Article | The Informant, Islam, and Muslims in New York City

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Abstract

Surveillance is part of the Muslim New Yorker experience, and informants, almost always Muslim themselves, are part of their communities. It is in this context that Muslim New Yorkers partly rely on Islamic theology to question their experience with state surveillance. As this article demonstrates, Muslim interpretations of theology tend to see suspicion and surveillance as sinful conduct, rendering the mission of the informant sinful in the eyes of Muslim New Yorkers. Moreover, as suspicion, monitoring, and spreading rumors is often interpreted as Islamically sinful, targets of surveillance often feel conflicted about suspecting a fellow Muslim of being an informant or even discussing such suspicions with other individuals. Moreover, relying on Islamic theology to deal with their experience as surveilled subjects does not prevent Muslims from toning down their religious visibility in order to avoid state surveillance because of chilling effects and the mechanisms of internment of the psyche.

Introduction

Since the attacks of 9/11, the Federal Bureau of Investigation (FBI) has disproportionately allocated its resources to its War on Terror, primarily targeting Muslims. Informants have been routinely used to spy on Muslim communities. In 2008, the FBI employed fifteen thousand informants compared to fifteen hundred in 1975 (Stabile 2014: 244). While there are some indications that this figure was even higher in 2017 (Aaronson 2017), for our purpose here let us presume that the number of FBI informants remains around fifteen thousand. The Pew Research Center estimates that 3.45 million Muslims live in the United States (Mohamed 2018). It is necessary to note that a significant number of Muslims in America do not attend mosques and that not all informants are positioned within them. Nevertheless, if only two thirds of FBI informants are used to target Muslims, it remains that there is at least one informant per 345 Muslims. This is approximately the size of an average mosque congregation. As Professor Amna Akbar suggested (Akbar 2013: 862), it is likely that there is at least one informant per mosque in the United States. If the analysis focuses on New York City, this becomes even more alarming.

Between August 2011 and September 2013, the Associated Press (AP) started to extensively reveal what would come to be known as the New York Police Department (NYPD) Surveillance of Muslims Program. Documents obtained by the AP showed the neighborhoods, shops, and mosques targeted by NYPD informants. The AP published pictures, maps, and addresses of Muslim shops, mosques, travel agencies, and many other places, such as cricket fields, that were targeted by NYPD informants. The level of infiltration of these informants was tremendous and, if we add FBI informant presence to the picture, it is fair to assume that New York Muslim geographies were swarming with informants.

Beyond informants, the NYPD also boasts more than eight hundred Muslim officers, some working undercover or leading surveillance operations within its Intelligence Division. It was a deliberate move of the NYPD to include some of its Muslim officers in counterterrorism efforts after 9/11 as well as to recruit more Muslims (Kelly 2010: 123). The goal was to achieve linguistic proficiency in languages such as Urdu and Arabic, but also to find people who could easily blend into Muslim communities (Nussbaum 2007: 224–28).

Surveillance is part of the Muslim New Yorker experience, and informants, almost always Muslim themselves, are part of their communities. It is in this context that Muslim New Yorkers partly rely on Islamic theology to question their experience with state surveillance. As this article demonstrates, Muslim interpretations of theology tend to see suspicion and surveillance as sinful conduct, rendering the mission of the informant sinful in the eyes of Muslim New Yorkers. Moreover, as suspicion, monitoring, and spreading rumors is often interpreted as Islamically sinful (Qur'an 49:12), targets of surveillance often feel conflicted about suspecting a fellow Muslim of being an informant or even discussing such suspicions with other individuals. Moreover, relying on Islamic theology to deal with their experience as surveilled subjects does not prevent Muslims from toning down their religious visibility in order to avoid state surveillance because of the chilling effects (Schauer 1978) and mechanisms of internment of the psyche (Naber 2006).

Method

This article analyzes how Islam has informed the experiences of Muslim New Yorkers as subjects of surveillance, but also as performers. Further, this paper also demonstrates the ways in which religious beliefs and monitoring interact when conducted by Muslims. The first part is dedicated to the way that Islamic theology creates a debate around surveillance and especially informant-related operations. The second section demonstrates how surveillance, mostly led by informants, reshapes the religious practices of Muslim New Yorkers. The final section explores the ways in which informants are, at times, labeled as sinners by the communities they target, because they arguably "command what is wrong and hinder what is right."

This paper considers religious faith as values, beliefs, and ideas that are constructed and shared among the members of a group. This refers to the concept of social representation, central in social psychology (Moscovici 1961). Here, Islam is considered as the representation of what is right or wrong for an adhering individual.

I rely on academic articles and books, but also refer to press articles and reports covering these issues. Narration of the life of the Prophet Muhammad (hadith) translated by Abdul Hamid Siddiqui and other unknown individuals are a part of this work as well as M. A. S. Abdel Haleem's translation of Qur'anic passages. Additionally, my analysis is based on more than eighty formal interviews and countless informal discussions conducted over nineteen months of fieldwork between February 2013 and November 2017.

Muslim traditions are numerous and pluralistic (see Bauer 2011 and Ahmed 2016). Within the same tradition, it is also common to find many distinctions. It is by no means the aim of this paper to state in any definite terms whether or not surveillance is legal from a religious standpoint. I nevertheless show how this question is understood by Muslim New Yorkers. Therefore, I have had to address some basic concepts of the Muslim faith in order to make this work comprehensible to a lay public. I ask for forgiveness if I misunderstand this complex tradition or reduce its richness and diversity.

Surveillance, the Informant, and Islamic Theology

Privacy in Islam
Numerous fundamental rights can be undermined by surveillance, but none more so than the right to privacy, regarded as a central value in Islam. The sanctity of privacy is upheld by several sources of Islamic theology. At the time of the Qur'anic revelation, private life was first and foremost exercised within the home: "Believers, do not enter other people's houses until you have asked permission to do so and greeted those inside — that is best for you: perhaps you will bear this in mind. If you find no one in, do not enter unless you have been given permission to do so. If you are told, 'Go away', then do so — that is more proper for you" (Qur'an 24:27–28). This passage of the Qur'an explicitly dictates the impermissibility of a Muslim entering another's house without invitation. Furthermore, invited guests are then entreated to announce their presence and greet all occupants of the house before, or at least upon, entering. The idea being that even if a person has been invited to a private property, they should not surprise its occupants and must make their presence known.

Privacy in Islam also regulates movement within a household. A person entering their own house should not do so without announcing themselves (Qur'an 24:61). It is also contrary to Islamic beliefs for residents of the same household to enter the rooms of other occupants without asking permission at certain times of the day. The idea being that a Muslim must respect the privacy of others, including instances of shared space and established familiarity, such as that of a family within the same household.

Private space, however, is not limited to housing alone. Islamically, "personal information is a recognized form of intangible property," and the interpretation of this verse can therefore be extended to this as well (Hayat 2007: 143).

This has implications for the surveillance methods that can be deployed by Muslims wanting to follow those rules. For example, to what extent can a Muslim officer of the NYPD use one of their IMSI-catchers without contravening their beliefs? Depending on the model, these devices simulate cell towers in order to force all phones within a certain radius to connect to them. They are able to track a person's position, including within private spaces, and collect other such personal information (Emmons 2016). It would also be very difficult for a Muslim NYPD informant to search the computer or the home of one of their targets, if they do not want to go against their religious doctrine. An informant must then do so only after being invited by the target and in his presence.

The AP and other media outlets' revelations, as well as my fieldwork, have shown that NYPD and FBI informants have similar tasks: monitoring specific people or places. Often, informants are asked to continue to live their lives normally within the Muslim communities they already frequent. Additionally, both NYPD and FBI informants are required to produce regular detailed reports for their employers, with NYPD informants routinely reporting what they observe in private spaces (Anonymous A, 2016; Stahl, 2016; Ahsin, 2017; Dandia, 2016).

Informants could try to unexpectedly show up at their targets' house in order to surprise them, an act that is condemned by the Muslim faith as noted above. However, it is often the case that informants are invited by their targets due to the nature of their mission, which relies on the establishment of a trusting relationship (Anonymous B, 2017). Could this loophole then be used to condone the surveillance of Muslim informants in light of the precepts of the Islamic faith?

Suspicion and the Job of the Informant
Here, another dimension of Islamic theology can be mobilized to argue for Islamic prohibitions against surveillance practices: "Believers, avoid making too many assumptions — some assumptions are sinful — and do not spy on one another or speak ill of people behind their backs: would any of you like to eat the flesh of your dead brother" (Qur'an 49:12)? This passage from chapter *Al Hujurat* (translated as "The Private Rooms") plainly condemns the espionage of one believer on another, even comparing the practice

to cannibalism. Thus, the work of a Muslim informant could be considered as standing in contradiction with Islamic precepts, which could render it a conflict of interest for observant adherents of Islam in this line of work.

A closer analysis of language within this passage provides us with a deeper understanding of its original intent. The Arabic word *az-zanni,* which appears in the Arabic text, can be translated as "suspicion," which at times can be considered a sin in Islam. Nevertheless, the NYPD can and does deploy informants if there is a "reasonable suspicion" that criminal activity is being fomented. The fact that suspicion and espionage are mentioned in this order in the same passage is perhaps not insignificant either. Suspicion, which is sometimes a sin in Islam, is a step that leads to espionage, which is an unequivocal sin.

The Qur'anic passage mentioned above also addresses the issue of speaking ill of others, which could be considered to be another step in the same process. Islam strongly condemns its adherents from the exposure of not only their own sins but those of others.

> Abu Hurairah (May Allah be pleased with him) reported that the Messenger of Allah (pbuh[1]) said, "Every one of my followers will be forgiven except those who expose (openly) their wrongdoings." (Riyadh as-Salihin, Book 1, Hadith 241)

> Abu Hurairah (May Allah be pleased with him) reported that the Messenger of Allah (pbuh) said, "[H]e who conceals (the faults) of a Muslim, Allah would conceal his faults in the world and in the Hereafter." (Sahih Muslim, Book 35, Hadith 6518)

The reports then, that informants are obligated to produce on their targets and share with employers, could be seen as a violation of this religious principle.

This understanding is illustrated by a conversation among three New York based Muslim activists, which I took part in during the fall of 2016. Majid[2] spoke with apparent contempt when discussing his uncle, an NYPD officer working for the Intelligence Division, the unit at the forefront of surveillance efforts. Sania, a former target of an NYPD informant (who was later exposed by the press), approved and expressed her anger on the basis of her personal experience. Rauf then added, "Plus, isn't spying and suspicion haram, kind of?" There followed a debate on the permissibility of spying and suspicion in Islam, as well as the use of information gathered through such means. The three came to agree that Majid's uncle was indeed committing a sin by virtue of his work with the NYPD.

Surveillance as Sin?

It is important, before going further, to nuance the sinful aspect of surveillance and of the informant's tasks. There are two exceptions to the sinful aspects of surveillance and suspicion. The first is the notion of public space in Islam. According to Islamic law everything is private until proven public (Kadivar 2003: 663–64). An act carried out in a public space, and potentially in the eyes of all, is not protected by the religious prohibition against surveillance (Hayat 2007: 141). However, it remains, case-by-case, to define what the limits of public space are in Islam. Is the mosque a public space in its entirety? Is a private conversation held in a park considered to be public? These questions are research topics in and of themselves.

The second exception is harm. Private space and information are no longer protected from surveillance if they shelter something that causes harm to others (Hayat 2007: 144). It is then arguable that colluding to foment an act of terrorism falls within the category of harm. This is how Shariff, an informant followed by the documentary *(T)ERROR* (Cabral and Felix Sutcliffe 2015), appears to justify his actions to the cameras: "I have no sympathy for them [potential terrorists]. They make Islam look bad; they have to go."

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[1] Peace be upon him.

[2] All names here have been changed, as it was an informal discussion.

However, in the same documentary, Shariff also said that he "broke a solemn oath against a fellow Muslim," referring to a target of his. Here, Shariff acknowledged that Ali Abdul Kareem, the head of security at Masjid At-Taqwa, was right when he implied earlier in the documentary that Shariff was committing a sin by spying on another Muslim.

Questions also emerge from Shariff's statements. When is it possible to know that harm is perpetrated or fomented inside of a private space? As stated before, suspicion is discouraged by Islamic precepts. Islamically, investigation and search can only be conducted in the instance of "legitimate proof and sufficient justification" (Kadivar 2003: 663), a much more rigid standard than the "reasonable suspicion" threshold used by the NYPD. Moreover, if one focuses on the police department's surveillance program, it is safe to state that reasonable suspicion was often based on the actual or supposed "Muslimness" of its targets. From the perspective of the NYPD, terrorists identifying as Muslims are the main threat, as they perpetrated the 9/11 attacks (Kayyali 2015). Accepting this argument for a Muslim informant or officer amounts to ignoring the Islamic injunction to avoid suspicion, as any fellow Muslim becomes a suspect.

The Informant's Dilemma
NYPD surveillance has outraged large portions of Muslim communities. Muslim New Yorkers have developed multiple strategies of resistance (see Bhaba 2004; Patel and Tyrer 2011; Nagra 2017). At times, this has involved denouncing collaboration between Muslims and the NYPD. Fahd Ahmed, director of the New York-based South Asian organization Desis Rising Up and Moving (DRUM), told me during an interview: "Imam Qazi Qayyoom doesn't support the NYPD; he is an NYPD cheerleader. … He regularly comes to our protests, takes pictures of who's there, and then leaves. … My guess is that he sends those pictures to the NYPD afterwards so they know who showed up" (Ahmed, 2016). Here, Fahd Ahmed expresses suspicions about an imam, a religious and community leader imbued with a degree of authority. Ahmed's description of Qazi Qayyoom as a "cheerleader" of the NYPD is one of both judgment and suspicion. Ahmed's rebuke of the imam is a denouncement of Qayyoom's support of the NYPD that he sees as harmful to both religious practice and privacy of the community.

However, it remains problematic, in the perceptions of many Muslims, to suspect a coreligionist of being an informant. To suspect another person of being an informant would be to risk suspecting an innocent coreligionist. To share this feeling with other people could be equated to spreading unfounded rumors. As stated before, both actions could be seen as Islamically reprehensible.

This dilemma can lead to very difficult situations. In the spring of 2016, Hawa,[3] a former Brooklyn College student related to me that she spent time, on several occasions, with a woman she suspected of being an informant. By the end of 2015, Mel, the name the aforementioned woman went by, was exposed in the press as being an undercover officer of the NYPD, confirming Hawa's suspicions. Mel falsely converted to Islam at an event organized by a Muslim student organization of Brooklyn College in 2011. Over a period of four years, she lived alongside many Muslim New Yorkers. She took part in sleepovers held at friends' houses, participated in meetings of student groups (Muslim and otherwise), and attended events organized by the Muslim community. She often asked about sensitive subjects such as jihad, which made her Muslim entourage uncomfortable. People had been suspicious of Mel and some say they actively tried to avoid her. Yet, in four years, no one dared to publicly express suspicions about Mel (Stahl 2015).

Sarah Aly, an activist and student at Brooklyn College, told me in an interview that when she and others "complained about Mel," people often responded with comments such as, "Are you sure? Those are very serious accusations" (Aly, 2016). One of the protagonists of the documentary, *Watched*, which gave voice to women targeted by Mel, expressed herself in these terms: "You don't tell anything to people because you don't know if it's really an informant. You're ashamed to suspect somebody" (Mitchell 2017). As a result, the subjects of NYPD surveillance are doubly affected. There is often the internal struggle of shame

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[3] Her name has been changed, as it was an informal discussion.

that subjects face when harboring suspicions about a fellow Muslim. These sentiments of shame can in part be attributed to religious identity and feelings associated with religious deviance or misconduct. Socially, there is then the possible backlash for suspicion of another Muslim by community members with whom one may share these thoughts. As mentioned before, to suspect another Muslim of committing a misdeed is discouraged by Islamic theology and thus frowned upon by Muslim individuals. As a result, a target or possible target of informant monitoring harbors feelings of shame for the same reasons that the larger community may also shame them. In this way, the stigma of wrongdoing is transferred from the informant to the victim, who is then perceived as spreading slander and rumors. As seen earlier, this is Islamically regarded as the equivalent of eating another's flesh.

During an interview, Rabia Ahsin, another of Mel's targets, exemplified an additional way in which faith has come to bear on the Muslim community's response to surveillance: "In 2012, we met with other Muslim students on campus to talk about what we could do about Mel. … Somebody [to end the debate] said 'we should put our trust in Allah and that's it'" (Ahsin 2017).

The concept of trusting God or *tawakkul* is a central tenet in Islam. It is the concept of accepting that everything is in God's hands. Most Islamic theologians recognize that people must make the effort to carry out an action, but must simultaneously place complete trust in God as to its result, whether good or bad: "Anas ibn Malik (May Allah be pleased with him) reported that a man said, 'O Messenger of Allah, should I tie my camel and trust in Allah, or should I leave her untied and trust in Allah?' The Messenger of Allah (pbuh) said, 'Tie her and trust in Allah'" (Jami` al-Tirmidhi, Book 35, Hadith 2517). There are few actions to be undertaken that can identify informants as such. For example, some organizations or community leaders may listen to suspicions reported and attempt to investigate. Nevertheless, it is difficult to prove that a person is indeed an informant. *Tawakkul* becomes the only solution if a Muslim does not wish to suspect a coreligionist so as not to risk committing a sin.

As mentioned, Mel falsely converted to Islam in order to spy on Muslim communities within New York. This particular action is reminiscent of the religious concept of *munafiq*, often translated to "hypocrite." The second of the unnamed protagonists featured in the documentary *Watched* explained that in the instance of suspicion of an informant infiltration, another student warned her by saying, "There is a *munafiq* on campus; be careful" (Mitchell 2017). It is important to understand here that the term *munafiq* historically refers to embracing Islam without sincerity in order to spy on and sabotage others (Asgher Razwy 1996: 91, 351).

The term *munafiq* is best exemplified by Abd-Allah ibn Ubayy. A contemporary of Islam's Prophet Muhammad, ibn Ubayy was notoriously suspected of insincerely converting to Islam in order to gain proximity to the Prophet and his followers, as a means of leaking information to their enemies (Ramadan 2007: 92). Islamic tradition underscores that the sixty-third chapter of the Qur'an, *Al-Munafiqun* (translated to "The Hypocrites"), was revealed as a denouncement of the behavior of ibn Ubayy and his partners (Ramadan 2007: 91). Yet the Prophet Muhammad never clearly stated that ibn Ubayy was a hypocrite or a spy. He never punished him (Ramadan 2007: 92, 108, 167) and even prayed over his grave when he died (Asgher Razwy 1996: 350–51).

It is common opinion among the majority of Muslims that the behavior of their prophet was the pinnacle of morality and should therefore be emulated. Consequently, in Mel's case, one similar to ibn Ubayy's, there were few options to consider for those who wished to follow the example of their prophet and avoid potentially sinful behavior by suspecting or slandering a fellow Muslim.

The Impact of the Informant on Religious Practice

Effects of the NYPD surveillance program on Muslims became apparent throughout my fieldwork in New York City, visiting mosques, observing and participating in cultural and religious events, and conducting interviews. The use of Muslim informants especially disturbed Muslim communities. As with other

communities (see Norris and Armstrong 1999: 123; Patel 2012; Nagra 2017), Muslim New Yorkers became suspects par excellence, but Muslims also started to suspect one another of being informants. This has concrete effects on the religious practice of Muslim communities. Mobilizing the concepts of "chilling effects" (Schauer 1978) and "internment of the psyche" (Naber 2006), this section explores the harm that the informant and surveillance in general have had on the religious practices of the Muslims they target.

Frequenting the Mosque
The intensity and types of religious practice are wrongly cited as causes for concern by "radicalization theories" (Kundnani 2012: 11–13; Akbar 2013: 814–16 and 834–37; Kundnani 2014: 115–52) that guide law enforcement scrutiny on Muslim bodies. Mosques, as a result, have become places to be avoided in an effort not to arouse suspicion by authorities. Brooklyn mosque, Masjid At-Taqwa, is one such place that has been affected by these fears, after being heavily targeted by NYPD monitoring (Apuzzo and Goldman 2013: 173–97). Masjid At-Taqwa was one of the main plaintiffs of an American Civil Liberties Union lawsuit brought against the NYPD surveillance program in 2013. Three years later, both parties of the Raza v. City of New York lawsuit reached a settlement. Here I quote Siraj Wahaj, a prominent leader of the Muslim community and imam of the At-Taqwa mosque. During hearings held on April 19, 2016, in order to aid in Judge Haight's decision-making process to reject or approve the settlement in Raza v. City of New York, he stated: "Many of our community, especially the immigrants, are so concerned and so nervous about this intrusion from the police that some of them have left the *masjid* [mosque] and stopped practicing" (Wahaj 2016).

What Imam Wahaj expresses here is reminiscent of what is conventionally accepted as the "chilling effect," meaning that "individuals make a conscious decision to self-censor in order to avoid some perceived or explicit consequence" (Penney 2016: 483) — in this case, surveillance by authorities.

The mosque is a central site of Islamic religious practice. Muslims are enjoined to visit as often as possible in order to perform their daily prayers in congregation. Imam Wahaj is not the only religious leader to have observed this trend of believers deserting mosques because of chilling effects. Ten out of thirteen imams interviewed during my fieldwork expressed concerns similar to that of Imam Wahaj. Moreover, I have also compiled testimonies of Muslim congregants saying they avoided the mosque in order to escape state surveillance. For instance, Farooq, a Muslim born and raised in Brooklyn, told me that he avoided going to his local mosque for weeks because it was under a Terrorism Enterprise Investigation according to NYPD documents revealed by the AP. Years after, he is still not entirely at ease when visiting this particular mosque (Anonymous C, 2016).

Muslims avoiding places of worship out of fear presents a challenge for mosque leaders who wonder how to react. Should they attempt to identify informants from among their congregations and expel them from the mosque? Is it a necessary precaution to advise constituents to be wary of informants, at the risk of heightening chilling effects? At the Muslim Center of New York (MCNY), a mosque in Queens, this phenomenon took a paradoxical turn. In an interview I conducted with the board, one of the participants explained that "We are not happy with the surveillance, but we have nothing to hide and we want to stay an open mosque rather than close our gates" (Aftab Ibrahimi and Iqbal Shaikh, 2016; Abdelghani, 2016).

Mosque leaders do not want to change their habits because of surveillance. They want to preserve the mosque as a safe space and continue to welcome a diverse audience. However, Manzar Karim, a member of the MCNY board, also told me in our interview: "We are welcoming, but we are also careful. We have twenty-eight cameras in the mosque and it could help us to spot someone suspicious. When someone is new, we may ask them where they usually pray and stuff like that" (Manzar, 2016). The MCNY has therefore decided to take precautions against infiltration, going as far as to question newcomers. Most notably, in order to identify potential informants' surveillance operations, the mosque is equipped with a video surveillance system of its own. The MCNY is resisting the chilling effect produced through state surveillance by refusing to change their habits, but also by engaging in "sousveillance" (Mann, Nollman, and Wellman 2003) by deploying their own surveillance technologies. Nevertheless, as seen in the first

part of this article, this strategy raises once again the question of compliance with religious ethics of Muslims who scrutinize or suspect other Muslims.

"Looking Muslim"
Simply attending a mosque regularly is not the only innocuous aspect of Muslim life that has been known to garner police attention. According to "radicalization theories," partly established by the NYPD (Silber and Bhatt 2007), looking Muslim is a worrisome sign for authorities and is therefore considered a reasonable cause for suspicion as well as a warrant for police monitoring. In its 2007 report, *Radicalization in the West: The Homegrown Threat* (ibid), the NYPD directly points to "wearing traditional Islamic clothing" and "growing a beard" as signs of potential radicalization. Ten years later, the NYPD may have explicitly dropped these simplistic radicalization theories, but Muslim New Yorkers continue to see it as the theoretical framework on which the police department grounds its surveillance activities.

To avoid NYPD racial profiling, some Muslim New Yorkers shave their beards. In the fall of 2017, after a dinner at a friend's house in Brooklyn, Omar,[4] a Muslim graduate student at City University of New York, whom I had not met previously, offered me a ride that I gladly accepted. On our way to Manhattan, I mentioned that I was working on the surveillance of Muslims and he started to tell me about his own experience. Omar recounted that in order to avoid scrutiny he kept his face clean-shaven for months after the NYPD surveillance program came to light. Omar also confided that he also stopped praying as much in an attempt to make his *zabiba*[5] recess. After telling me that, the now bearded and *zabiba* adorned Omar stared at the road smiling for a second before adding, "It really messed up my *iman* [faith], man!"

Chilling effects produced by NYPD surveillance changed the way Muslim New Yorkers adorned symbols of faith. Some stopped wearing *hijab*, *niqab*, *qamis,* or any other garment that immediately denotes Islamic religious practice. For adolescents, parents sometimes encourage them to abandon these and other signs of religious affiliation that have been known to attract unwanted suspicion (Shamas and Arastu 2013: 15–17). In New York, chilling effects also induced an "internment of the psyche," a process by which individuals feeling under constant surveillance will self-regulate and abandon signs of belonging to Muslim communities, such as *hijab* and beards (Naber 2006: 250–57).

Charity
Another Muslim religious practice that is disrupted by surveillance and the informant is *sadaqah* (most commonly translated to mean "charity"). For Muslims, donating money to the needy or other just causes is considered a pious act of the highest order. Nevertheless, American Muslims are sometimes afraid to help charitable organizations. American Muslims fear accusations of voluntarily funding terrorism. Muslim charities have indeed suffered such accusations from US authorities. Some, such as the founders of the Holy Land Foundation for Relief and Development, have even been convicted of material support for terrorism after a controversial trial (Wright 2009: 794; Al Jazeera World 2016).

The NYPD has recruited at least one informant to specifically spy on a Muslim charity. The following account was related to me during an interview with the main target of this operation, Asad Dandia (Dandia, 2016). In September 2011, Dandia, who subsequently became a plaintiff in the Raza v. City of New York lawsuit in 2013, was contacted on Facebook by a long-lost childhood friend, Shamiur Rahman. The two reconnected and Rahman soon joined the charity co-founded by Dandia, "Muslims Giving Back." A few months later, in October of 2012, Rahman publicly announced on Facebook that he had been paid one thousand dollars a month by the NYPD to spy on and bait Dandia as well as other members of Muslims Giving Back. Rahman had been arrested a year prior for illegal possession of marijuana. The NYPD then offered to turn a blind eye if Rahman agreed to work for them. In the aftermath, several

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[4] His name has been changed, as it was an informal discussion.

[5] Discolored raised portion of skin that one can develop on the forehead through the repeated friction of kneeling onto a prayer rug.

mosques and Muslims refused to continue working with Muslims Giving Back (Goldman and Apuzzo 2012). In order not to draw the NYPD's attention, Muslims and their religious institutions had to abandon a youth organization that had been following the charitable precepts of the Islamic faith.

The Pursuit of Knowledge

Research demonstrates that chilling effects produced by monitoring practices also lead to self-censorship in the search for knowledge (Kaminski and Witnov 2015). For example, after Edward Snowden's revelations about the National Security Agency (NSA) surveillance program, the number of views on the Wikipedia article about Hamas distinctly dropped. Researching Hamas does not constitute a crime, but fear of attracting NSA attention by doing so has become cause to self-censor (Penney 2016: 151–53).

To seek knowledge, and religious knowledge above all, is strongly encouraged within Islam. One element that is often used to illustrate this fact is the first word of the Qur'anic revelation, "read," a term inextricably linked to the acquisition of knowledge (Akhtar, n.d.; Rosen 2002: xi). Wikipedia is a resource and an entry point to acquire knowledge (Penney 2016: 134–35), but Muslims also self-regulate their behavior when seeking knowledge in classrooms and religious spaces.

Surveillance of Muslim New Yorkers has had negative effects on their academic education. Muslim students were approached by the NYPD because of opinions or questions they asked during college classes. NYPD informants are therefore present even in classrooms, which are assumed safe spaces. Further, as a Muslim, introducing certain ideas or questions is perceived as a possible sign of radicalization by the NYPD. Muslim individuals therefore regulate and limit the ways they seek knowledge, in order to avoid a potential informant's attention (Arshad 2016: 86–87).

The same problems arise with religious education. The *Mapping Muslim Report* (Shamas and Arastu 2013) demonstrates that topics such as jihad are no longer addressed by some religious institutions during mosque courses or the Friday sermon. NYPD informants who went to mosques have left a lingering feeling of discomfort, leading some imams to distrust their congregations. Some now record their sermons for fear that their remarks will be misinterpreted or reported in a truncated way. Congregationalists are afraid to ask their imams questions, especially those concerning sensitive subjects perceived to be linked with violence.

I was able to confirm findings of the *Mapping Muslim Report* during my fieldwork, as nine out of thirteen imams whom I interviewed expressed similar concerns regarding surveillance. For instance, an imam preaching in a Manhattan mosque told me that he records all of his speeches, whether inside or outside the mosque, in order to have proof in the case of being misrepresented to the NYPD by an informant (Anonymous D, 2016).

Even at the risk of reinforcing these chilling effects, Al-Hajj Talib 'Abdur-Rashid, imam of an emblematic mosque in Harlem, showed me during our interview ('Abdur-Rashid, 2016) that he had hung a sign at the entrance reminding law enforcement personnel to identify themselves and "observe the proper protocols" as they were entering a house of worship. He voiced many concerns over informants regularly infiltrating his congregation.

Still, knowledge of Islam is essential to an accurate and unbiased understanding of the religion's theology and could work to counter the discourse of terrorist recruiters. There is one such scenario that is particularly revealing. Barry Bujol, a black American convert, was trying to learn about jihad by asking fellow Muslims. He found it difficult to get anyone willing to answer his questions for fear that he was possibly an informant. In order to fill his knowledge gap on the topic of jihad, Bujol then sought guidance online from an Al-Qaeda spiritual leader, after listening to one of his recorded sermons. This is what Imam 'Abdur-Rashid said about this kind of situation within the *Mapping Muslim Report* (Shamas and Arastu 2013: 15):

The relationship of trust and confidentiality between an imam and his congregation is no less sacred than that of pastors, rabbis, or others and those whom they serve. The actions of the NYPD have compromised this sacred relationship. In this day and time when people look to their spiritual leaders for sincere, faith-based guidance in various matters, violation or compromise of the sacred contract of confidential consultation is particularly reprehensible and damaging. It not only weakens the capacity of some Muslim religious leaders to serve as advisors in sensitive matters, but it also compromises their effectiveness as partners in the struggle against extremism. After all, how can a leader give guidance in matters that he or she is hesitant to discuss in any way, for fear of covert monitoring or entrapment? ('Abdur-Rashid, 2016)

"Commanding What is Wrong; Hindering What is Right"

Entrapment, mentioned here by Imam 'Abdur-Rashid, is also problematic from a religious point of view. One of the most important injunctions of the Qur'an, which comes up regularly in the text (e.g., Qur'an 3:110 and 9:112), is to "command what is right; forbid what is wrong" (Qur'an 31:17). Sinful behavior is thus also arguably committed by informants who engage in entrapment tactics because they try to entice individuals to engage in "what is wrong," such as a terror attack. Moreover, chilling effects, often provoked by the presence, whether real or speculated, of an informant, have also proven cause for the abandonment of important religious practices by hindering what could be perceived as "what is right." This section shows that Muslim informants not only could infringe on their religious beliefs by engaging in surveillance and suspicion but could also be going against one of the core teachings of the Qur'an by "commanding what is wrong and hindering what is right."

Hindering What is Right: Chilling Effects, the Conforming Effect, and Dividing the Ummah
"The perception that one is being observed is enough to cause a change in behavior" (Kaminski and Witnov 2015: 489). Because of chilling effects, we have seen that Muslim New Yorkers have sometimes relinquished part of their religious identities and especially religious markers. However, more than being markers of cultural identity, these outward markers are demonstrations of faith that are oftentimes regarded as pious acts or even obligations in Islamic faith. Individuals avoid looking Muslim so as to not be subjected to state surveillance, but this affects their religious practice (Nagra 2017: 126–28).

Both chilling effects and internment of the psyche are partly caused by informants whose actions from a theological standpoint often lead fellow Muslims astray. Moreover, research has shown that chilling effects may be heightened by the conforming effect, which leads people to adopt similar behavior to those around them (Kaminski and Witnov 2015). Simply put, if some Muslims frequent mosques less due to chilling effects, other Muslims may follow because of the conforming effect. Muslim informants are thus hindering what is right, and once again their missions can be perceived as contradictory to the tenets of their religion.

A prominent Muslim leader, Imam Wahaj stated during the Raza v. City of New York settlement hearings what he considers to be sinful of informants:
> I'm driven by a verse from the Qur'an. Beware of most cases of suspicion because suspicion in some cases is a sin and do not spy on one another. I'm a religious leader and an American Muslim. The suspicion in my own community has existed as a result when we learned that we were under the suspicion of the police department. For instance, if we found out that there are undercover agent informants in our community, now we're looking at one another. Is that one of them? Is that one of them? It is a situation that is destructive for our community. (Wahaj 2016)

Imam Wahaj underlines suspicion and surveillance as a sin but ends his commentary with another important analysis. Undercover agents and informants have a destructive effect on Muslim communities in

New York and the concept of religious community, or *ummah*, is critical in the Islamic faith (Ramadan 2004: 85–93). Divisions within the *ummah* are considered sinful by many Muslims and are often referred to as *fitna*, a word associated with both sin and division. By weakening the *ummah*, informants create *fitna*. "Do not be like those who, after they have been given clear revelation, split into factions and fall into disputes: a terrible punishment awaits such people" (Qur'an 3:105). In the case of Muslims Giving Back described earlier, not only did an informant hinder what is right by getting in the way of the application of the charitable precepts of Islam but also by creating division in the *ummah*. This is because other Muslim institutions also broke their bonds with Muslims Giving Back in order to avoid state surveillance.

Furthermore, members of the *ummah* must, among other things, help and trust each other. When she met Mel, an NYPD undercover agent who had converted to Islam, one interviewee (Anonymous E, 2017) told me that she immediately wanted to "get her to *jannah*." *Jannah* is the most common word to describe "paradise" in Arabic. However, after Mel's betrayal, how can someone regain the will to help and trust other members of the Muslim community? When a person evokes sensitive topics, as Mel did, Muslim New Yorkers can now be torn between the desire to help someone understand Islam better and the fear that this individual might be an informant who tries to "create" a problematic conversation that will be "captured."

This interviewee confessed to me that the first time she had seen me at the Muslim Writers Collective, a recurring open mic event, she had thought I could be an informant. For her, I was too sociable and comfortable in the Muslim community for a person who had just arrived in New York. There is a mistrust of individuals who have behaviors perceived as related to the work of informants. Suspects are people who go too often or too irregularly to places in which Muslims gather or are particularly affable individuals. Others have also expressed their apprehension about my possibly being an informant. Sometimes, in mosques or during events in which I participated, I felt latent mistrust and scrutiny.

Some people, afraid of being taken for informants or feeling suspected of being one, will curtail their behavior or leave a community that is not welcoming (Shamas and Arastu 2013: 14–15). This affects the religious experience of Muslim newcomers who turn to their religious community to integrate and are sometimes met with distrust. This creates divisions in the *ummah*, causes alienation, and negatively impacts the religious experience of the Muslim New Yorker. Creating division and impeding on solidarity within the *ummah*, the informant's mission is again seen as reprehensible by Muslim New Yorkers, both at a religious and an ethical level.

Commanding What is Wrong: Entrapment as Incitement to Commit Sin

In order to understand how entrapment may be considered sinful in Islam, we must first explain what it entails. An informant's job is not always solely based on surveillance work. Rather, an informant's orders can include efforts to incite criminal activity. This is referred to as a sting operation. The method can be broken down into four phases. First, the informant must identify through surveillance a target that seems likely to engage in criminal behavior. For those who denounce this method, the goal is to identify a fragile, vulnerable, and easily influenced target (Columbia Law School and Human Rights Watch 2014: 27–44). Further, the informant must get close to the target in order to establish friendship. For the NYPD, the third phase is labeled "create and capture." This consists of "creating" a conversation on a sensitive subject and "capturing," in a recording, the most problematic words of the target in order to be able to prove their radical ideas later in court (Coscarelli 2012). The final stage is a suggestion to the target that they engage in a criminal enterprise. Often, the informant will pressure the target to engage in criminal activity. Sometimes informants will go so far as to provide a plan and any necessary equipment. In some cases, they will even take part in the aforementioned criminal activity (Columbia Law School and HRW 2014: 45–53). In these instances, the supplied equipment, an explosive for example, is fake and authorities arrest the target after they believe they have triggered it.

Here, it is relevant to go back to the story of Barry Bujol who ended up on the FBI's radar after contacting an Al-Qaeda leader to learn about jihad because no other coreligionist would bring him an answer for fear of his being an informant. After being arrested for outstanding traffic tickets, the FBI placed Bujol in a cell with an informant. He befriended Bujol, guiding him toward the path of political violence. Giving money to Bujol's wife and assuring him that support would be provided to her, the informant convinced Bujol to deliver what were in reality fake weapons to Algeria for Al-Qaeda. Bujol was arrested in 2010 upon boarding his boat. He is currently serving a twenty-year sentence (Columbia Law School and HRW 2014: 42–45). In this particular instance, the informant's mission can be understood as doubly sinful. First, their behavior "hindered what is right" by creating a climate in which Bujol's pursuit of knowledge was severely limited. Second, Bujol fell victim to entrapment by an informant inviting him to engage in terrorist activities, thus "commanding what is wrong."

As stated, the documentary *(T)ERROR* follows a New York Muslim informant, Saeed "Shariff" Torres (Cabral and Felix Sutcliffe 2015). He had been attending At-Taqwa mosque regularly when he was incarcerated in the late eighties for grand larceny. After the 1993 World Trade Center bombings, he was offered a reduced sentence on the condition that he agree to work with the FBI and the NYPD, in particular to spy on At-Taqwa mosque. In 2005, Torres's work as an informant led to the arrest of Tarik Shah. The congregation of At-Taqwa mosque was shocked and still suspects that Shah was the victim of a sting operation. Torres's behavior was seen as treacherous and unholy by At-Taqwa Mosque leadership and congregants. Years after, Ali Abdul Kareem, Director of Security at the At-Taqwa Mosque, confided to the *(T)ERROR* cameras: "The Qur'an says to enjoin good, not to solicit or to encourage to do the wrong. That's some major violation of Qur'an teachings—you know, to encourage people to do wrong. And that's what he [Shariff] was doing" (Cabral and Felix Sutcliffe 2015). Therefore, if a Muslim informant is engaged in a sting operation and incites to commit evil, they could be seen as going against a significant tenet of the Islamic faith. Again, Muslim ethics, as an unwritten community rule, condemn the work of the informant. In Torres's case, it also made him a pariah within the Muslim community of New York.

Entrapment and sting operations are questionable practices, which constitute a research topic within themselves and have been dealt with by numerous academic works, some of which are cited in the reference list of this article (Aaronson 2013; Mueller and Stewart 2016; Columbia Law School and HRW 2014). This practice also causes harm to the Muslim community by creating stories that propagate mistrust throughout the community sowing division and heightening chilling effects, which results in hindering what is right.

Conclusion

Interpretations of Muslim ethics inform the mission of informants and, more broadly, surveillance. Suspicion, monitoring, and reporting a fellow Muslim's sins are all behaviors that could be seen as sinful, or at least problematic, by a large segment of the Muslim community. That is true of informants but also of Muslims who choose to engage in forms of "sousveillance" to find said informants or undercover agents. Other Muslims hesitate to suspect coreligionists of being informants in order not to contravene what corresponds with their view of Islamic virtue. Surveillance and informants, by inducing chilling effects have drastic consequences for practices encouraged by Islamic ethics. Already hindering "what is right," informants even command "what is wrong" when engaging in entrapment tactics. For all of these reasons, Muslims often perceive the informant's mission as religiously problematic or even sinful. Studying these patterns in New York helps to give a more tangible idea of how religious beliefs inform the experience of surveillance targets and practitioners.

Much broader academic work can still be led on the intersection of Islamic theology and surveillance. There is a need for more competent Islamic theologians to vivificate the conversation about modern day means of surveillance. Other Islamic concepts that came up during my fieldwork would, in the context of

this research, perhaps reduce or aggravate the perception of surveillance as sinful. Future works could include Islamic concepts of intention [*niyyah*] and constraint [*ma huwa-l-ik'rah*] applied to Muslim informants, surveillance workers, as well as Muslims who voluntarily collaborate with them. It is difficult to get data from Muslim informants, but it would nuance this discussion to better understand how and if they religiously justify their actions. I cannot help but hope that this article may bring forward those who would like to share their experiences.

The question of the intersection of Muslim theology, Muslims, and their experience of post-9/11 surveillance is vast and thorny. This paper addresses only a small portion of this issue within a particular city. Much more transdisciplinary work is needed to understand the highly complex dynamics at play here.

Acknowledgments

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