

Opening Statement of Senator Dick Durbin
“Protecting the Civil Rights of American Muslims”
The Constitution, Civil Rights, and Human Rights Subcommittee
March 29, 2011

*****As Prepared for Delivery*****

This hearing of the Subcommittee on the Constitution, Civil Rights, and Human Rights will come to order.

Today is the first hearing of this new Subcommittee, which was formed by merging the Constitution Subcommittee with the Human Rights and the Law Subcommittee, which I chaired for the last four years.

I want to thank Chairman Leahy for giving me the chance to chair this new Subcommittee. I look forward to working with Senator Graham, the Ranking Member of the Subcommittee, and the other members of the Subcommittee.

I think it is appropriate to hold the first hearing of this new Subcommittee on what is often called the Constitution’s “First Freedom” – the freedom of religion.

Many of our nation’s founders fled religious persecution, and they placed great importance on religious freedom. George Washington summed up the prevailing view when he said, quote: “In this land of equal liberty, it is our boast, that a man’s religious tenets will not forfeit the protection of the laws.”

Despite the framers’ best intentions, throughout our history many religious minorities have faced intolerance.

The lynching of Leo Frank in 1915 is one infamous example, and anti-Semitism continues to be a significant problem in America.

Often, prejudice has been directed at the religions of recent immigrants. In the last century, it was Catholics from places like Ireland, Italy, and Lithuania – my mother’s country of origin – whose loyalties were questioned.

Today, American Muslims from the Middle East and South Asia are facing similar discrimination. Attorney General Eric Holder put it well when he said that anti-Muslim bigotry is, quote, “the civil rights issue of our time.”

This backlash began after the 9/11 terrorist attacks. In fear and anger, some Americans wrongly struck out at innocent Muslims, Arabs, South Asians, and Sikhs.

Since 9/11, we have worked to combat terrorism. We continue to solicit and receive the support of many American Muslims who love this nation and work with our government to protect it. At the same time, many law-abiding Muslim Americans face discrimination and charges that they are not real Americans simply because of their religion.

This debate will continue, but terrorism is not the subject of today's hearing.

We should all agree that it is wrong to blame an entire community for the wrongdoing of a few. Guilt by association is not the American way. And American Muslims are entitled to the same constitutional protections as every other American.

I had my differences with President George W. Bush, but he showed real leadership after 9/11, when he made it clear that our war was with the terrorists who perverted the teachings of Islam, not with Muslims who were faithful to what he called, quote, "a faith based upon love, not hate."

Congress too spoke with a clear voice. I cosponsored a resolution with John Sununu, who was then the only Arab-American in the Senate, that condemned anti-Muslim and anti-Arab bigotry and said that American Muslims "are vibrant, peaceful, and law-abiding, and have greatly contributed to American society." Our resolution passed both chambers of Congress unanimously.

Today, President Obama continues to speak out as forcefully as President Bush, even though President Obama is challenged by a chorus of harsh voices:

- A leading member of Congress states bluntly, quote, "There are too many mosques in this country."
- A former Speaker of the House falsely claims, quote, "America is experiencing an Islamist cultural-political offensive designed to undermine and destroy our civilization."
- And a prominent religious leader says Islam is, quote, "wicked" and "evil."

Some have even questioned the premise of today's hearing – that we should protect the civil rights of American Muslims.

Such inflammatory speech from prominent public figures creates a fertile climate for discrimination. So it's not surprising that the Anti-Defamation League says we face "an intensified level of anti-Muslim bigotry."

Last year, the Southern Poverty Law Center, which tracks hate groups, designated five anti-Muslim hate groups for the first time.

And we have seen anti-Muslim hate crimes, employment discrimination, bullying in schools, restrictions on mosque construction, and Quran burnings.

Sadly, this is a nationwide phenomenon, including my home state of Illinois. To take just one example, a man was sentenced to 15 months in prison for blowing up the van of a Palestinian-American family that was parked in front of the family's home in Burbank Illinois.

It is our government's responsibility to prevent and punish this kind of illegal discrimination. And it is incumbent upon all Americans who love this nation and the values our Constitution protects to make it clear to defend the civil rights of our Muslim neighbors are as important as the rights of Christians, Jews, and non-believers.

Of course, the First Amendment protects not just the free exercise of religion, but also freedom of speech. But all of us, especially those of us in public life, have a responsibility to choose our words carefully.

We must condemn anti-Muslim bigotry and make it clear that we won't tolerate religious discrimination in our communities.

We can protect our nation and still protect the fundamental freedoms of our Bill of the Rights.