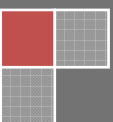


Reading Nudity:

RETHINKING THE ISSUE OF BODY SCANNERS

Syed Haider

The paper makes a decidedly radical re-reading of the installation of body scanners in Britain and the US, so as to question the singular emphasis on security that discussions about these machines have had so far. The author analyses the Muslim response to these scanners and draws attention to certain shortcomings in those responses. He also argues that the impulse to install these machines has been irrational as much as rational. The paper also makes a bold challenge to the Obama administration by questioning how different his administration is or can really be. This latter task is accomplished by reading the enthusiasm that existed when Obama came to power as an enthusiasm for transition, yet, the author argues, transition is a highly fraught gesture and the body scanners show this up in particular.





The Muslim Research and Development Foundation (MRDF) is a cooperative venture run by a number of leading Muslim scholars, thinkers, and professionals from a variety of backgrounds. With its two main fields identified as research and development, the foundation commenced its operation in 2002 and was awarded official charity status in 2007.

The foundation strives to articulate Islam in a modern context and address the unique situation and challenges faced by Muslims in the West. An integral focus as a means to this end is the study, analysis and presentation of both Western and classical Islamic scholarship and its contemporary application.

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CONTENTS

Introduction	4
Part one: Muslim response to the body scanners	6
Consultation	8
Research	9
A holistic approach	10
Part two: Obama and the idea of transition	12
<i>Notes and Sources</i>	15

Introduction

What is required of us now is a new era of responsibility -- a recognition, on the part of every American, that we have duties to ourselves, our nation and the world, duties that we do not grudgingly accept but rather seize gladly, firm in the knowledge that there is nothing so satisfying to the spirit, so defining of our character than giving our all to a difficult task.

President Barack Obama's inauguration speech.

A little over a year has passed since Barack Obama was elected president of America in November 2008. The joy of millions across the world was noted by many commentators in the days following his victory and understandably so. Obama's inauguration was symbolic in more than one way. His victory meant the defeat of the Republicans and an end to the eight year presidency of George W. Bush. It was also a moment of great significance for African Americans. The fact that Obama reached the highest office in the United States marked a kind of culmination of a long history of struggles over issues of race (although few would regard it as the end of those struggles)¹. His success, however, was symbolic for another reason too and to understand this we must take into account (briefly) the story of politics in the West today.

Recent studies about the state of politics in the West have shown a strong ambivalence amongst electorates as manifested by the fact that more and more governments are being voted in by an ever shrinking number of actual voters.² This became such a concern following the 2005 elections in the UK, that the then leader of the House Geoff Hoon even suggested making voting compulsory and failure to do so as punishable by law.³ With another election looming, commentators have once again begun the all too familiar discourse on the apathy of voters⁴ and the lack of real choice between the political parties⁵. These reasons notwithstanding – nor as well the caution of political scientists in how exactly to interpret low voter turn outs⁶ – an explanation based on the increased suspicion that people have toward grand visions today, has found some currency amongst critical theorists (following Lyotard in the middle of the twentieth century) to explain people's lack of faith in politics.⁷

Thinkers such as Lyotard saw the postmodern condition as an incredulity toward what he called metanarratives and which previously provided politics visions of possible futures. Their absence today, however, has rendered politics a mere battle ground of interests that have to be managed. Politics therefore is no longer the arena of grand ideas on how to change society for the better. The death of Michael Foot recently highlighted the feeling among many who paid tributes to the man, of losing one of the last great orators in British politics and the end of an older tradition where ideas and ideals mattered.⁸ Whatever the case may be, the electorate, if not the politicians themselves, have grown in their cynicism about politics' ability to be a means of positive change. Instead it has come to be seen as

simply the place of social, political and economic micro-management.⁹ What Obama's campaign signified though was a break away from this new cynical orthodoxy and echoed something of the past in its audacity to campaign on "hope" and not simply on the idea of "managing" the country. In this, Obama came close to forwarding a metanarrative about the possibility of progress wherein his racial background came to stand as metonymy of that progress.

I start this essay with Obama because, even though my objective is to forward some thoughts on the recently installed body scanners at various airports in the UK and in America, I want to point out that with Obama's coming to power America was/is in a state of transition.¹⁰ But transition is not simply a gesture of movement. It is a gesture that divides time, and given that time may be thought of as a way of organising temporality into minutes, hours – and more broadly – periods and eras, transition is a gesture in which one straddles a past and a future. What this straddling threatens to do, however, is let the past slip into the future. The recently installed body scanners, I want to argue, are a contamination of the past into a potential future. What is more, I contend, this approach undercuts the fixation Muslims and others have had in discussing the issue of body scanners within the narrowly defined parameters of security.

Part one:

Muslim response to the body scanners

Many *fatawa*¹¹ have been issued recently in relation to the full body scanners that have been installed in certain UK airports and across the Atlantic in America too. Most condemn these scanners as intrusions upon individuals' civil liberties and other human rights. Dr Khalid Khan's fatwa for instance begins by taking the reader through the nobility and honour that Allah azza wa jall bestows upon human beings.¹² He then links this to the favour that Allah has conferred on us in the shape of clothes so that we may cover from one another our bodies and, specifically, our genitalia. This, he maintains, is part of the honorific status that human beings hold in Allah's cosmic order. Sheikh Haitham al-Haddad takes a similar approach arguing that these scanners, which depict in astonishing detail the nude body of men and women who pass through them, are an infringement on people's right to privacy and on general codes of morality and decency.¹³ Both condemn the initiative as indecent and underplay – in some cases dismissing out of hand – the need for such drastic measures. Sheikh Haitham for example writes:

To what extent will such governments continue to infringe upon the personal rights of the people in the supposed name of safety and prevention? How can the trivialisation and legalisation of nudity, as well as infringement on the rights of people be justified by the unsubstantiated pretext that we will all be safer?

The rhetorical questions lend the fatwa a tone of mocking the logic behind this and other such measures, while words like 'supposed' and 'pretext' imply quite openly a disbelief in the use of national security as a justification for such initiatives. Similarly, Dr Khan writes, 'to uncover others and see them naked without any *proven necessity* is also clearly a breach of basic human rights recognised by both Muslims and non-Muslims' (my emphasis). The Fiqh Council of North America takes a more tempered approach where they acknowledge the need for measures to ensure the safety of passengers, but insist that these must be 'proportional to the demonstrated need'.¹⁴

What the various *fatawa* are vague in – especially the one's issued by Sheikh Haitham and Dr Khan – is whether there may be any circumstances under which such (albeit extreme) measures may be conceded as necessary. *If* their need was to be shown as overwhelming would these eminent individuals concede the infringement upon human dignity that these scanners in their opinion clearly encroach.¹⁵ If this is not the case, one would be placing the 'honour' of individuals above individuals' right to life and an expectation from the powers that be to safeguard this basic entitlement. The arguments within the *fatawa*, then, (despite their rhetoric of honour and dignity) manoeuvre their proponents into a corner because they refuse to acknowledge that the slow growth of security measures within the world of aviation and travel *is* to a large extent down to the terrible actions undertaken by individuals who of late have been from Muslim backgrounds.

Speaking a year ago at the world's largest tourism convention – the ITB Market Trends & Innovations Convention – Martin Gaebges recounts an interesting history which is worth quoting at some length:

...imagine the following business trip: you arrive at the airport with your suitcase and briefcase about half an hour prior to flight departure. You

proceed with your ticket through the security check, walk straight to your departure gate where a member of the service staff hands you a boarding card. If you have any baggage that needs to be checked-in, you hand it over so that it will be handed directly to you when you arrive at the destination. If you still have time on your hands, you could briefly walk over to the duty free shop and buy an attractively priced bottle of fine cognac and stick the bottle into your carry-on luggage. The flight is called and you proceed to board the aircraft and a few minutes later you are up in the air. Does all this sound like science fiction, or a vision of the future? This is much rather a nostalgic memory of past times, for this is what air travel was like 30 years ago.¹⁶

If Gaebges is correct in his anecdotal history one would have to concede that the frame of mind that exists today in terms of driving the security measures did not exist 30 years ago. What is more, one would also have to concede that the causal sequence in this affair is not down to an ideologically committed neo-conservative cohort, bent upon introducing these measures just to irritate/offend certain groups. This is not where it starts. Rather, the beginning of this process is marked by a breach of Gaebge's idyllic picture.

But discussions of beginnings are of course deceptive since they assume a static picture of social conditions much like the laboratory experiment. One could be just as justified in claiming that those early breaches of albeit minimalist security was in itself an effect of some broader cause of disaffection etc. Nonetheless, this rebuttal does not dismiss the argument that security measures have evolved to respond to the varying breaches that have occurred. Examples of this, needless to say, are numerous. Following Richard Reid's attempt to carry explosives on to a flight hidden in his shoes, passengers are now asked to remove their footwear. After it was suspected that hijackers in the case of 9/11 may have used box-cutter knives – which until then had not been classed as weapons but seen as 'trade-tools' by some airlines – a prompt ban was placed in the US on carrying any such 'tools' on to aeroplanes. Similarly, a foiled plot that involved taking liquid explosives on to a transatlantic flight has resulted in restrictions on liquids during travel for passengers more generally. The fact that the *fatawa* that have been issued in response to the full body scanners ignore or underplay this 'reality' helps no one. By refusing to engage directly with the issue they make themselves vulnerable to the charge of irrelevancy, since even many Muslims who hear the argument of 'honour' and 'privacy' wonder whether, at the end of the day, these things mean much when pitted against security of life. Moreover, those who have issued the *fatawa* corner themselves (rhetorically speaking) into an uncomfortable standoff whereby they are left with little space to manoeuvre if the argument from security is insisted upon.

What would be better for opponents of the full body scanners is to nuance their own position. By doing so they would open up greater space for achieving amicable solutions that ensure privacy and other 'human rights' without compromising security. A remonstrance that would enable this to happen can be staged on three levels; the need for greater consultation, the need for greater research, and a more holistic approach to security.

Consultation

Although the idea of full body scanners has been around for a long time – documents that I have come across illustrate their presence in security discourse as far back 1997¹⁷ - little to no public consultation took place before the decision to introduce them. Timothy Kirkhope (Conservative leader in the European Parliament) was quoted in an article in the *Mail Online* recently where he expressed similar reservations about the lack of consultation. 'Body scanners', he said, 'are being brought in without adequate public or parliamentary consultation both in Brussels and Westminster. Whilst I am not against their use and the need to give security to travellers, I have concerns about the “bull in a china shop” approach currently being adopted and promoted by the UK government'.¹⁸ Leaving room for the possibility of cross party politics influencing Kirkhope's choice of words if not the sincerity of his reservation, the point nonetheless stands. The scanners as a tactic are a little like 'a bull in a china shop' given that they are a blunt instrument. They may be able to detect suspicious and dangerous material concealed underneath one's clothing and therefore disrupt the plans of would be terrorists, but they do so at the expense of the overwhelmingly innocent majority. This latter group (the reasoning goes) must suffer these indecencies and inconveniences for their own good and well being. Yet this paternal gesture of ensuring individuals' safety simultaneously compromises their dignity as adults who are owed the right of consultation.

Lord Adonis, Secretary of State for Transport, insists that 'given the current security threat level' it was necessary to rush through the installation of the scanners. 'I wish to consult widely', he says however, 'on the long term regime for their full use, taking full account of the experience of the initial deployment'.¹⁹ While this should be welcomed, it does not excuse Lord Adonis and the government for not having looked into the issue in more detail over the 13 years during which – according to my research – the idea of body scanners has been in currency.

If consultation had taken place over this period many issues would have arisen that could have been addressed. For instance, one could have had the opportunity to raise the discrepancy implicit in the notion of *selecting* people (randomly or otherwise) to go through a machine that is designed to pick up that which the *eye cannot see*.²⁰ This raises the important question of how, and on what basis, is the “selection” process undertaken? The reply to this is that security staff are trained to spot 'suspicious behaviour'. But if suspicious behaviour is really the determining factor then it is one that is highly unreliable. Potential suicide bombers, surely, are better trained than to simply give themselves away by 'suspicious behaviour'. What is more, 'suspicious behaviour' has always been part of airport security. What did security personnel at airports do prior to full body scanners when they picked up on 'suspicious behaviour'?

I should stress at this point that this is not a case of splitting hairs. Rather, technologies like the full body scanners have a politics of their own but their politics, as John Fiske puts it, are not directed by their technological features alone. 'It is', he says for instance, 'a technical feature of the surveillance camera that enables it to identify a person's race [by virtue of being a *visual* recorder]...but it is a racist society that transforms that information into knowledge'.²¹ The 'eye' that is trained to channel certain bodies through the scanners has the potential to create much concern amongst travellers given that what is involved is some sort of profiling. After all, all the data we as a society have on profiling from the Black and Irish experience suggests that the biggest result of this approach is a stoking of

resentment within the very communities that are needed to tackle the problem/s for which profiling is used.

Instead of a knee jerk reaction following the Umar Farouk Abdulmutallab incident early consultation could have helped to address some of these difficult but crucial points. In fact, authorities are being *compelled* now to redress their hasty decisions. Recently *The Washington Post* reported that the 'Obama administration is abandoning its policy of using nationality alone to determine which US-bound international travellers should be subject to additional screening and will instead select passengers based on possible matches to intelligence information'.²² If something similar occurs in the UK then the two Muslim women who were barred from boarding their planes upon refusing to go through the full body scanners would have a case – if they do not already do so – against the government and airport authorities since the rule that prevented them from flying would appear entirely arbitrary.²³

Finally, it is worth countering the idea that – pace Lord Adornis – these measures had to be rushed through because of the threat levels. If that was the case they would have been placed in all airports. Surely, if you are a terrorist and you foresee a hitherto loophole in security measures being slowly amended by the authorities, you will attempt to complete more 'missions' before that loophole is completely closed. And if that loophole has been 'closed' at Heathrow and Manchester (because of the introduction of these scanners) you will make an attempt at other airports. The threat levels therefore seem only narrowly relevant as an explanation for the rushing through of these measures. In the second part of this essay I will attempt a reading of these scanners to suggest what alternative impulses may have been at play behind the decision that saw the installation of these machines. For now it is enough to express dismay at the lack of consultation that governments undertook before they made such drastic moves in the name of 'our' safety. In this regard Shaikh Haitham's fatwa is instructive as it advises readers to put pressure on MPs and other agencies to halt the use of full body scanners and begin an urgent process of consultation.

Research

The second level at which the various *fatawa* could have addressed the issue of body scanners was that of research. Similar to the point about the lack of consultation, one could also query to what extent thorough research was undertaken prior to the implementation of the scanners. What alternatives were suggested and why were body scanners preferred?²⁴ Furthermore, the various *fatawa*²⁵ could have called for greater research to be conducted to modify the imaging technology in order that the figure on the screen be represented in some other way.

One suggestion in line with this idea is the notion of depicting the human form as a stick figure, and although a stick figure would, by necessity, omit the flesh of a person and thus potentially omit objects that are concealed upon the flesh, this could be worked round. For instance, a nude image of the body could be taken (unseen by anyone) and then converted by a computer into a stick figurine (seen by security staff).²⁶ Any object on the initial nude picture could then appear on the stick figure as a cross indicating the need for a more intrusive search. Whether this is possible or not is not the point anyway; what is, is

the need to think more creatively about ways in which to counter the aspect of nudity associated with the scanners as they presently stand. What is more, whatever shortcomings that one may accuse alternative ideas of, it is also true that the current scanners we have are also limited as they cannot detect material inserted into the various cavities of the body.

'In an effort to blow up a Saudi prince', journalist Derek Wallbank writes, 'Abdullah Asieri inserted a pound of explosives and a detonator in his rectum [last year].' He set this off using a mobile phone and although the prince survived, 'mainly because Asieri's body absorbed most of the impact', no scanner, Wallbank insists, could have detected this.²⁷

More research therefore *is* needed not just to refine the technological aspect of security but to also open up the way in which we are presently thinking about the whole issue. This is where the third prong of a stronger argument against the overwhelming blackmail that a discourse of security metes out comes into its own.

A holistic approach

As Asieri's example illustrates, security measures are (by their very nature) limited. They are largely symbolic gestures that present a bravado to reassure the general public and put off the would-be-criminal. They are, in this regard, akin to those impressive but harmless displays of intimidation evolved by most animals to ward off predators. The Bull Snake, for instance, hisses loudly and forms its body into an S-shape to induce fear in adversaries, but these displays are largely bluff and have little use beyond intimidation.²⁸ Security measures are similar and pose some difficulty for criminals but are essentially penetrable by committed antagonists, given that – idiomatically speaking – there will always be chinks in the armour. Furthermore, no antagonist is more committed than a terrorist who has given his or her allegiance to a cause (however misplaced). Getting caught – which is the best security measures can do – is not such a big deal for these individuals who know that even if out of a 100 go's there is only one breach of the defences it is worth the other 99 failures. After all, terrorists need only one success at a time, whereas any success on their part is an inconsolable loss for the rest of us, sympathetic to their cause (if not their tactics) or otherwise.

Niel Fisher, currently a portfolio manager for Location, Perimeter and Surveillance Security (LPSS) at Unisys Corporation and a former member of the British Army who worked on counter terrorism initiatives, says something similar in an article on *The Guardian's Comment is Free* website:

Having worked in the British army, and at the defence research organisation QinetiQ, I have first-hand experience of dealing with these scanners. While they can help identify explosives, they have difficulty "seeing" plastics. Indeed, of the bomb allegedly moulded to Umar Farouk Abdulmutallab's body, [Alan] Johnson admits there is only "a 50% to 60% chance that a full-body scanner would have detected the explosives". Their usefulness rests on their integration into a wider security approach.²⁹

He then goes on to argue for a more thorough and joint-up approach involving 'integrated sensors, co-ordinated data gathering, common operational picture, and joined-up back-office analysis'. As an insider he is clearly erudite when it comes to the terminology that seems to be slipping from a specific discourse of security into common discursive spaces (*Comments is Free* for example). What he is less good at, however, is thinking beyond the discourse in which he is embedded and this is one of the crucial shortcomings of governments and officials. Indeed, when the discussion on body scanners ensued, it became stuck in an overly "securitocratic" register and this affected the extent to which one endeavoured to think.

'Securitocracy' is a neologism coined by Paul Gilroy and emphasises the growth in 'security' as an all pervasive lens through which cognition of reality today passes.³⁰ The discussions around the body scanners, therefore, locate themselves all too easily in this broader context such that any true dialogue collapses into a simple dichotomy of greater security on the one side and other 'rights' on the other side. The various *fatawa* too fall into this simplified index as opposed to querying its accuracy and resisting its emotional blackmail. The *shayukh* would have done well by stating that if the discussion around the body scanners is truly about security, then surely the argument is instantly null and void given that all such immediate reactions to security are vulnerable to greater creativity on the part of would-be terrorists. Indeed, the body scanners as a response keeps us within a cyclical reality where the upper hand is always with 'our' opponents. Furthermore, by framing the discussion about body scanners within a context of security one reveals how impoverished one's conception of security actually is. The best security surely is the one which is not so "expensive" (I mean not only economically, but in the broadest sense possible) to our sociality and humanity. A security premised on high visibility (of security staff and technology) creates more anxiety since it highlights (paradoxically) the degree to which we are insecure. Normality, surely, is one where we can walk the streets without the fear of being threatened and that can only come from a greater commitment to affecting positively the causes of our insecurity. In the case of crime, issues of education and socio-economic justice and in the case of terrorism, a more honest acknowledgement of our government's own actions that feed the process of terrorism.

What the *fatawa* failed to do therefore was to echo the call about the difficult but important need to take a truly holistic approach to issues of security, from which the body scanners act as a convenient distraction. We must all insist that our government and media agencies tackle with greater resolve the embedded causes of the current terrorism facing Britain and the West more generally. And while this is difficult, Obama's words ought to act as inspiration: 'there is nothing so satisfying to the spirit, so defining of our character than giving our all to a difficult task.'

What I am about to argue though is that the West (and America more specifically) is failing to do precisely that. The body scanners therefore are merely symptomatic of something far greater which is continuing to happen *despite* the coming of Obama. While Obama's coming to power may well have seemed a moment of transition, the gesture of transition, the wise should note, is not a moment of celebration but one in which you should fasten your seatbelts.

Part two:

Obama and the idea of transition

When the Declaration of the rights of Man and of the Citizen were proclaimed in France in August 1789, few could have anticipated the horrors that would come four years later and be recorded by posterity as the *Reign of Terror*. Transition is a deceptive label. It suggests merely movement, from one point in time to another point in time, and is generally associated with positive change. Yet transition is a complicated affair and one that is as much about rupture as it is about a smooth motility between two points.

The rupture exists between a past and a future and accentuates a pressure within the present. The future becomes an empty screen upon which is played out the intensified anxieties of the past or a conviction of alternative possibilities. These two axial points compete in the present so that the point of transition is a highly volatile moment. The potential for positive change, therefore, is always undermined by the intensified anxieties of the past and the danger of their slipping into any imagined future as highly charged remnants of times gone by. This is the challenge facing any new government if it is genuinely interested in pursuing constructive change, and this challenge is faced by the Obama administration in the form of the knee jerk reaction to install full body scanners at various airports across the US. Their presence speaks of the extent to which a specific past of the US has slipped into this future of a new president. The reason for this is because the scanners represent a history of the West and its viewing the world through the narrow lens of security.

This lens has become so pervasive that it has moved beyond those who operate and are embedded in the world of security. Today in the West our cognisance of different people operates through a calculus of security; the closer you are to me the less of a threat you are to me; the more different the greater the threat.³¹ What this gives rise to is thinking that is reactionary and reflexive as opposed to reflective. It is this type of thinking that I suspect has informed the decision to install the body scanners more than a carefully calculated reasoning. Indeed, the speed and uncritical acceptance of their efficacy seems to owe more to their ability to “strip” people than their ability to detect hidden material.

Working within the calculus of security mentioned above, the irrational appeal these scanners carry is that they require all those wishing to enter the US (especially from certain countries and cultures) as to enter 'naked'. This performance of nudity is a symbolic neutralising of all such visitors and an affirmation of the shift from strength to fear and protectionism that marks the recent evolution of the West more generally.

Of course, one may argue that this reading of the body scanner's is highly elaborate given that recent attempts to breach security at US and other airports proves that there is a high level of threat facing the US and other Western countries. That may be true but it does not undermine my reading necessarily. The irrationality of these scanners is premised not on their lack of efficiency, but on their performing for the West a spectacle of nudity with regards certain travellers, all the while leaving unaddressed the West's own role in the insecurity it faces.

The irrationality from whence the body scanners seem particularly attractive is also borne from a growing paranoia that is present in the West. Matt Carr has catalogued in some detail the prevalence and growing currency of the idea of Eurabia – a neologistic shorthand for the perceived Islamicisation of Europe. He writes, 'the consensus regarding Eurabia spans a surprisingly wide spectrum of opinion, which includes French *nouveaux philosophes*, "hard liberals" such as the *Daily Mail* columnist Melanie Phillips, acclaimed historians such as Niall Ferguson and Martin Gilbert and the interlocking network of conservative think tanks in the US that have helped shape the ideological framework of the "war on terror".³² The catastrophic decisions that the West has taken in the 'war on terror' are themselves testaments to the idea forwarded by Homi K. Bhabha that paranoia (psychically speaking) does not allow one to see themselves as both the object and subject of a process.³³

Something similar to this was said by Edward Said in relation to the Palestinian-Israeli context only a year or so before his death:

Suicide bombing is reprehensible but it is a direct and, in my opinion, a consciously programmed result of years of abuse, powerlessness and despair. It has as little to do with the Arab or Muslim supposed propensity for violence as the man in the moon... But for all its horror, Palestinian violence, the response of a desperate and horribly oppressed people, has been stripped of its context and the terrible suffering from which it arises: a failure to see that is a failure in humanity, which doesn't make it any less terrible but at least situates it in a real history and real geography.³⁴

While Said calls it a failure ('a failure to see that is a *failure* in humanity') I frame it as an outcome of paranoia as conceived by Bhabha. Sustaining this paranoia is a way of not 'seeing' and that is what the body scanners are obdurately doing. They expose the nakedness of individuals in one sense and mask the truth in another sense.

Whereas once there was a celebration of diversity, today diversity is increasingly coming under suspicion and increasingly Western nations are calling for conformity in mores and values from their citizens.³⁵ What is more, for Muslims it is a common experience (as it was for the Irish community before now) to feel marked as collectively constituting a security risk. They are not merely individuals but constituents of some broader entity that is deemed threatening and therefore must be variously neutralised, incapacitated and pacified.³⁶ Security has emerged as a powerful cultural lens that is shaping the minds of societies in the broadest sense possible. This was clearly articulated by The Christian Democrats in Germany who declared 1998 to be 'the year of security' with Manfred Kanther, the interior minister, adding that 'western Europe must see itself as a security community'.³⁷ Security in this sense does not comprise merely of secure borders, nor is it merely confined to the political arena. Security is also meant as applying to *the culture* of this community. Hence citizenship laws, as Liz Fekete notes, are cast according to 'security considerations' the introduction of compulsory language and civics tests for citizenship applicants; codes of conduct for the trustees of mosques; a cultural code of conduct for Muslim girls and women who, in some areas of Europe, will be forbidden to wear the hijab in state schools and other state institutions.³⁸

The body scanners come out of this "securitocratic" context which reproduces itself blindly, and in so doing hinders true reflection upon the realities in which the West finds itself. If

Obama's election can truly prove to be a transition out of a dark past where endless mistakes were made, then it needs to be vigilant against the entry of the past into whatever future it can inaugurate. The scanners, however, are already examples of shadows of our recent past intruding upon that possible future. The nakedness of this truth is really what they reveal.

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⁸ *The Guardian*, 2010, *Michael Foot: tributes and reaction*, [online], available at: <http://www.guardian.co.uk/politics/blog/2010/mar/03/michael-foot-labour> [Accessed, 7 March 2010].

⁹See, Adam Curtis 'The power of nightmares', 2004

¹⁰ I would like to clarify here that transition does not simply stand for a positive affirmation of change. Rather it is a value neutral but ambivalent space in which uncertainty reigns. What is more, framing Obama's election as a point of transition should not be read as my faith in his changing American foreign policy to become more Muslim friendly. Rather, my description of Obama's election as a point of transition for America simply signals a state of flux wherein the manner in which the chips fall is a matter of some uncertainty.

¹¹ I am aware that Dr Khalid Khan's contribution may not, strictly speaking, constitute a fatwa as it presented on his website as an article. I am using the term loosely and simply mean religious opinions which happens to be the strict definition of the term anyway.

¹² Khan K., 2010, *Body Scanning at Airports*, [Online], available at: http://www.drkhalid.co.uk/Body_Scanning.pdf [Accessed, 10 March 2010].

¹³ Haitham H., 2010, *Fatwa: Nude Body Scanners*, [Online], available at: http://www.islam21c.com/index.php?option=com_content&view=article&id=151598:fatwa-nude-body-security-scanners&catid=39&Itemid=83 [Accessed 10 March 2010].

¹⁴ The Fiqh Council of North America, 2010, [Online], available at: <http://www.fiqhcouncil.org/> [Accessed 10 March 2010].

¹⁵ Even the fatwa issued by The Fiqh Council of North America is vague on this given that, though they explain that an exception to the rule of modesty can be made only in extreme circumstances, they are unclear as to whether this could be applied en masse or only in specific individual situations (like medical check ups).

¹⁶ Conrady R. ed., 2009, *Trends and Issues in Global Tourism 2009*, Heidelberg: Springer, p105.

¹⁷ Document No. 26, *Statement of Gregory T. Nojeim on Civi liberties implications of aviation security, Jan 14 1997*, in, Alexander Y. and Brenner E. H. eds., 2000, *Legal Aspects of Terrorism in the United States*, vol. 4

Aviation Law, New York: Oceana Publications.

¹⁸ Shaw A., 2010, *Passengers laid bare as full body scanners are introduced at Heathrow and Manchester airports*, [Online], available at: <http://www.dailymail.co.uk/news/article-1247977/Full-body-scanners-introduced-Heathrow-Manchester-airports-Lord-Adonis-seeks-allay-privacy-fears.html> [Accessed 14 March 2010]

¹⁹ Ibid.

²⁰ This discrepancy was brought to my attention by Adam Belaon for which I am grateful.

²¹ Fiske J., 1996, *Videotech*, in, Mirzoeff N. ed., 2004, *The Visual Cultural Reader*, 4th ed, London: Routledge, pp383-391.

²² Cited in, Anon, 2010, *US modifying airport screening*, *The Daily Jung*, 3rd April, p12.

²³ Pavia W., 2010, *Muslim woman refuses body scan at airport*, [Online], available at: <http://www.timesonline.co.uk/tol/news/uk/article7048576.ece> [Accessed 16 March 2010].

²⁴ For some suggested alternative see, Guarino M., 2010, *Airport security: two alternatives to full-body scanners*, [Online], available at: <http://www.csmonitor.com/USA/2009/1231/Airport-security-two-alternatives-to-full-body-scanners> [Accessed 20 March 2010].

²⁵ With the exception of that issued by The Fiqh Council of North America.

²⁶ I am grateful to Dr Avas Asghar and Adam Belaon with whom a conversation on this topic proved particularly insightful.

²⁷ Wallbank D., 2010, *MSP airport security: Whole-body scanners are likely, but not everyone's on board*, [Online], available at: http://www.minnpost.com/stories/2010/02/04/15619/msp_airport_security_whole-body_scanners_are_likely_but_not_everyones_on_board [Accessed 20 March 2010].

²⁸ Werler J. E., Dixon J. R., 2004, *Texas Snakes: Identification, Distribution and Natural History*, Texas: University of Texas Press, p233.

²⁹ Fisher N., 2010, *We can't rely solely on airport body scanners*, [Online], available at: <http://www.guardian.co.uk/commentisfree/2010/jan/22/airport-body-scanners-flawed-approach> [Accessed 22 March 2010].

³⁰ Gilroy P., 2010, *Darker Than Blue: On the Moral Economies of Black Atlantic Culture*, Cambridge: Harvard University Press.

³¹ This is an idea put forward by Homi K. Bhabha during a lecture entitled 'Writing Rights and Responsibilities' delivered at the University of California Santa Barbara in 2008. The lecture can be accessed online at: <http://www.youtube.com/watch?v=yER4QwiSI14> [Accessed 1 April 2010].

³² Carr M., 2006, *You are now entering Eurabia*, *Race and Class*, 48(1), pp1-22.

³³ Bhabha H. K., 2008, 'Writing Rights and Responsibilities' [Online Video], available at: <http://www.youtube.com/watch?v=yER4QwiSI14> [Accessed 1 April 2010].

³⁴ Cited in, Pilger J., 2006, *Freedom Next Time*, London: Black Swan, p131.

³⁵ Fekete L., 2009, *A suitable enemy: Racism, Migration and Islamophobia in Europe*, London: Pluto Press, p12.

³⁶ Ibid, p14.

³⁷ Ibid, p11.

³⁸ Ibid, p44.