective, the bottom line is that nobody knows what the next terrorist, serial killer, or smuggler will look like.” It is purely illogical to assume that one person is more dangerous than another simply based on their cultural background. Furthermore, it echoes the same racial prejudices that the United

States and the world have been fighting for centuries. It is easy to reflect upon the injustices committed during the 1960's Civil Right's movement with the benefit of hindsight; our current challenge is to acknowledge that present day racial profiling is the same kind of issue—it assumes that a certain type of face accompanies a certain type of person, something that logically does not follow.

Because it infers so much, profiling in any form does little to prevent harmful actions. Barbara Markham, a police officer from Texas, told the American Civil Liberties Union that “racial profiling is a lazy method of law enforcement...It's not the color of one's skin or their ethnicity that should indict them or bring them under police scrutiny. It should be their behaviors or actions.” Concentrating the efforts of our law enforcement on people who look or worship a certain way cannot possibly yield such accurate results as concentrating on those who appear to be dangerous through an unbiased analysis of their actions. Though racial profiling might be convenient, it paradoxically decreases our security because it wastes time accosting innocent people.

Evidence has shown that profiling is an ineffective law enforcement tool. According to studies by the ACLU, actual verification of illegal activity among whites who are stopped and searched by a police officer is more common than that among individuals of different ethnicities. This suggests not only the existence of racial profiling in law enforcement, but also its ineffectiveness in uncovering dangerous behavior. In fact, according to the Police Executive Research Forum, “racially biased policing is antithetical to democratic policing.” If this is the opinion of law enforcement officials, clearly profiling cannot yield results which compensate for its many disadvantages.

Moreover, in an interview with *Newsweek*, Vincent Cannistano, a former CIA Head of Counterterrorism called profiling “a false lead. It may be intuitive to stereotype people, but profiling is too crude to be effective. I can’t think of any examples where profiling has caught a terrorist.” Cannistano brings up an interesting point when he suggests that it is human nature to stereotype. Indeed, it is often difficult to be completely unbiased because appearances tend to make a significant impression. This is all the more reason for law enforcement officials of the world to rise above this truly ridiculous tendency just as they are obligated to be beyond such human vices as dishonesty.

It is not difficult to find instances of racial, ethnic, and religious profiling in history; it is extremely difficult to find instances where the world was made safer by these means. During World War II Hitler sought to improve financial security in Germany by removing members of the population who were Jewish, claiming that they were usurping money and jobs from other citizens. This led to some of the most heinous acts ever committed in history. It also failed to fix the financial problems that Germany faced. Admittedly, this was a very extreme case of profiling, but it has happened on a slightly lesser scale even within our own country. During the McCarthy “Red Scare,” communist sympathizers were targeted as the source of Cold War dangers and possible enemy infiltration. This resulted in some severe breaches of civil liberties and the ultimate removal of McCarthy from the Senate. Another act that we have come to be ashamed of is the internment of Japanese Americans during World War II. The fact that the Japanese air force had bombed Pearl Harbor did not in any way justify the imprisonment of every person of Japanese descent in the United States. This proved to be

humiliating in the end and it did not result in the capture of any spies. We must look critically at these instances in the context of the status quo; it is necessary to learn from the mistakes that have been made in the past if we hope to advance as a society on both a national and a global level.

In considering religious, Racial, and ethnic profiling as a possible security measure in the United States, we must refer to the Constitution as we must when considering any policy. Racial profiling treads some shaky ground with regard to both the Fourth Amendment which protects against “unreasonable search and seizure” and the Fourteenth Amendment which grants equal protection under the law. It is only through upholding the Constitution and the rights it preserves that the citizens of the U.S. or any nation can truly be secure. As a nation we have been historically renowned for advocating equality and we must continue to do so if we hope to maintain our position as a world leader. Disregarding any part of the Constitution renders the rest void. Nothing justifies this because the rights protected in this country are so fundamental and necessary—losing these rights is a much more appalling and real threat than any offense prevented by stereotyping people. Civil rights are security. The fact that well established civil rights organizations including the ACLU, Amnesty International, and the NAACP strongly oppose profiling—even in the context of possibly improving national security—is a matter for serious concern. Also, the Department of Justice issued a statement in 2003 which read, “Race-based assumptions in law enforcement perpetuate negative racial stereotypes that are harmful to our rich and diverse democracy, and materially impair our efforts to maintain a fair and just society.” In no circumstance can safety be guaranteed

only by the removal of civil liberties and by disregarding the principle of equality. That kind of security is not what we should strive for.

Racial, ethnic, and religious profiling is impractical because it neglects to acknowledge the true issues which cause crimes to be committed. It is not an intrinsic tendency of certain people based on the culture they come from to commit violent or illegal acts, but rather the result of outside forces. A tremendous contributor to crime rates is poverty. Currently, the wealth of the richest 200 people on the planet surpasses that of the poorest three billion. This is a huge discrepancy and one that demands our attention because the desperation that poverty fosters leads to violent acts and contributes to making our world unsafe. If our ultimate goal is an improved state of security, it makes sense to concentrate on improving the condition of the hungry, the impoverished, and the desperate of every Race, religion, and ethnicity in the world.

Former Supreme Court Justice Thurgood Marshall once wrote, "History teaches that grave threats to liberty often come in times of urgency when constitutional rights seem too extravagant to endure...when we allow fundamental freedoms to be sacrificed in the name of real or perceived exigency, we invariably come to regret it." This is very applicable to the world of today and is a valuable warning. Civil liberties are extremely important; the entire world would suffer if they were violated in the manner that profiling based on race, ethnicity, or religion demands. Stereotyping in the name of security merely justifies prejudice. By critically considering the implications of profiling and by examining instances of doing so in the past, it is apparent that our efforts must be concentrated elsewhere to create a more safe and progressive world.



Bibliography

American Civil Liberties Union. *Sanctioned Bias: Racial profiling since 9/11*. New York: American Civil Liberties Union, 2004

Amnesty International U.S. Domestic Human Rights Program. *Threat and Humiliation: Racial Profiling, Domestic Security, and Human Rights in the United States*. New York: Amnesty International USA, 2004

United States. Senator Russell Feingold. *S. 2132[108]: End Racial Profiling Act of 2004*. Congressional Research Service, 2004

United States. National Archives. *Constitution of the United States*. Philadelphia, PA: 1787