

WE TOO SING AMERICA



**SOUTH ASIAN, ARAB, MUSLIM, AND SIKH IMMIGRANTS
SHAPE OUR MULTIRACIAL FUTURE**



DEEPA IYER



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Deepa Iyer



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For the next generation of storytellers and community builders

*For Amma, my pillar of strength
For Ahilan, my little light
And in memory of Chellam Chandran*

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Preface: My Point of Entry

At the age of twelve, I moved with my parents and brother to Louisville, Kentucky, from Kerala, India. Growing up in the South included periods of isolation and confusion during which I became keenly aware of what it meant to be different and how it felt not to belong to either side of the Black or White racial line. When I went to college, also in the South, I took every opportunity to celebrate my cultural background and to press for diversity efforts on campus. Still, I linked race mainly with notions of multiculturalism and inclusion and less with justice and equity. It was only in law school while working at an immigration clinic, that I began to connect race more concretely with the concept of justice—or the absence of it. When I eventually found my way to Washington, D.C., in the late 1990s, I eagerly joined an emerging cadre of advocates who sought to place Asian Americans in the contemporary struggles for racial and economic justice in our country by supporting voting rights, affirmative action, and humane immigration policies. During the summer of 2001, I joined a burgeoning group of South Asian activists, lawyers, organizers, and service providers at a gathering called Desis Organizing in New York City. We felt as though we were on the cusp of broadening and deepening the movements for racial justice in America.

The events of 9/11 and its immediate aftermath would test our resolve. On 9/11, nineteen terrorists affiliated with Al Qaeda hijacked four airplanes and used them to destroy the World Trade Center in New York City and damage the Pentagon outside Washington, D.C., resulting in the deaths of more than three thousand people. At the time, I was working at the Civil Rights Division of the Department of Justice. I remember standing with my colleagues outside our evacuated office building on the streets of downtown Washington, feeling scared and confused. Later that day, I returned home to my apartment in Arlington, Virginia, located just a few miles from the Pentagon. As plumes of smoke wafted up into the night sky from the damaged Pentagon, I tried to comprehend what had occurred and to account for the whereabouts of friends in New York City and Washington. In the days that followed, I joined Americans around the country to grieve for the innocent lives that had so cruelly been cut short. I felt, as so many did, that everything had changed.

Almost immediately, a double grieving began. The days and weeks after 9/11 brought reports of backlash and incidents of reprisal. The targets included South Asians, Muslims, Arabs, Hindus, Sikhs, and anyone perceived to be from these communities. I passed the first six months after 9/11 in a blur of activity, collaborating with lawyers, organizers, and activists around the country who sought to address the tremendous needs that emerged seemingly overnight. I worked with colleagues at the Department of Justice to inform people of their civil rights in the face of discrimination and with a group of dedicated South Asians to shape a national community-based nonprofit organization called South Asian Americans Leading Together (SAALT).

A few years later, as the executive director of SAALT, I had the privilege of getting to know and work with many of the people who appear in these pages as we weathered one crisis moment after another, from those initial days after 9/11 to the Park51 community center controversy nine years later.

to the Oak Creek gurdwara massacre in 2012. We responded to the complex needs of community members experiencing unprecedented levels of violence, detentions and deportations, and racial and religious profiling. We pushed back on negative media coverage and political rhetoric that fueled Islamophobia and xenophobia. We built organizations that had not existed prior to 9/11 and began to develop deeper connections with Black and Latino groups.

The decade and a half since 9/11 has fundamentally altered South Asian, Arab, Muslim, and Sikh immigrant communities in the United States. Yet we continue to hear sanitized histories of post-9/11 America that all too often neglect their experiences. Young people, including many of my students at the University of Maryland—who were first or second graders when 9/11 occurred—have learned incomplete histories of this time period. This book contributes narratives, anecdotes, and analyses to provide a more comprehensive understanding of post-9/11 America.

It does not provide an all-encompassing representation of post-9/11 America, however. The book provides only a snapshot of the many government actions and incidents of discrimination and hate violence that have targeted community members over the past decade and a half. It also uses terminology that is still in the process of evolution. For example, the collective identities of “South Asian” or “Arab” used in this book do not adequately reflect the unique experiences of specific faith or national origin groups that may comprise those categories, such as Hindus or Christians. Additionally, there are issues outside the scope of what I address here—the experiences of Black Muslims and the impact of U.S. foreign policy toward South Asia and the Middle East on communities in America, for example—that warrant deeper research and analysis. I wrote this book keenly aware of these limitations, as well as with my own. I recognize that my life experiences—influenced by caste, class, language, and cis-gender privilege, to name only a few—differ in significant ways from those of the young people who are featured in this book. As such, my rendering of their stories is imperfect and inexact, and any shortcomings are mine alone.

What this book does posit is that our country has yet to fully confront the scope and effects of racial anxiety, Islamophobia, and xenophobia that have permeated our national narratives and policies in the years since 9/11. We must change this legal, cultural, and political climate of hostility and suspicion, especially as communities perceived as “others” change American cities, schools, and neighborhoods due to population increases and migration patterns. This book provides practices and ideas based on the experiences of young South Asian, Arab, Muslim, and Sikh communities that can alter the direction of post-9/11 America.

Meanwhile, the American racial landscape is undergoing a rapid and radical demographic transformation. South Asian, Arab, Muslim, and Sikh communities, along with Latino, Asian, and multiracial youth, are driving the changes that will within three decades lead to a time when people of color will be the majority population. As such, their bodies and lives are already becoming the sites where new battles of racism and xenophobia are waged. They are simultaneously perceived as the targets of racial anxiety—as well as potential members of the expanding category of “Whiteness.” At stake is the preservation of “America” and the power to influence political, economic, and ideological conditions in our nation.

How must communities of color position themselves in order to shape a multiracial and equitable future for all Americans? How will new immigrants complicate and expand the Black or White racial binary? How will our individual and collective racial identities evolve as designated race categories no longer reflect our daily lives and interactions? Why must we expose and address the ongoing and systemic racism that creates unfair outcomes for people of color, even as the drumbeat of a post-racial, color-blind, and multicultural nation gets louder? These are some of the many questions that await

in twenty-first-century America. This book provides ideas and recommendations for activists, educators, policy makers, diversity and inclusion professionals, and philanthropists who are committed to grappling with these questions in order to build multiracial and equitable classrooms, workplaces, and communities.

In my own personal journey, which has been markedly influenced by post-9/11 America, I have drawn tremendous strength from the resistance and audacity of people who reclaim and reshape what it means to be American day after day. They do this in the face of policies, rhetoric, and actions that marginalize, demonize, and criminalize them simply because of where they were born, the name they were given, their appearance, or the faith they follow. They are reshaping America with a strength and courage that calls to mind the spirit of Langston Hughes's poignant poem, "I, Too," written almost ninety years ago, in which he reminds us:

I, too, sing America.

*I am the darker brother.
They send me to eat in the kitchen
When company comes,
But I laugh,
And eat well,
And grow strong.*

The brave and resilient young people in this book, and others like them, are building the America for us all, one in which the "others" not only belong but also thrive and guide us to a more humane, more equitable future.

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My own beloved community anchors this book. My circle of supporters and mentors gave me the support to navigate the journey of writing about people and communities who are very dear to me.

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Finally, to the young activists I have had the privilege of getting to know and introduce to readers in this book: thank you for your openness, and your trust in me to tell a part of your stories. I know that others will become inspired, just as I have been, by the paths that you are each forging to create and sustain our beloved communities.

We Too Sing America

“Not Our American Dream”: The Oak Creek Massacre and Hate Violence

It was early on a Sunday morning in August 2012, and Paramjit Kaur Saini was going about her morning routine. Her sons, twenty-year-old Kamal Singh Saini and eighteen-year-old Harpreet Singh Saini, wanted to sleep in a little longer, so Paramjit set out on her own to the local gurdwara, the Sikh Temple of Wisconsin. Paramjit was a familiar presence at the gurdwara, which had become a second home to her family and to many other Sikhs in Oak Creek, a small city located in the outskirts of Milwaukee. The gurdwara, built in 2007 on thirteen acres of land by Sikh immigrant families, sits on South Howell Street just a few miles from the Milwaukee airport and a short distance from a typical strip mall. On weekends, Sikh families gathered at the gurdwara to pray and connect with one another. The dining hall was filled with the sounds of people socializing and children laughing during *langar*, a free meal offered to anyone who came to the gurdwara. Kamal and Harpreet usually hung out with their friends and played football on Sundays at the gurdwara, while their mother helped in the kitchen and prayer hall.

But August 5, 2012, would not turn out to be a normal Sunday for Paramjit’s family or for the Oak Creek community.

Soon after his mother had left the house, news reached Kamal that people inside the Sikh Temple of Wisconsin were in danger. Details were scarce, and, panic-stricken, Kamal rushed to the gurdwara to find that law enforcement vehicles had blocked off the driveway. Authorities asked Kamal to wait across the street in the parking lot of the Classic Lanes bowling alley, where he joined others anxiously searching for information.

In the parking lot that day, Kamal met Mandeep Kaur, who would become a vital part of his support system in the months to come. The daughter of a convenience store worker and housewife, Mandeep was the first in her family to graduate from college. She worked as a business analyst at Johnson Controls in Milwaukee. Mandeep had recently begun to reengage with Sikhism, the world’s fifth-largest religion, which has between 280,000 and 500,000 adherents residing in the United States alone.¹ On that Sunday morning, Mandeep had been on her way to the Oak Creek gurdwara to teach Punjabi language classes when she heard sirens and saw emergency vehicles heading in the same direction.

While waiting for information in the Classic Lanes parking lot together, Mandeep, Kamal, and others speculated about what might be happening inside the gurdwara. They wondered whether a dispute between community members had gone awry. Then Mandeep’s close friend Kirandeep received a call from her father, who was inside the gurdwara. He whispered to her that he was hiding in the pantry of the kitchen because he had heard gunshots. He was one of around twenty-five people

huddled, terrified, among bags of rice and fresh vegetables. Kirandeep's father told her not to come to the gurdwara under any circumstances.

As the day wore on, many of the people who had been inside were allowed to leave, and a full picture began to emerge about the rampage that had occurred inside the gurdwara that Sunday morning. Not seeing his mother and becoming increasingly anxious about her safety, Kamal left the parking lot. He called his friends, and together they went from hospital to hospital, hoping that Paramjit had been brought to one.

It would be a full eleven hours before authorities finally notified Kamal that his mother had been fatally shot inside the gurdwara. "When I first found out, I passed out," Kamal told me. "I woke up in an ambulance and immediately thought of my little brother. Telling him was the hardest thing I've ever done."

This wasn't the future that Paramjit had envisioned for her family when she and her two sons moved to America from India in 2004 to join her husband, who owned a number of gas stations in Wisconsin. It wasn't the life that Paramjit had planned to build when she mustered up the courage a few years later to begin working at BD Medical, a factory in a nearby town. "She used to be a housewife for a few years after we moved here because she had a problem with English," Kamal remembered. "But it's funny how she got the job because she had to do a phone interview. She was afraid they would call while we were in school and she wouldn't understand what they were saying. So it happened to be that the day she got the call, I was home. . . . She put it on speaker and they kept asking her questions and I kept translating for her." With Kamal's assistance, Paramjit passed the interview handily and started her job as an inspector at the medical factory, testing syringes to make sure that they did not have any cracks in them.

Paramjit's determination to care for her family is a point of deep pride for Kamal and Harpreet. Forty-five days after his mother was killed, Harpreet spoke about her in testimony before the U.S. Senate. He said, "My mother was a brilliant woman, a reasonable woman. Everyone knew she was smart, but she never had the chance to get a formal education. She couldn't. As a hard-working immigrant, she had to work long hours to feed her family, to get her sons educated, and help us achieve our American dreams. This was more important to her than anything else. . . . But now she's gone. Because of a man who hated her because she wasn't his color? His religion? . . . She was an American. And this was not our American Dream."²

Inside the Gurdwara: A Massacre

During the first twenty-four hours, news about what had transpired inside the gurdwara trickled out. Around 10:20 a.m. on August 5, forty-year-old Wade Michael Page, armed with a nine-millimeter semiautomatic pistol, began his murderous rampage at the Oak Creek gurdwara. In the gurdwara parking lot, Page shot and killed forty-one-year-old Sita Singh, a father of four, and his brother, forty-nine-year-old Ranjit Singh. After entering the building, Page took aim first at Suveg Singh, an eighty-four-year-old grandfather who usually sat in the lobby to greet people as they arrived at the gurdwara. He then shot and killed forty-one-year-old Paramjit Kaur Saini inside the prayer hall before proceeding down a narrow hallway, where he shot thirty-nine-year-old Prakash Singh, an assistant priest at the gurdwara whose wife and two children had arrived from India just a month before to join him in Oak Creek. Page then shot and killed sixty-five-year-old Satwant Singh Kaleka, the president of the gurdwara and one of its founders. Page also severely wounded sixty-five-year-old Punjab Singh

a visiting religious scholar who had joined the gurdwara community just four days before. In the mid of this shooting spree, several people were injured.

Page then entered the room where the kitchen and pantry were located. He pursued people rushing toward an exit and found himself in the parking lot, where he faced Lieutenant Brian Murphy, an officer with the Oak Creek Police Department. In the exchange of gunshots that followed, twelve bullets entered Murphy's body. Sam Lenda, a trained SWAT officer and marksman, shortly arrived to provide backup.⁴ The entire scene in the parking lot took place in just six minutes, before Page fatally shot himself in the head.⁵ Murphy, who endured surgery on his neck, voice box, and hands, survived.

Later in the day, city officials revealed the names of the six victims and the name of the perpetrator. For many, it was unclear in those early hours whether what had happened inside the gurdwara was another tragic incident of gun violence (the Aurora, Colorado, movie theater shooting had occurred less than a month earlier), a hate crime, or both.

Those of us working with South Asian, Arab, Muslim, and Sikh immigrant communities had little doubt about the nature of the tragedy. We believed it was a hate crime, another violent incident in the continuum of backlash targeting South Asians, Arabs, Muslims, and Sikhs since 9/11. At the time of the attack on the Oak Creek gurdwara, I was the executive director of South Asian Americans Leading Together (SAALT), a national advocacy organization. My first call upon hearing the news was to Amardeep Singh, whom I had met shortly after 9/11 when he and other volunteers formed the Sikh Coalition. "I'm already on my way there," Amardeep said when he answered my call. We talked about three immediate needs: ensuring that the families of the victims received the services they require, reframing the misleading media narrative, and alerting the Obama administration and federal agencies. Amardeep asked me to reach out to government agencies and our partner organizations to reinforce these needs.

The media messaging in the hours after the tragedy was already flawed, an example of how mainstream media is ill-equipped to accurately cover South Asian, Arab, Muslim, and Sikh immigrant communities. Many news commentators wondered whether Wade Michael Page had actually intended to target Muslims and had mistakenly believed that Sikhs were Muslims. In the months after 9/11, some Sikhs and Hindus had relied on the message "We are not Muslims" as a reflexive response to shield themselves from the backlash targeting Muslims. Over the years, this reaction changed, and community members realized that perpetrators of hate violence did not distinguish among people who looked alike, and as a narrative of inclusion and unity developed in post-9/11 America.

Amardeep, Valarie Kaur, a Sikh American activist and filmmaker, and Jasjit Singh, executive director of the Sikh American Legal Defense and Education Fund, took to television and radio outlets and delivered this message. They placed the Oak Creek massacre in the larger context of the backlash that had affected many communities—Sikhs, Muslims, Arabs, and Hindus—since September 11, 2001. They observed that those intending to harm these communities did not see the distinctions between them, and that differentiating between them would not alter this reality. They reminded the media and the public that the message of "mistaken identity" may lead to the misguided conclusion that targeting Muslims was acceptable. Instead, they called upon Americans to stand united against hate violence in all its forms.

In addition to reframing the media narrative, advocates quickly connected with local, state, and federal government agencies. The federal government took over the criminal investigation while city officials worked with the families of the victims. Oak Creek's mayor, Steve Scaffidi, was at the center of the local response in Oak Creek. Scaffidi had assumed office just four months prior to the gurdwara massacre. He described the immediate aftermath to the tragedy as a crisis, 24/7. "We didn't have

full-time public information officer, so getting information out to the public and media was challenging. We had twenty-eight local, state, and federal agencies on the scene and involve Coordinating among them was difficult. We knew that there were mental health and posttraumatic stress needs among the victims' families and other congregants, as well as with law enforcement and first responders. We also learned that many of the victims' families had complex immigration needs. Four of the victims were Indian citizens and had family members who wanted to be present for the funeral service."

A group of volunteer first responders, including Mandeep Kaur, stepped up to address many of these emerging needs. "In the beginning, we focused mainly on consoling the families and helping their relatives from India get here," Mandeep recalled. "Several of us cleaned the gurdwara to make sure that it was ready by the time the memorial service occurred a week later. And we focused on the children—some of them had been in the basement of the gurdwara when Page was shooting, and others had lost their parents."

Among the eleven children who lost their fathers or mothers in the massacre, five were in middle or high school at the time. Two of those children—Palmeet Kaur, twelve, and Prabhjot Singh, thirteen—had moved to Oak Creek from India only a month earlier to join their father, Prakash Singh. Fourteen-year-old Gurvinder Singh had not seen his father, Ranjit Singh, since he was seven months old. He traveled from India only to see his father in a coffin.⁷ Mandeep and other community members knew that these young children needed effective counseling and support to deal with the impact of the hate violence that had taken their parents from them.

Puni Kalra, a Sikh American clinical psychologist living in Denver, Colorado, perhaps understood this better than most people. Kalra had moved to Denver a few months before the Columbine High School shootings occurred in 1999 and had helped with trauma-response efforts there. She was also a first responder when the shooting at the movie theater in Aurora, Colorado, happened in 2012. Kalra's own background and training with trauma victims of gun violence made her an ideal person to marshal efforts to help the Oak Creek community. While her experiences with Columbine and Aurora survivors had prepared Kalra to respond to the situation in Oak Creek, her own background as a Sikh American who grew up attending a gurdwara in Palatine, Illinois, just an hour away from Oak Creek, was important as well. "Trauma is not new to me, but this is the first time it hit so close to home," she told me.

Kalra began to mobilize mental health providers around the country to support the Oak Creek Sikh community. The members of this network, called the Sikh Healing Collective, produced fact sheets in English and Punjabi on a range of issues—posttraumatic stress disorder, survivor guilt, insomnia, fear, bullying, and harassment—and presented workshops at the Oak Creek gurdwara on weekends. Kalra and others involved with the Sikh Healing Collective knew that traditional interventions such as therapy and counseling, as well as services provided by government agencies and nonprofits, might not resonate with the community due to the reluctance among many South Asians to seek mental health assistance, as well as cultural and linguistic barriers. For a year, the Sikh Healing Collective worked with adult and youth groups in Oak Creek to provide resources and support and to set up longer-term assistance, all in culturally and linguistically appropriate ways.

Support for the Oak Creek community extended nationwide as well. People organized vigils for the victims and contributed to fund-raising campaigns to assist the families. Advocates drew attention to the increase in hate groups in the United States and pressed for greater government intervention to stem the tide of violence that was spreading beyond Oak Creek. Several incidents of violence occurred within weeks of the tragedy. Pigs' feet were left at the planned site of the Al-Nur Islamic Center in

Ontario, California.⁸ A man used a high-velocity air rifle to shoot at a Chicago-area mosque on August 12, 2012, and someone threw a homemade bomb at a Muslim school in Lombard, Illinois. Even as they mourned and grieved for the victims of the Oak Creek massacre, South Asian, Arab, Hindu, Muslim, and Sikh communities became public targets of violence once again.

The Path to Oak Creek Began More Than a Century Ago

South Asian, Arab, Hindu, Muslim, and Sikh communities experienced unprecedented backlash after 9/11, but hate violence targeting these communities has a much longer history. Arabs in particular faced high levels of suspicion, discrimination, and violence in the late 1970s and early 1990s when the Iran hostage crisis and the Persian Gulf War occurred.¹⁰ The Oklahoma City bombing on April 19, 1995, when Timothy McVeigh detonated a truck bomb at the Alfred P. Murrah Federal Building, led to speculation that Arabs might have been behind this act of domestic terrorism. Similarly, racist and xenophobic attitudes and beliefs that devalue people of color and immigrants have motivated discrimination and violence against South Asians, including those who are Hindu, Muslim, or Sikh. South Asian communities have been targets of hate crimes from the Bellingham, Washington, riots in 1907 to the Dotbusters scare in the 1980s in New Jersey and street violence targeting immigrants in more recent decades.

The riots in Bellingham, which occurred in the early part of the twentieth century, are meaningful in understanding the roots of anti-Asian sentiment. At the time, all along the West Coast, Chinese, Korean, Filipino, Japanese, and Indian laborers were exploited for their labor but not welcomed as residents or as U.S. citizens. These racist attitudes, reinforced by laws such as the Chinese Exclusion Act and anti-naturalization policies, often took the form of actual violence. This is what occurred on September 4, 1907, in Bellingham, Washington, where five hundred White residents rounded up around two hundred South Asian migrant workers—most of them Sikhs and Hindus—and locked them in the basement of the city hall. They intended to drive out immigrant laborers who worked under contract in Bellingham's lumber mills. The city already boasted a chapter of the Japanese-Korean Exclusion League, which fostered hostility toward Japanese, Korean, and Chinese immigrant laborers. Chinese laborers could work and live in Bellingham only during salmon season; in this way, the city profited from their labor but denied them the right even to be present at any other time.¹¹

Unsurprisingly, Bellingham's xenophobic reactions to South Asian migrant labor reflected views institutionalized in laws and expressed in the media. The *Bellingham Herald*, for example, published an editorial the day after the riots that read, "The Hindu is not a good citizen. It would require centuries to assimilate him, and this country need not take the trouble. Our racial burdens are already heavy enough to bear."¹² That is, American society could not take in South Asian and other Asian immigrants because they were not only incapable of fitting in but also because they exacerbated existing racial dynamics, ostensibly between Whites and Blacks.

One hundred years later, the editors of the *Bellingham Herald* published an apology. In a September 2, 2007, editorial, they wrote, "It's time to apologize for the venomous racism, for the demeaning talk, for the refusal to defend human beings against a mob because of their skin tone and ethnicity. We apologize to the East Indian people in our community today, and to any right-thinking person who is disgusted by the actions this newspaper took in one of the darkest times in our community's history. We are disgusted too."¹³

As with this apology, as commendable as it is, change was slow to come. Racist policies that restricted the rights of South Asian and other Asian immigrants to migrate, naturalize, own property, or sponsor relatives did not fully change until well into the second half of the twentieth century. The civil rights struggles of Black communities in the 1950s and 1960s set the stage for legislation that removed many of these restrictions.¹⁴ The second wave of Asian immigration after 1965 benefited both from relaxed immigration policies as well as the Civil Rights Act and the Voting Rights Act, which barred discrimination on the basis of race, national origin, or faith in the workplace, at hotels, restaurants, or in the voting booth.¹⁵

The South Asians who entered the United States after 1965 were markedly different from the earlier counterparts, who had been railroad workers, lumber mill laborers, and farmers. The preferences for skilled immigrants in the Immigration and Nationality Act of 1965 meant that a new set of professionals, including engineers, doctors, and professors, were entering the United States in large numbers.¹⁶ However, class and educational privilege could not protect this second wave of South Asian immigrants from racism in the 1970s and 1980s. One well-known example involves a group called the Dotbusters who threatened violent action against Indian immigrants settling in Jersey City, New Jersey, in the late 1980s.¹⁷ The Dotbusters believed that Indian immigrants were “taking over their neighborhoods with their foreign customs and small businesses.”¹⁸ In a letter to the *Jersey Journal* during the summer of 1987, the Dotbusters claimed, “We will go to any extreme to get Indians to move out of Jersey City.”¹⁹

This phenomenon of “move-out violence”—forcing new immigrant communities to leave through acts of harassment and physical violence—became common in Jersey City in the late 1980s. In September 1987, Navroze Mody, a manager at CitiCorp in Manhattan, died after being brutally beaten on a street corner in Hoboken by a group of people shouting, “Hindu, Hindu.” A group of men beat and nearly killed Kaushal Saran, a thirty-year-old doctor, after he walked out of an office building in Jersey City Heights.²⁰

Similar incidents of hate violence targeted South Asians around the nation in the 1990s, although they largely occurred under the public’s radar. According to hate crime audits published by Asian Americans Advancing Justice, South Asians were reporting the highest numbers of hate crimes among all Asian ethnic groups, with forty-one and fifty-two incidents in 1998 and 1999, respectively.²¹ The victim of one of the more highly publicized hate crimes of the 1990s was twenty-year-old Rishi Maharaj. On September 20, 1998, Rishi was walking with his cousins in a residential neighborhood in South Ozone Park, Queens, when three men wielding baseball bats followed him and beat him. In the police report, witnesses claim that the three attackers yelled, “You fucking little Indian piece of shit . . . This is never going to be a neighborhood until you leave.”²² Rishi, who was born and raised in New York City, is the youngest in an Indo-Trinidadian family that has been in the United States for several generations. He knew no country other than America.

Rishi underwent several surgeries to recover from his injuries, including the placement of two steel plates in his mouth to hold his jaw in place.²³ He became the object of media and public attention, and even though he did not want to be a spokesperson against hate violence, he continued to position the attack in the context of a broader movement for racial justice. Rishi’s story soon became a clarion call for the eventual passage of a hate crimes law in New York in 2000.²⁴

That same year, I joined Rishi’s family at the trial of Nuno Martins, Luis Amorim, and Peter DiMarco, the three men who had attacked him.²⁵ Martins was sentenced to eight years in jail after

being convicted of assault in the first degree, assault in the third degree, and two counts of aggravated harassment, while Amorim and DiMarco were acquitted of all charges.²⁶ Rishi's mental, physical, and legal ordeal had touched me deeply. His story confirmed that American citizenship, an American accent, and an American childhood could not shield South Asians from hate violence.

About a year later, Rishi became part of a documentary produced by SAALT titled *Raising Our Voices: South Asian Americans Address Hate* that highlighted the experiences of South Asian survivors of hate violence. Along with the production team led by Aashish Kumar and Aabha Adhivani, I traveled to different parts of the country to document the experiences of South Asians who had endured violence simply because of their actual or perceived race, national origin, or faith. Rishi's story provided the arc for the documentary.

One of the incidents covered in SAALT's film is the April 28, 2000, shooting rampage on the outskirts of Pittsburgh, Pennsylvania, by Richard Baumhammers, who operated a website that called for the end of non-White immigration, which he claimed had been "disastrous for Americans of European ancestry."²⁷ Baumhammers killed five people and paralyzed one in the shooting spree.²⁸ His victims included a list of people targeted for their non-European ethnicities or faiths: sixty-three-year-old Anita "Nicki" Gordon, his Jewish neighbor; Thao Pham, a twenty-seven-year-old Vietnamese American; Ji-ye Sun, a thirty-four-year-old Chinese American restaurant manager at the Ya Fo Chinese restaurant; Garry Lee, a twenty-two-year-old Black man exercising at a karate school; and Anil Thakur, a thirty-one-year-old customer at India Grocers.²⁹

While at India Grocers, Baumhammers also shot twenty-five-year-old Sandip Patel, who had been working at the store.³⁰ Sandip, who had come to the United States just a few months before the shooting, had been an active member of the local Hindu Jain temple. While he survived the attack, he was paralyzed from the neck down and required constant care.³¹ Sandip died in 2007 at just thirty-two years old.³² Meanwhile, Baumhammers was charged with and convicted for a range of crimes including ethnic intimidation. He received the death penalty.

The common strands of racial anxiety, bigotry, and anti-immigrant sentiment run through many of the incidents of hate violence endured by South Asians for more than a hundred years in the United States. Often these incidents were coupled with or reinforced by negative media portrayals and discriminatory laws and policies. But nothing could have prepared the community for what occurred after 9/11.

American Backlash

Within days after 9/11, the media reported accounts of people being pulled off trains, profiled at airports, and even chased down city streets. SAALT found 645 reported incidents of discrimination and violence in the span of just the first week following 9/11. These occurred against people of South Asian, Arab, and Muslim backgrounds and often at places of worship such as mosques, temples, and gurdwaras.³³

On September 15, 2001, the first fatal 9/11-related hate crime happened.³⁴ Balbir Singh Sodhi, a Chevron gas station owner in Mesa, Arizona, was killed by Frank Roque, who then went on to shoot a Lebanese American-owned service station and at the home of a family of Afghan descent.³⁵ On the same day, in Texas, Mark Stroman, dubbed the "9/11 revenge killer," killed Waqar Hasan, a forty-six-year-old Pakistani father of four daughters, inside a Dallas grocery store. Stroman also shot and killed

Vasudev Patel, a married father of two from India, at Patel's gas station.³⁶ A few days later, Stroman shot Rais Bhuiyan, a Bangladeshi immigrant, at a convenience store. Bhuiyan suffered facial injuries and damage to his vision, but he later publicly forgave Stroman and even attempted to stop his execution in Texas.³⁷

Tensions around the nation were high as people of all races and faiths struggled to understand what was happening. On September 17, 2001, President George W. Bush visited the Islamic Center of Washington, D.C., and advised, "Those who feel like they can intimidate our fellow citizens to take out their anger don't represent the best of America."³⁸ Civil rights and interfaith leaders around the country echoed President Bush's message.

In Washington, D.C., I joined a diverse group of leaders including Wade Henderson with the Leadership Conference on Civil and Human Rights, Karen Narasaki with Asian Americans Advancing Justice, and Jim Zogby with the Arab American Institute at a press conference at the Japanese American Memorial to Patriotism During World War II. Standing in front of the memorial wall etched with the names of internment camps such as Amache, Gila River, and Heart Mountain, we called for unity and solidarity. We reminded our country not to repeat the mistakes made during the World War II internment of Japanese Americans by targeting certain communities in the name of national security or patriotism. In that space, filled with people representing the diversity of our country, I felt a strong sense of hope. Perhaps the tide could be reversed.

Sadly, this would not be the case. In addition to hate violence, misleading and inflammatory media coverage that frequently associated Sikhs and Muslims with terrorists began to fuel animosity toward these communities.³⁹ This trend began the day after 9/11 with the false arrest of a Sikh American, Sher Singh, who wears a long beard, a *kirpan* (a ceremonial sword or dagger), and a turban, all revered articles of the Sikh faith. Singh had been traveling on an Amtrak train to Boston when law enforcement agents aiming rifles at him placed him under arrest at the Providence station. Soon after, national media outlets, including the Associated Press, CNN, and Fox News, broadcast images of Singh's arrest. After Singh was released a few hours later, those same national media outlets neglected to report that he had not been charged with any crimes.⁴⁰ Instead, the public was left with unexplained pictures of a bearded and turbaned brown man suspected of being a terrorist and apprehended by law enforcement authorities. These images of bearded and turbaned brown men as terrorists have become seared into our collective national imagination.

In the weeks and months after 9/11, government agencies and community activists began to take emergency measures to respond to the rash of hate violence; vandalism at gurdwaras, mosques, and temples; and workplace bias occurring around the country. At the U.S. Department of Justice (DOJ), Joseph Zogby, Alia Malek, and I helped to create and staff a new federal effort called the Initiative to Combat Post-9/11 Discriminatory Backlash.⁴¹ We worked with a cadre of dedicated attorneys within the DOJ's Civil Rights Division to engage in outreach to affected communities and investigate complaints of discrimination. In the months after 9/11, we received complaints from people alleging discrimination at workplaces, schools, and airports. Yet we quickly realized that existing civil rights laws could not cover all the ways in which South Asians, Arabs, Muslims, and Sikhs experienced discrimination in the wake of 9/11. At the time, in order for the federal hate crimes law to apply, a victim had to be engaging in a federally protected activity (such as voting) when he or she was attacked in order for the law to apply. For people like Balbir Singh Sodhi, shot while at his gas station, federal laws provided little recourse, if any at all. Additionally, people experiencing religious profiling at airports could not pursue legal remedies. There were also no tracking mechanisms

adequately account for or assess the breadth and scope of post-9/11 bias.

As reports of discrimination dramatically increased at the workplace, the Equal Employment Opportunity Commission (EEOC), a federal agency that investigates employment discrimination complaints, began to uniquely track and report complaints related to 9/11 bias. Since 9/11, the EEOC has brought legal charges against many employers who failed to hire or promote South Asians, Arab Muslims, and Sikhs or who fostered a hostile environment in the workplace. In fact, the EEOC reported a 250 percent increase in complaints of religious discrimination involving Muslims immediately after 9/11. Between 9/11 and March 2012, the EEOC reported receiving 1,040 charges filed by South Asians, Arabs, Muslims, and Sikhs related to workplace discrimination.⁴²

Complaints of discrimination at the workplace continued to persist in the years after 9/11. For example, in July 2009 the EEOC filed a lawsuit against the Sahara Hotel and Casino for retaliating against an Egyptian employee who reported being harassed at work by supervisors and co-workers with comments such as “Go back to Egypt.” They also called him “Bin Laden” and “sand n—r.” The Sahara settled the case for \$100,000 in 2010.⁴³

More recently, in 2013, the EEOC filed charges against Abercrombie & Fitch for not hiring Samantha Elauf, a Muslim teenager who wore a hijab (a headscarf worn by some Muslim women) despite being recommended for hire by an interviewer. Abercrombie claimed that the hijab did not fit its look policy, which barred caps from being worn and called for an “East Coast collegiate style,” and that Elauf never made a specific request for religious accommodation. The case went through several appeals and was argued before the U.S. Supreme Court, who ruled in favor of Elauf and the EEOC in June 2015. In the 8–1 ruling (with Justice Clarence Thomas as the sole dissenter), Justice Antonin Scalia noted that it is not necessary to make a specific request for religious accommodation in order to seek relief under laws that prevent discrimination in the workplace. Faith advocates welcomed the decision wholeheartedly.⁴⁴

Since 9/11, educational institutions also have come under scrutiny for discriminatory actions. In 2014, the Department of Justice reached a settlement agreement with DeKalb County, Georgia, related to allegations of the harassment of a Sikh student on the basis of his nationality and religion. The agreement requires the county to address and prevent this kind of harassment and provide training for students and school staff, including teachers, counselors, bus drivers, and administrators, about Sikh, South Asian, Muslim, and Arab communities.⁴⁵

Meanwhile, the number of reported hate crimes has also continued to climb. According to the FBI Hate Crimes Report, 27.2 percent of reported hate crimes in 2001 that were motivated by religious bias were classified as “anti-Islamic.” This represented a 1,600 percent increase from the previous year and likely included violence against Sikhs, Hindus, and Arabs as well.⁴⁶ This record-high number of “anti-Islamic” crimes dropped to just under 11 percent over the next two years, but then rose to 14.2 percent in 2004.⁴⁷ After dipping to 7.7 percent in 2008, the rate climbed to 9.3 percent in 2009, and eventually to 14.2 percent in 2013.⁴⁸ Advocates believe that these ebbs and flows in hate violence often happen in relation to the annual 9/11 anniversary, a spike in anti-Muslim rhetoric in political and media spheres, or destabilizing events taking place in South Asia or the Middle East.

Incidents of hate violence have not been limited to Muslims and Sikhs. At the end of 2012, a forty-six-year-old Indian Hindu man named Sunando Sen was shoved onto the path of an oncoming train at a subway stop in New York City. According to authorities, Erika Menendez, the woman held in custody for pushing Sen, said, “I pushed a Muslim off the train tracks because I hate Hindus and Muslims ever since 2001 when they put down the twin towers.”⁴⁹ Sen died as a result of his injuries.

In May 2015, Menendez received a sentence of twenty-four years in prison.⁵⁰

On the tenth anniversary of 9/11, the DOJ released a report that revealed that hate violence toward people and property (primarily places of worship) had not abated. In the first six years after 9/11, the DOJ investigated more than eight hundred incidences of violence, threats of violence, or arson perpetrated against South Asian, Arab, Hindu, Muslim, and Sikh communities and those perceived to be part of those groups. Between 2001 and 2011, the DOJ prosecuted fifty defendants in thirty-seven different cases.⁵¹ By the time the Oak Creek gurdwara tragedy occurred, the list of names of those killed or hurt since 9/11 had already grown too long.

“An Act of Terrorism, an Act of Hate”

I arrived in Oak Creek five days after the massacre occurred to pay my respects at the memorial for the six victims of the tragedy. As I approached Oak Creek High School, the site of the memorial service, I could see hundreds of people waiting in line outside. People of all races and faiths had gathered in the quintessential American space—a high school gymnasium—to mourn the six Sikh immigrants who had lost their lives to hate violence in America’s heartland. The gym echoed with the spontaneous call-and-response of “Bole So Nihal, Sat Sri Akaal” (a traditional shout of triumph and victory) from the Sikhs in the audience.

As the memorial program began, we were asked to pay our respects to the victims by lining up to view the caskets. I tried to prepare myself for looking into the faces of the six innocent people who had lost their lives, but I was even more shaken as I realized that next to each casket stood the children and loved ones. What do you say to comfort a child who has lost a parent in an act of hate?

Next to Satwant Singh Kaleka’s casket stood his two adult sons, Amardeep and Pardeep, who would become leading national voices in efforts to end gun and hate violence. Flanking Ranjit Singh’s casket was his fourteen-year-old son, Gurvinder Singh. Next to Paramjit Kaur’s casket stood Kamal and Harpreet. I murmured the only words of comfort and reassurance that I could muster: *Our community will stand by you*. I believed them fully in my heart, but I also knew that they could provide little solace at this time. As I returned to my seat, I saw Jasjit Singh and Amardeep Singh, two Sikh American leaders who had become a visible presence in Oak Creek since the tragedy. Our embraces spoke volumes. How could this have happened again? How can our community bear it? What more could have been done after 9/11 to prevent this massacre from occurring? We would ask ourselves these questions for months afterward.

The memorial service proceeded with a number of speeches from community leaders and elected officials. Among them was attorney general Eric Holder, who said, “For our nation’s law enforcement community, our resolve to prevent acts of terrorism and combat crimes motivated by hatred has never been stronger. And that is precisely what happened here: an act of terrorism; an act of hatred; a crime that is anathema to the founding principles of our nation and to who we are as a people.” Holder also rightly placed the tragedy on the long continuum of hate violence that Sikh communities had endured since 9/11: “Unfortunately, for the Sikh community, this sort of violence has become all too common in recent years. In the recent past, too many Sikhs have been targeted and victimized simply because of who they are, how they look, and what they believe.”⁵²

The public backlash that Sikhs, along with Muslims, Hindus, South Asians, and Arabs, have experienced since September 11, 2001, had indeed become “all too common.” But it did not happen in a vacuum. As subsequent chapters show, this violence was reinforced by racist, anti-Muslim, and

xenophobic political rhetoric, by media narratives that stereotype and dehumanize South Asian, Arab, Muslim, and Sikh, and by the government's own policies and practices that targeted and profiled these same communities in the name of national security.

The Culture and Climate of Hate Violence

Hate violence affects everyone in America. A hate crime affects not only the person being targeted but the entire community to which that person belongs. Acts of hate violence can disrupt and affect even those who do not belong to the community being directly targeted, as we witnessed in Oak Creek, Wisconsin, where non-Sikhs also experienced fear and anxiety in the wake of the massacre. It is important, then, for us to mount multisector approaches to address the epidemic of hate violence in our nation.

Annual reports from the Federal Bureau of Investigation (FBI) and the Bureau of Justice Statistics (BJS) provide a snapshot of the landscape of hate crimes against a person (including assaults and homicides) or property (including vandalism to places of worship or cross-burnings). The BJS reports that the percentage of hate crimes involving violence increased from 78 percent in 2004 to 90 percent in 2011 and 2012.⁵³ The grounds for hate crimes have remained steady in recent years. The FBI's 2013 report finds that 48.5 percent of the 5,922 single-bias hate crime incidents that year were motivated by racial bias, followed by 20.8 percent on the basis of sexual orientation, 17.4 percent by religious bias, 11.1 percent by ethnicity, 1.4 percent by disability, 0.3 percent on the basis of gender bias, and 0.5 percent on the basis of gender identity.⁵⁴ Areas of concern for advocates include the increase in "anti-Islamic" crimes since 9/11 detailed earlier in this chapter, as well as the rise in reported hate crimes targeting transgender women of color.⁵⁵

Given the culture of underreporting hate crimes, the numbers might be much higher than we believe. Immigrants, people of color, women, and members of lesbian, gay, bisexual, and transgender communities in particular are likely to underreport hate crimes for many reasons including distrust of police, lack of proficiency with English, a personal sense of shame for enduring an attack, undocumented status. For South Asian, Arab, Muslim, and Sikh immigrants especially, reporting crimes to a local FBI office or police department when some of these same law enforcement agencies are also responsible for conducting surveillance on their activities. They also fear that providing information to law enforcement, including a hate crimes complaint, could lead to a national security or immigration-related investigation of their and others' families.

New mechanisms for tracking hate crimes may lead to increased reporting. Prior to 2013, the FBI did not track hate crimes against Sikhs, Hindus, or Arabs. Hate crimes against these communities were instead filed under various categories such as "anti-Islamic," "anti-Asian," or "other."⁵⁶ The impact of the need for specific hate crimes data was articulated by Harpreet Singh Saini, Kamal's young brother, on September 19, 2012, at a hearing before the U.S. Senate Committee on the Judiciary organized by Senator Dick Durbin (D-IL) and his chief counsel, Joseph Zogby, who had been one of the leading Civil Rights Division attorneys to address the backlash in the immediate aftermath of 9/11. In his testimony, Harpreet said, "Senators, I came here today to ask the government to give my mother the dignity of being a statistic. The FBI does not track hate crimes against Sikhs. My mother and those shot that day will not even count on a federal form. We cannot solve a problem we refuse to

recognize.”⁵⁷

Due to the advocacy of the Oak Creek community and organizations around the country, the practice has changed. Near the one-year anniversary of the Oak Creek gurdwara massacre, the Department of Justice announced that the FBI would begin to track hate crimes against Sikhs, Hindus, and Arabs for the first time.⁵⁸ The new policy went into effect on January 1, 2015. In February 2015, the FBI released a revised law enforcement training manual that includes scenarios to help law enforcement distinguish between crimes against Arabs, Sikhs, and Hindus.⁵⁹

Governmental tracking and monitoring of hate crimes incidents must continue. In addition, state and federal prosecutors must bring hate crime charges and prosecutions in order to send clear messages to the general public that as a society we will not tolerate hate violence. State anti-bias and anti-hate-crime laws, as well as federal laws such as the 2009 Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act (HCPA), have become important tools for law enforcement agencies to address hate violence through the criminal justice system. HCPA provides federal penalties for many types of violent acts committed because of actual or perceived race, color, religion, national origin, gender, disability, sexual orientation, or gender identity. The law also provides more entry points for federal law enforcement agencies such as the FBI to investigate these crimes.⁶⁰

Prior to the passage of the HCPA, prosecutors were hamstrung by the “federally protected activity” requirement that had to be met in order to bring hate crime charges. HCPA removed this requirement, allowing federal investigators greater leeway. However, the standard of proof to show actual or circumstantial bias on the part of the perpetrator remains high. Federal prosecutors are often unable to bring hate crime charges in a wide range of cases—such as the shooting of Trayvon Martin by George Zimmerman in 2012—because of this high standard of proof. Attorney General Holder has indicated that the standards of proof in federal hate crime cases need to be “adjusted . . . [in order] to make the federal government a better backstop.”⁶¹

At the same time, it is important to keep in mind that hate crimes laws and prosecutions provide little comfort to victims and the communities to which they belong with limited satisfaction. A hate crime charge may increase the sentencing time for a perpetrator, but this form of retributive punishment wielded by an inequitable and ineffective criminal justice system cannot address or eliminate bigotry and hatred overall. That is why we must deal with the root causes that lead to hate violence. These include racial and xenophobic attitudes and beliefs that we hold about one another, which are often reinforced by governmental policies, political rhetoric, and media narratives. For example, the brand of post-9/11 racism targeting South Asian, Arab, Hindu, Muslim, and Sikh communities includes individual attitudes of bias and acts of discrimination such as hate violence or a hostile workplace. It also consists of policies implemented by government actors, such as national security and immigration laws, that result in the systemic mistreatment of these communities. Adding to this individual and systemic racism is xenophobia, which includes a set of negative attitudes and policies about attitudes toward immigrants, questioning their utility, contributions, and humanity. Racism and xenophobia can lead to various consequences from “microaggressions” such as slights and insults we direct toward one another based on our implicit biases to policies and systems that disadvantage minorities, compared to Whites.

In the course of addressing the root causes of hate violence, one arena that deserves great attention is the rise in right-wing groups, a trend that is likely to continue as the country’s racial demographics rapidly shift. By 2043, America will become a “majority-minority” nation for the first time in its history with the majority of the population comprised of people of color.⁶² The

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