

ISSUE BRIEF

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The Trump Administration Must Investigate the Muslim Brotherhood's U.S. Activities

Robin Simcox

The Muslim Brotherhood is a global religious and political network formed by Hassan el-Banna in Egypt in 1928. The Muslim Brotherhood's presence has since spread beyond North Africa and into the Middle East, Europe, and North America.

The Brotherhood is dedicated to the advancement of Islam as both a religious and political belief system. It is committed to restoring an Islamic Caliphate and governing by sharia law.

While purportedly non-violent, the Brotherhood does have ties to violent activity. Offshoots of the Egyptian Muslim Brotherhood are designated foreign terrorist organizations. The proscribed Palestinian terrorist group, Hamas, states in its charter that it is "one of the wings of the Muslim Brothers in Palestine."¹ Sayyid Qutb, a key Brotherhood theorist, helped mainstream the notion that jihad could be utilized offensively in order to overturn governments in his influential book *Milestones*.

There has been legislation in the U.S. Senate that calls for the designation of the Muslim Brotherhood as a Foreign Terrorist Organization (FTO).² Such a move has already been taken by Egypt, Saudi Arabia, and Russia. The U.S. Department of State is seemingly skeptical of this approach, while U.S. allies such as the U.K. and Jordan have either chosen not

to ban the Brotherhood or advised the U.S. not to do so.³

The U.S. should not underestimate the threat that the Brotherhood's ideology poses. However, the U.S. should pursue a designation path only if it has compelling evidence of terrorist activity, it is confident it can withstand legal challenge, and it has a clear idea of the benefits such a move would bring.

While a decision on designation is being weighed up, the Trump Administration should take the following immediate steps to confront the Brotherhood:

- **Seek** to highlight the extremist nature of the Brotherhood's worldview;
- **Cease** all further engagement with, and funding of, those domestic groups and charities connected to it; and
- **Establish** a commission designed to assess the Brotherhood's activities in the U.S.

The Muslim Brotherhood in the U.S.

The Muslim Brotherhood has operated and recruited in the U.S. since the 1960s. They initially had a focus on university campuses. Mohammed Morsi, the former President of Egypt, was recruited into the Brotherhood in the 1980s while studying for his doctorate at the University of Southern California.⁴

An organization called the Muslim Students Associations (MSA) was the most visible manifestation of the Brotherhood's early presence in America, disseminating the work of Qutb and el-Banna. Other groups followed that were tied to the Brotherhood or its associates.

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The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
(202) 546-4400 | heritage.org

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- In 1973, Brotherhood members and/or associates formed the North American Islamic Trust (NAIT).
- In 1981, the Islamic Society in North America (ISNA), an Islamic umbrella organization that served as a successor group to the MSA, was founded.
- In the same year, Brotherhood members were also key to the formation of the Islamic Association of Palestine (IAP).
- In 1993, Brotherhood members and/or associates helped form the Muslim American Society (MAS).
- In 1994, senior figures within the IAP helped establish the Council on American Islamic Relations (CAIR).⁵

The NAIT, ISNA, and CAIR are listed as unindicted co-conspirators in a major terror financing trial related to the Holy Land Foundation for Relief and Development (HLF).⁶ Millions of dollars were directed towards Hamas by the Holy Land Foundation and five men jailed for their role in doing so. Despite this, CAIR has worked closely with the Department for Homeland Security⁷ and been in close contact with the FBI.⁸ CAIR has also been hosted at the White House by multiple Administrations.⁹ Such engagement helps legitimize Islamist groups and their claims to be representative of broader Muslim communities in the U.S.

Such activity and acceptance presents a dilemma for how the U.S. should respond.¹⁰ One option is to try and make the group's activities illegal. Designating the Muslim Brotherhood would certainly send a strong message that President Trump was taking a very different approach than his predecessor to the threat posed by Islamism and show that the U.S. was willing to take a tougher line on

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1. *The Charter of Allah: The Platform of the Islamic Resistance Movement (Hamas)*, trans. Raphael Israeli, <https://fas.org/irp/world/para/docs/880818.htm> (accessed April 18, 2017).
 2. Muslim Brotherhood Terrorist Designation Act of 2015, 114th Cong., 1st Sess., http://www.cruz.senate.gov/files/documents/Bills/20151103_MuslimBrotherhoodTerroristDesignation.pdf (accessed April 18, 2017).
 3. Guy Taylor, "How to Deal with Muslim Brotherhood Triggers Trump White House Infighting," *The Washington Times*, March 27, 2017, <http://www.washingtontimes.com/news/2017/mar/27/muslim-brotherhood-listing-as-terror-group-delayed/?elqTrackId=ba4c2b888a7447de9c58a64e0ec8ce8e&elq=5933abf36c5e45a583237293595c9adc&elqaid=28161&elqat=1&elqCampaignId=17058> (accessed April 18, 2017).
 4. Eric Trager, Katie Kiraly, Cooper Klose, and Eliot Calhoun, "Who's Who in Egypt's Muslim Brotherhood," The Washington Institute for Near East Policy, September 2012, <http://www.washingtoninstitute.org/policy-analysis/view/whos-who-in-the-muslim-brotherhood#MuhammadMorsi> (accessed April 18, 2017).
 5. Zeyno Baran, "The Muslim Brotherhood's U.S. Network," *Current Trends in Islamist Ideology*, Vol. 6 (February 2008), https://www.hudson.org/content/researchattachments/attachment/1339/20080314_current_trends_volume6.pdf (accessed April 14, 2017).
 6. *United States of America vs. Holy Land Foundation for Relief and Development et al.*, CR NO. 3:04-CR-240-G (N.D. Tex.), "Attachment A: List of Unindicted Co-conspirators and/or Joint Venturers," https://www.investigativeproject.org/documents/case_docs/423.pdf (accessed April 18, 2017).
 7. Investigative Project on Terrorism, "Miscellaneous Correspondence between DHS Officials and CAIR," <http://www.investigativeproject.org/documents/misc/933.pdf> (accessed April 18, 2017).
 8. M. Zuhi Jasser, "Identifying the Enemy: Radical Islamist Terror," testimony before the Subcommittee on Oversight and Management Efficiency, Committee on Homeland Security, U.S. House of Representatives, September 22, 2016, <http://docs.house.gov/meetings/HM/HM09/20160922/105384/HHRG-114-HM09-Wstate-JasserM-20160922.pdf> (accessed April 18, 2017).
 9. News release, "Muslim Leaders Walk out of White House Meeting," Council on American-Islamic Relations, June 28, 2001, <http://www.prnewswire.com/news-releases/muslim-leaders-walk-out-of-white-house-meeting-protest-comes-after-congressional-intern-escorted-from-building-without-explanation-72356267.html> (accessed April 18, 2017), and Steve Emerson and John Rossomando, "A Red Carpet for Radicals at the White House," Investigative Project on Terrorism, October 21, 2012, <http://www.investigativeproject.org/3777/a-red-carpet-for-radicals-at-the-white-house> (accessed April 18, 2017).
 10. For some of the most careful considerations of this question, see Eric Trager, "The U.S. Should be Wary About Overplaying its Hand," The Cipher Brief, February 9, 2017, <https://www.thecipherbrief.com/article/middle-east/us-should-be-wary-about-overplaying-its-hand-1089> (accessed April 18, 2017), and Lorenzo Vidino, "Why the United States Should be Circumspect as the British about the Muslim Brotherhood," Lawfare, February 12, 2017, <https://lawfareblog.com/why-united-states-should-be-circumspect-british-about-muslim-brotherhood> (accessed April 18, 2017).
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Islamist groups not associated with the bloodshed of ISIS and al-Qaeda. This approach has commendable aspects.

However, the designation approach also has risks. For example, designating the Brotherhood in Egypt but being willing to work alongside elements of it in other governments (e.g., Jordan, Turkey, or Tunisia) is a contradictory approach that invites strategic incoherence. The legality of designating the Brotherhood must also be carefully addressed, as it is possible it would not meet the criteria of a FTO under 8 U.S. Code § 1189.¹¹ That criteria is as follows:

(A) the organization is a foreign organization;

(B) the organization engages in terrorist activity (as defined in section 1182(a)(3)(B) of this title or terrorism (as defined in section 2656f(d)(2) of title 22), or retains the capability and intent to engage in terrorist activity or terrorism); and

(C) the terrorist activity or terrorism of the organization threatens the security of United States nationals or the national security of the United States.¹²

Even if the Egyptian branch of the Brotherhood or some of its other overseas branches did meet this threshold, the U.S. must question what impact (if any) that would have on any groups in the U.S. tied to the Brotherhood.

In a free society, individuals should not be prosecuted for their opinions, no matter how damaging or offensive they may be, provided they stay within the boundaries of the law. Therefore, a more prudent approach may be to treat Brotherhood ideology as akin to that of ISIS or al-Qaeda but not attempt to designate the group, unless it can be definitively established that the Brotherhood meets the criteria of a FTO under 8 U.S. Code § 1189.

Recommendations for the Trump Administration

- **Change language and mindset.** The U.S. is not threatened only by violent Islamists such as ISIS. Even non-violent forms of political Islam pose ideological challenges to U.S. interests. The language that government officials use to describe this should not be hamstrung by political correctness or a desire not to offend; rather, they should employ a straightforward description of the challenges facing the U.S. and the West.
- **Establish a commission on the Brotherhood's activities in the U.S.** The U.S. must carry out an up-to-date review of the Brotherhood's strategy in the U.S. and ideological or operational ties to American groups. One of the main purposes of this review would be to ensure that the U.S. government does not fund or engage with groups and charities tied to the Muslim Brotherhood or its American legacy organizations.
- **Cut contact with Brotherhood legacy groups (while awaiting the outcome of the commission).** The U.S. should take a safety-first approach of cutting government contact with groups suspected of being tied to the Brotherhood's ethos.
- **Marginalize the Brotherhood's ideology.** The Brotherhood's ideology does not represent the majority of American Muslim opinion. It must be challenged consistently and the ways in which their end goals (such as the formation of a Caliphate) align with those of terrorist groups such as ISIS.
- **Reject the notion of the Brotherhood as a firewall.** Some argue that the Muslim Brotherhood can be used by governments as a "firewall" from more violent Islamist organizations.¹³ Yet Islamist groups such as the Brotherhood espouse

11. Benjamin Wittes and Will McCants, "Should the Muslim Brotherhood be Designated a Terrorist Organization?" Lawfare, January 27, 2017, <https://www.lawfareblog.com/should-muslim-brotherhood-be-designated-terrorist-organization> (accessed April 18, 2017).

12. 8 U.S. Code § 1189(a)(1).

13. Robert Lambert, "Empowering Salafis and Islamists Against Al-Qaeda: A London Counterterrorism Case Study," *Political Science & Politics*, Vol. 41, No. 1 (January 2008), pp. 31-35, <https://www.cambridge.org/core/journals/ps-political-science-and-politics/article/empowering-salafis-and-islamists-against-al-qaeda-a-london-counterterrorism-case-study/48E441790EF90CCE903CBF3C69A69D2A> (accessed April 18, 2017).

a supremacist ideology. It would be the height of nonsense to suggest that the Ku Klux Klan could be used by the U.S. government as a “fire-wall” that could de-radicalize far-right extremists. Muslims should not be patronized by being treated any differently.

- **Be aware of front groups.** A popular strategy for Islamist groups operating in the West is to confuse policymakers by establishing a dizzying array of front groups. Such groups contain impressive and polished websites and appear to be legitimate organizations with a broad membership. In reality, they are comprised of the same handful of individuals who use multiple groups to amplify the same divisive message.
- **Support those with shared core values.** Both at home and abroad, the U.S. should prioritize working with Muslim organizations and citizens that promote integration and are supportive of values such as democracy, the rule of law, religious liberty, and freedom of speech.

Conclusion

The Trump Administration must take a far more robust approach than the Obama Administration did in trying to discredit Islamist ideology, which is ultimately incompatible with Western values. The Muslim Brotherhood is an organization that has worked extensively to mainstream and disseminate Islamism, so the U.S. must consider it as an adversary, not an ally, and treat it as such. All the while, the U.S. must aim to support the moderates working in Muslim communities who reject the Islamist worldview.

—*Robin Simcox is Margaret Thatcher Fellow in the Margaret Thatcher Center for Freedom, of the Kathryn and Shelby Cullom Davis Institute for National Security and Foreign Policy, at The Heritage Foundation.*