

FREEDOM TO WORSHIP

*A GUIDE FOR COMMUNITIES SEEKING TO
BUILD OR EXPAND A PLACE OF WORSHIP*



CAIR
CALIFORNIA

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PREFACE	4
INTRODUCTION	5
PART 1 MOSQUE OPPOSITION & THE LAW	6
Current Climate	6
How Islamophobes Run Their Campaigns	7
Understanding Your Rights Under Federal Law	9
Discrimination Documented by USDOJ	10
PART 2 GUIDE TO SUCCESSFUL MOSQUE CAMPAIGNS	
Understanding the Bureaucratic Process and Working With Local Officials	11
Laying the Foundation: General Recommendations For Structuring Your Campaign	14
<i>Building an Intra-Community Network</i>	14
<i>Community Relations, Grassroots Networking and Interfaith Work</i>	16
<i>Working with Media</i>	16
<i>Talking Points: Framing Your Message; Rebutting Islamophobes' Arguments</i>	18
PART 3 MOSQUE OPPOSITION EXAMPLES	21

PREFACE

CAIR commends the American Muslim community for building religious institutions that are spiritually inspiring and civically engaged. This guide provides general information and organizing strategies primarily for those communities that are just starting off and/or seeking expansion of their facilities, and should not be construed as legal advice.

It is intended to educate and assist mosques and their communities to challenge false assumptions about Islam, build strong communities and coalitions, and ensure that the rights of American Muslims are equally protected. The information presented in the guide comes from news articles and reports researched by CAIR.

CAIR-Greater Los Angeles Area would like to acknowledge all those who contributed content, ideas and edits to this guide including our interns, current and former CAIR staff members Affad Shaikh, Moein Khawaja, Corey Saylor, Todd Gallinger, and Karen Dabdoub. We would also like to thank our community members and clients who have contributed to this guide by standing up bravely to protect theirs and all American's religious freedom.

RELIGIOUS TOLERANCE IN AMERICAN HISTORY

The **1649 Maryland Toleration Act** provided:

“No person or persons...shall from henceforth be any ways troubled, molested or discountenanced for or in respect of his or her religion nor in the free exercise thereof.”

The **1779 Virginia Act for Establishing Religious Freedom**, drafted by Thomas Jefferson, stated:

“[N]o man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever, nor shall be enforced, restrained, molested, or burdened in his body or goods, nor shall otherwise suffer, on account of his religious opinions or belief; but that all men shall be free to profess, and by argument to maintain, their opinions in matters of religion, and that the same shall in no wise diminish, enlarge, or affect their civil capacities.”

An Act for establishing Religious Freedom
mighty God hath created the mind free; that all attempts to influence it by coercion or other, as was in his all-mighty power to do, that being themselves but fallible and unwarranted men have assumed dominion over the only true and infallible, and as such endeavouring to impose them on others, and through all time; that to compel a man to furnish contributions of money; that even the forcing him to support this or that teacher of his own religion; that withdrawing from the Ministry these temporary rewards, which, from his earnest and unswerving labours for the instruction of mankind, are given in physics or geometry, that therefore the prescribing any opinion to officers of trust and exaltation, unless he profess or renounce the advantages to which, in common with his fellow citizens he has a right, is to encourage, by binding with a monopoly of worldly honours and rewards, those are criminal who do not withstand such temptation, yet no magistrate to intrude his powers into the field of opinion and to restrain dangerous fallacy which at once destroys all religious liberty.

INTRODUCTION

Freedom of religion is one of the bedrock principles that this nation is built upon. The early colonies were established to grant freedom to religious minorities and to protect them from persecution by the state. The right to practice religion freely was deemed so important that early Americans sought to ensure these rights by codifying them. Such codifications were precursors to the fundamental right of freedom of religion guaranteed in the First Amendment of the United States Constitution: “Congress shall make no law respecting the establishment of religion, or prohibiting the free exercise thereof.”¹

Despite these time-honored protections, American Muslim communities across the country have sometimes faced stiff and bigoted opposition to their attempts to build, expand and foster Muslim communities. While different communities have faced local opposition, there is now a concerted national effort by fringe groups against the expansion of Muslim communities that frames its rhetoric around such fictions as: Islam cannot adapt to American and democratic values; Islam is archaic, barbaric and irrational; Islam is a religion of violence and supports terrorism, and Islam is a political ideology, not a religion. These and other similarly negative views of Islam were highlighted in the 2010 CAIR and University of California, Berkeley Center for Race & Gender joint report, *Same Hate, New Target* which defined the term “Islamophobia” as a “close-minded prejudice against or hatred of Islam and Muslims.”²

This guide is separated into three parts. In Part One we discuss the context in which you may be beginning your mosque construction campaign. We discuss the political climate and groups that influence public opinion, as well as offering an overview of relevant federal law. Part Two provides you with a guide on structuring a successful mosque campaign and how to deal with mosque opposition. Finally, Part Three provides you with recent examples of local Muslim communities that have encountered mosque opposition.

1 “The Constitution of the United States,” Amendment 1

2 Council on American-Islamic Relations and University of California, Berkeley Center for Race & Gender. (2010, December 1) *Same Hate, New Target*, 11.

MOSQUE OPPOSITION & THE LAW

According to a study released by the Pew Research Center on August 24, 2010, the American public's favorable rating of Islam sank from 41% in 2005 to 30% in 2010.¹ Pew conducted its poll amid the Park 51 Community Center or "Ground Zero Mosque" controversy, which sparked a national debate on the right of Muslims to build mosques in America. Localized efforts to oppose mosques gained national attention, and political opportunists used mosque building debates to galvanize voters and raise funds for their campaigns. While some statements by these elected officials were patently anti-Muslim, other elected officials simply failed to challenge those who cast doubt on Muslims' First Amendment right to build Islamic centers.

According to an August 2011 study released by the Pew Research Center:

*"A quarter of Muslim Americans (25%) report that mosques or Islamic centers in their communities have been the target of controversy or outright hostility. While 14% report that there has been opposition to the building of a mosque or Islamic center in their community in the past few years, 15% say that a mosque or Islamic center in their community has been the target of vandalism or other hostile acts in the past 12 months."*²

1 The Pew Research Center (2010, August 24) *NYC Mosque Opposed, Muslims' Right to Build Mosques Favored Public Remains Conflicted Over Islam*. Retrieved from http://www.pewforum.org/uploadedFiles/Topics/Religious_Affiliation/Muslim/Islam-mosque-full-report.pdf.

2 The Pew Research Center. (2011, August 30) *Muslim Americans: No Signs of Growth in Alienation or Support for Extremism*. Retrieved from <http://www.people-press.org/files/2011/08/muslim-american-report.pdf>.

SHARIA PARANOIA

At the beginning of the 2012 Presidential election season some have again sought to make Islam and Muslims a political wedge issue. Some candidates have pushed the manufactured issue of Sharia law into the political discourse, carving out their positions not just on Sharia, but the role of American Muslims and the place Islam has in American society.

Legislation introduced in states across the country to ban the use of Sharia law in state courts began as a national campaign from a right-wing anti-Muslim organization tied to the same organizations that led the efforts to oppose mosque constructions. Currently, 24 states have considered the legislation. The most radical of these bills -- SB 1028 -- was introduced by a Tennessee legislator that would make "material support...to a designated sharia organization" punishable by 15 years in prison.

25% 

REPORT THAT MOSQUES OR ISLAMIC CENTERS IN THEIR COMMUNITIES HAVE BEEN THE TARGET OF CONTROVERSY OR OUTRIGHT HOSTILITY

14% 

REPORT THAT THERE HAS BEEN OPPOSITION TO THE BUILDING OF A MOSQUE OR ISLAMIC CENTER IN THEIR COMMUNITY IN THE PAST FEW YEARS

15% 

REPORT THAT A MOSQUE OR ISLAMIC CENTER IN THEIR COMMUNITY HAS BEEN THE TARGET OF VANDALISM OR OTHER HOSTILE ACTS IN THE PAST 12 MONTHS

Studies by Pew Forum on Religion & Public Life (Pew), the American Civil Liberties Union (ACLU), and CAIR have identified 52 mosques since 9/11 that have faced or are currently facing - significant opposition across the United States.³ The underlying similarities in the opposition strategy developed against these mosques are part of a coordinated national plan to politicize mosque projects, and increase the cost, time and efforts spent on mosque construction or expansion. In some instances, staunch resistance has resulted in the termination of mosque projects altogether. In these cases, the coordinated opposition by a vocal minority has portrayed Muslims and the Islamic faith as being “evil,” “violent” and “incompatible with American values,” and has also resulted in instances of violence against Muslims.⁴

HOW ISLAMOPHOBES RUN THEIR CAMPAIGNS

National groups and their leadership dedicated to hatred and prejudice against Islam and Muslims are orchestrating a climate of fear resulting in acts of discrimination and violence. These organizations use legitimate concerns about national security and terrorism to provoke fear of the Muslim community and to paint Islam as a violent religion. The strategy and rhetoric used to deliver the mosque opposition’s message against the American Muslim community all originate from well-known Islamophobic national players.⁵ Prominent Islamophobic individuals and organizations include Pamela Geller and her group Stop the

3 The total number of 52 was the result of cross-referencing CAIR’s internal count of anti-mosque construction cases with studies by Pew Research Center and the ACLU. See The Pew Research Center. (2011, September 29) *Controversies Over Mosques and Islamic Centers Across the U.S.* Retrieved from <http://features.pewforum.org/muslim/assets/mosque-map-all-text%209-29-11.pdf> which found 37 mosques that faced community resistance in the three years prior to publishing the study. See American Civil Liberties Union’s Interactive Map of Anti-Mosque Activity. Retrieved from <http://www.aclu.org/maps/map-nationwide-anti-mosque-activity> tracking anti-mosque incidents since 2006 and gathering data on 80 anti-mosque incidents, 31 of those anti-mosque construction as of June 2012. CAIR has compiled its own list of 33 anti-mosque construction cases.

4 See Council on American-Islamic Relations. *Same Hate, New Target.*

5 See Ali, W., Clifton, E., Duss, M., Fang, L., Keyes, S., & Shakir, F. (2011, August 26). *Fear, Inc.: The Roots of the Islamophobia Network in America.* Retrieved from <http://www.americanprogress.org/issues/2011/08/islamophobia.html>

Islamization of America (SIOA), Brigitte Gabriel's ACT! For America, and Robert Spencer's Jihad Watch.

A number of these anti-Muslim organizations have overlapping leadership positions. This concentration of leadership has led to an identifiable national strategy used by these organizations to marginalize the Muslim community. Stop Islamization of America's (SIOA) "Mosque Manifesto: All Mosques are Not Created Equal, A Handy Guide to Fighting the Muslim Brotherhood" outlines a strategy for its activists to help defeat any plans to build a mosque in their community.⁶ This organizing manifesto was picked up by ACT! For America and has been used to lead local efforts to oppose mosques. The ultimate goal of these efforts is to keep American Muslims from establishing a mosque in a particular community.

In organizing opposition, opponents work toward three goals that allow them to create barriers to and politicize the mosque construction process:

- 1. Smearing Islam and Muslims:** They question the allegiance of American Muslims, paint the Muslim community as part of an international terrorist conspiracy by connecting leadership, speakers and members as sympathetic or connected to terrorist causes;⁷ their common assertions include:
 - Islam is not a religion, but it is a political system/cult/movement focused on world domination.
 - Muslims practice "*taqqiya*" or deception when dealing with Americans and are permitted under Islam to do so to further "stealth jihad."
 - Americans are threatened by "stealth jihad," or the furthering of a subversive Islamist agenda in America, including the slow erosion of American values through Muslims utilizing the courts to protect religious freedoms, and associating Muslim community and advocacy groups with international groups such as the Egyptian Muslim Brotherhood.
- 2. Interrogating mosque practices:** Of the 48 mosques and learning centers identified by Pew, ACLU and CAIR that have recently faced opposition, a number of them have had either the source of their funding, materials, and/or teaching practices questioned.

6 Geller, Pamela and Robert Spencer. (2010, July 6). *SIOA Mosque Manifesto: All Mosques are Not Created Equal, A Handy Guide to Fighting the Muslim Brotherhood*. Retrieved from <http://actforamerica.wordpress.com/tag/sioa-mosque-manifesto-all-mosques-are-not-created-equal/>.

7 See People for the American Way. (2011, July 25) *The Right Wing Playbook on Anti-Muslim Extremism*. Retrieved from <http://www.pfaw.org/sites/default/files/rwwif-muslim-playbook.pdf>

3. **The “not-in-my-backyard” tactic:** Opponents say the project could be built elsewhere, while creating bureaucratic hurdles by citing zoning, parking, traffic, and other city planning issues to keep the project from being built in the cited location and, effectively, elsewhere. While these concerns may be legitimate and not generated by anti-Muslim sentiment, they can also be exploited and used as a more subtle way to undermine mosque construction. This tactic is specifically advocated by SOIA in their *Mosque Manifesto*: “If there is rezoning involved, fight it. If there are some changes to codes, fight them. Keep it tied up. Exhaust them.”⁸

- At least 25 of the identified mosques have faced bureaucratic hurdles as a result of the opposition.
- Common complaints include: commercial/residential zoning issues, traffic concerns, parking problems, noise and light pollution, effect on neighboring property values, flooding, water and sewer service, and negative effect on city plan/character of neighborhood.

UNDERSTANDING YOUR RIGHTS UNDER FEDERAL LAW

The Religious Land Use and Institutionalized Persons Act (RLUIPA) is a federal law that protects religious institutions from zoning regulations that would unduly restrict them from using their property in the manner in which they would like. In general, the law provides for a two-part protection: first, a land use (zoning) law must not pose a substantial burden on a religious institution and second, a government may not use a land use regulation to discriminate against or exclude a certain community from practicing its religion.

Substantial Burden: A government may not enact a land use regulation that will impose a substantial burden on the religious exercise of a person or religious institution unless the government can demonstrate that the burden is required to further a compelling government interest; and that the government is using the least restrictive means available to it in furthering its interest.⁹ Courts around the country have interpreted “substantial burden” differently; consult with your local attorney or CAIR chapter to help you understand if your community is being burdened under the meaning of the law.

Discrimination & Exclusion: A government may not enact a land use regulation that treats a religious institution differently than a nonreligious institution; nor may it enact a regulation that discriminates against

8 Geller, Pamela and Robert Spencer. (2010, July 6). *SIOA Mosque Manifesto: All Mosques are Not Created Equal, A Handy Guide to Fighting the Muslim Brotherhood*. Retrieved from <http://actforamerica.wordpress.com/tag/sioa-mosque-manifesto-all-mosques-are-not-created-equal/>.

9 42 U.S.C. § 2000cc

any institution based on its religion or religious denomination. Furthermore, a government may not enact a land use regulation that totally excludes religious institutions from its jurisdiction; or unreasonably limit religious institutions within its jurisdiction.¹⁰ It is important to understand that you do not necessarily have to prove that other religious institutions are able to build when you are not; but only that the land use regulation perhaps discriminates against all religious institutions vs. secular institutions.

DISCRIMINATION DOCUMENTED BY USDOJ

In September 2010, the United States Department of Justice (USDOJ) released its Report on the Tenth Anniversary of the Religious Land Use and Institutionalized Person's Act (RLUIPA). Charged with the enforcement of RLUIPA, the USDOJ has opened 51 investigations into land use issues and filed seven lawsuits under the act since September 22, 2000.¹¹ Eighteen of those matters have involved possible discrimination against Muslims and eight of those were opened since May 2010.¹²

There are three basic categories that delineate the cases investigated by the USDOJ: cases that involve allegations of religious or racial bias by a jurisdiction against a place or worship or religious school; cases barring houses of worship in zones that allow secular gatherings such as clubs or lodges; and cases where a local government has placed a substantial burden on the free exercise of the religious organization.¹³

The report states that “nearly a decade after the attacks of September 11, 2001, Muslim Americans continue to struggle for acceptance in many communities, and still face discrimination... This fact is a sober reminder that, even in the 21st century, challenges to true religious liberty remain.”¹⁴

10 Ibid.

11 United States Department of Justice. (2010, September 22). *Report on the Tenth Anniversary of the Religious Land Use and Institutionalized Persons Act*, 5. Retrieved from http://www.justice.gov/crt/rluipa_report_092210.pdf.

12 Ibid., 12.

13 Ibid., 7.

14 Ibid., 12.

PART TWO

GUIDE TO SUCCESSFUL MOSQUE CAMPAIGNS

The best campaigns are proactive and begin before any real issues arise. If your community is thinking about building or expanding a mosque, be sure to create a long term plan that takes into account possible construction issues but also includes a community outreach strategy. It is also important to consult with your existing local Muslim leadership and a land use attorney about your plans before you take the first steps towards building. If a community is already facing opposition, it should not hope for the situation to simply fade away on its own since this only provides the opposition with more time to frame the story and present its perspective against the Muslim community.

There are several ways to preempt or respond to opposition by creating a cohesive strategy that involves outreach efforts within the Muslim community, as well as to the broader community, city officials, and the media.

UNDERSTANDING THE BUREAUCRATIC PROCESS AND WORKING WITH LOCAL OFFICIALS

Cities and counties have local rules and ordinances governing where and what may be built within a city's limits. These laws help promote commerce, keep residential areas safe and family-oriented, and ensure that buildings do not pose hazards to the health of city inhabitants. For this reason, people are required

THE MEDINA CHARTER: WORKING WITHIN A DIVERSE COMMUNITY

The year 622 C.E. is known to Muslims as the year of Prophet Muhammad's (peace be upon him) emigration to Medina. It is also the year that he helped establish the city-state of Medina by drafting the Medina Charter. Prior to the Prophet's arrival, the tribes of Medina were besieged with inter-tribal conflict.

The Prophet was already the acknowledged leader of the Meccan Muslim community. As a newcomer to Medina, however, the Prophet drew on his reputation as a fair and just mediator in approaching the leaders of the various tribes in Medina and brought them together to resolve their conflicts.

In drafting the charter, the Prophet consulted and negotiated with the leaders to create a constitution that guaranteed the religious and political rights of all faith groups in Medina. His willingness and ability to listen and resolve concerns gained him broad respect amongst the tribes.



FACING OPPOSITION?

If your community is already in the process of purchasing, building, or expanding, and is experiencing any type of opposition, we encourage community leaders to contact your local CAIR office for assistance with your specific circumstances, or at least to report any evidence of opposition.

Contact your local CAIR office by visiting
www.cair.com

to apply to the city or county in order to construct buildings in certain areas, or get permission to adapt a building space for a particular use.

It is important that you stay current on your city's requirements for new constructions or expansions. Be sure to follow local and state ordinances and regulations and obtain the proper permits. City planning and zoning fees can quickly add up if sufficient care has not been taken during the construction process, and this often leads to more costs for mosques than what they have budgeted. Seek help from your city's planning staff and planning commission if you are concerned about potential issues; it is always better to address these matters before they become large scale problems. Often times, communities can neutralize opposition even before it occurs by working with and explaining the project to the city planning commission and city council ahead of time. Below is a breakdown of issues and terms that are pertinent to the construction process:



City/Land Use Plan: City plans are generally used to guide the growth of a city. Planners generally analyze the city's infrastructure, traffic congestion issues, water supply and sewer service, as well as mapping a city's zones and its potential for growth. Some cities also have guidelines on building structures and appearances. It is essential for any Muslim community considering building or expansion to consult and work with their city planning office far in advance to ensure that their construction plans will be approved.

Zoning: Zoning regulations are used by cities to implement land use plans. City land is categorized into different types of zones, the most common designations being residential and commercial. Before buying a

lot for mosque construction or expansion, determine the specific zone that the parcel of land you are considering is located in. Assess the costs of building in a commercial or residential zone, not only in terms of monetary costs, but also whether one type of zone has more restrictions than another or whether you will have to seek additional permits for building in a specific zone. Restrictions have the potential of pushing back the timeline for completion that communities have in mind. This takes a toll on the community's enthusiasm and interest for the project.

Special/Conditional Use Permit: This permit may be used to grant your mosque project an exemption from a city's zoning regulations. Typically, if you are seeking to construct a building that does not exactly fall into the plan for a specific zone, you would seek a conditional use permit. You should apply for required permits as soon as possible. Communities should be aware that approval of conditional use permits can potentially stall the project if the opposition argues that granting of the permit may change the character of the neighborhood or cause other problems. This can result in costly delays and, therefore, the requirement of permits should be considered when purchasing the lot.

Noise Regulation: Many cities have ordinances regarding noise levels in certain land use zones; opponents to mosque construction often cite noise pollution as one of their top concerns. Address neighborhood concerns about noise pollution by creating an internal policy that is part of the permit application, limiting the volume during events to a city-recommended level. After receiving approval of your application, make sure to abide by noise regulations as violations can result in future problems with neighbors and law enforcement.

Traffic Congestion & Parking: Local building codes may have requirements regarding the number of spaces that must be available in a parking lot based on the estimated number of congregants attending the mosque; sufficient parking space may also reduce complaints regarding street parking and neighborhood congestion. You may be required to submit a report considering the impact of your mosque on traffic in the area. Some communities have worked through traffic concerns by agreeing to pay for any roadwork or signage required to alleviate traffic.

Building Codes: Each state has specific building regulations pertaining to all building occupancies. Building codes for the state of California are covered under Title 24 of the Building Standards Code. Please review this guide to Title 24 published by the California Building Standards Commission for general building regulations and standards: http://www.documents.dgs.ca.gov/bsc/Title_24/T24TrainingGuide.pdf.

PRESENTING TO CITY PLANNERS AND OFFICIALS

When you present your project before the city planning commission and city council, make sure to elect a spokesperson who can clearly articulate the project, how it has conformed with city requirements, and why the mosque building is important to your Muslim community and the broader community. Make sure to have a diverse representation of the Muslim and broader communities to write letters to officials and make public comment during city hearings. In your letters and comments, stress the importance of building your mosque - discuss how not having the new construction will impact your community's religious practices, and explain that having such a house of worship will add inherent value to the city.

LAYING THE FOUNDATION: GENERAL RECOMMENDATIONS FOR STRUCTURING YOUR CAMPAIGN

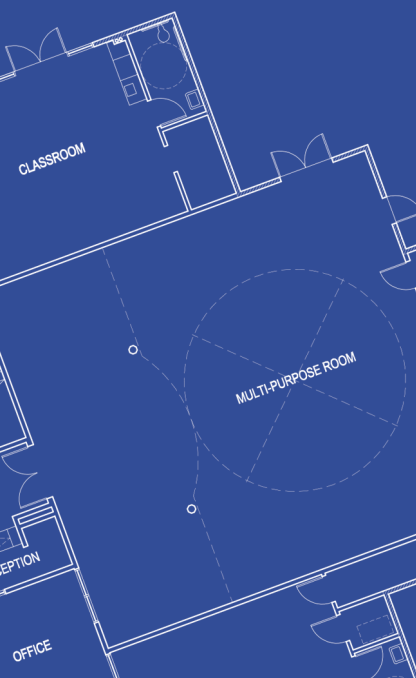
Determine the facts of the situation. Get the *who, what, when, where, and why* of the situation before deciding on a course of action. Make sure you understand who is opposing you and why. Most of the time, quick on-line searches will identify opposition groups and individuals. If you have friends and allies within the interfaith community, elected officials, or other community based organizations, it is best to update them on the situation to try to mobilize broad community support for your project.

Each incident must be dealt with as soon as it happens, not when it is convenient. Your Muslim community members should be aware of these efforts as well. Community members must be given simple, specific actions they can take to support the leadership's effort in mosque-building, such as making phone calls, writing letters, sending e-mail messages to decision-making officials, and taking part in town hall meetings or forums.

Stay on top of the situation. You must present a cohesive response. Take actions that support the message you are trying to get across, and have coalition members motivated to work on your behalf. The key to any positive outcome is quick and comprehensive action that is direct and structured. Make sure to keep your supporters updated throughout the course of the project and especially on its eventual outcome. Thank them for their efforts and support, keep in contact with them, and support them in their endeavors.

BUILDING AN INTRA-COMMUNITY NETWORK

The success or failure of your mosque construction campaign will largely be determined by the support that you can garner within your local Muslim community. A mosque planning committee should be created from amongst your congregants. Choose people who can be relied on through the course of the entire project. Members of the main planning committee



should in turn be heads of specialized committees designated to deal with specific parts of the project. For example, you may want to create a committee that specifically deals with city officials, another that will coordinate the Muslim community actions, a separate committee to coordinate outreach with the broader community, and another to oversee the actual building project.

Delegating duties in this manner enables you to take advantage of the diverse talents of your community. It also allows your community to take ownership in the project and be invested in the outcome. Undoubtedly, the mosque project already has support amongst every age, gender, race and professional group in your community, and you want this diversity reflected in the projects' committees. A number of the mosque projects that were reported to CAIR failed due to community members losing motivation for the project in the face of organized opposition. An active and visible community presence is the best way to show city officials that a mosque or learning center is necessary for the community.

You may use the following suggestions to help mobilize your local Muslim community:



- **Committees:** It is important to keep the community engaged and directly involved with the mosque development project. Invite members who are representative of your entire community to be on committees such as outreach, interfaith, programs and activities, mosque development, education, and so forth.



- **Town Halls:** Town halls are a great tool to disseminate progress or other important updates to community members. Town halls are also a great organizing tool to hear community input. They should be announced with reasonable advance notice so that anyone who wants to attend may do so. Make sure there are clearly defined objectives of what you hope to convey to the community and also what action items need further attention.



- **Newsletters:** Informational letters or emails should be periodically disseminated to community members, offering updates on the project, describing planned activities for the new facilities, and soliciting feedback.



- **Programs and Activities:** Until you have the proper facilities, continue to engage the community by way of spiritual, educational, and family activities. Continue to point out to community members how improved facilities are essential to sustain the religious practices of the community.

- Contact a local CAIR chapter for specifically tailored outreach strategies.

COMMUNITY RELATIONS, GRASSROOTS NETWORKING AND INTERFAITH WORK

Equally important to building a Muslim community network is to build a network amongst the broader local community. Identify local organizations, activists, city officials and other influential members in your local community who you can contact. You should create a strategy for developing your grassroots and interfaith network and make sure that you follow through. Keep your network updated on your progress.

One of the most important ways to build community relations is through interfaith work. Interfaith relations create opportunities and forums where you can meet with leaders and people of other faiths to learn about one another's religion, and find common ground to work together for the good of the larger society. Interfaith work helps make new friends and allies who in turn will help dispel the misinformation about Islam in society, the media and politics, and help stand alongside your community at times of unfair and bigoted attacks.

Typical interfaith activities include forums, dialogues (not debates), talks, joint programming, vigils and prayers, open houses at religious centers, annual iftar dinners, joint publications or articles, advocacy on common moral, political, social or economic issues, and joint media activities, such as news conferences (after an attack on a house of worship).

It is also important to dialogue with your local neighborhood, including business owners and residents, about their vision and goals for the local community. It is not enough for the mosque community to “not cause any trouble” or “stay out of people's way”; instead, the mosque community should be a positive source of community development for the entire neighborhood. The importance of early communication with local neighbors cannot be stressed enough. They have the potential to be your staunchest supporter or firmest adversary.

If you are still unsure about how to build a support network within your community, please contact your local CAIR office.

WORKING WITH MEDIA

Learning how the news industry functions and engaging journalists are crucial to the establishment and well-being of the mosque community and its relations with the neighbors and the city. In most cases, inaccurate or negative portrayals of Islam are a result of unfamiliarity, not hatred. Most journalists want to be accurate and objective in their reporting, so they will appreciate access to good resources.

Basic things to remember when working with the media are: 1) have a legitimate title for the individual in charge of dealing with the media, such as “mosque spokesperson” or “mosque outreach coordinator” unless that individual is the head of the board of directors or the imam, in which case he/she should use that title. 2) Make sure everything you say is true and accurate, and be available to the media at all times. 3) Most important of all, be sure to act quickly to take advantage of opportunities and/or provide your side of the story.

Personal Interviews

Reporters often seek to get firsthand accounts of stories or may want you to comment on an ongoing issue or controversy. If you receive a phone call asking for an interview, first clarify who is calling, from what news agency and what the deadline is. If you can, try to find out the angle of the story.

To prepare for your interview, it is extremely helpful to write down likely questions and practice with someone. Try to prepare “talking points,” in other words certain key points that you want to put forward during the interview. Talking points should be comprehensive, incorporate a positive reflection or benefit of the project, and be truthful. Below are examples of talking points:

- Our community wants to create a space where our families can gather to share our religion and teach our children.
- Our current building is inadequate to support our growing community.
- We want our mosque to be an asset not only for the Muslim community, but for the entire surrounding community.

You will find more examples of talking points related to the common arguments put forward by mosque oppositions at the end of this guide.

Letters to the Editor and Opinion Pieces

One very popular section of a newspaper is the “letters to the editor” page. This is a quick and easy means of responding to negative as well as positive coverage. Letters to the editor are designed to express just one idea and should be no more than 150 words. Do not waste space by repeating your opponent’s message. React quickly to stories involving your local community.

Opinion pieces are published in newspapers and magazines and are a powerful means of framing your

freedom to worship

community's position and message. Before submitting an opinion piece, make sure to check the newspaper's submission policies. It is important to stick to one issue, keeping your message short and succinct. Generally opinion pieces are no more than 650 words.

TALKING POINTS: FRAMING YOUR MESSAGE; REBUTTING ISLAMOPHOBES' ARGUMENTS

It is important to highlight American values of tolerance and pluralism:

- The America we aspire to build believes in freedom of speech and freedom of religion.
- The First Amendment clearly upholds religious freedom. President Obama said it very well: "Muslims have the same right to practice their religion as everyone else in this country. And that includes the right to build a place of worship and a community center on private property ... in accordance with local laws and ordinances."
- The Constitution must be upheld, not only in easy times, but most importantly, during challenging times. It is what defines our country's values and what brings us together as equal Americans, not as divided classes of sub-Americans.

It is also advisable to respond to claims that Islam is not a religion but a cult or political system in the following way:

- Claims such as these only exhibit pure bigotry, hatred and ignorance toward a world religion of 1.5 billion peaceful adherents.
- Islam has a rich history in the United States.
- Islam is not a monolith. Its adherents come from every age, race, and professional background.

Rebutting arguments that question the allegiance of American Muslims:

- Arguments framed around claims of *taqqiya* represent clear paranoia and conspiracy theory qualities. The assertion of *taqqiya* is a clear and overt attempt to dehumanize an entire community. To insinuate that an entire people are lying, is pure hate. It would not be surprising

to find similar propaganda against Jews in Germany or against unpopular groups during the McCarthy era.

- Any contention that American Muslims are using the rights granted to them under the laws of the United States to conduct a “stealth jihad” is an attempt to frame Muslims as outsiders who should not have equal access to the protections of the Constitution.
- This is pure fear mongering and anti-Muslim sentiment that undermines our American values.
- Unfortunately, some choose to indict all American Muslims and the religion of Islam itself for the acts of a few fanatics. This is bigotry, it is guilt by association and is contradictory to American values.



FACING OPPOSITION?

If your community is already in the process of purchasing, building, or expanding, and is experiencing any type of opposition, we encourage community leaders to contact your local CAIR office for assistance with your specific circumstances, or at least to report any evidence of opposition.

Contact your local CAIR office by visiting
www.cair.com

PART THREE

MOSQUE OPPOSITION EXAMPLES



ISLAMIC CENTER OF THE SOUTH BAY, CALIFORNIA

The Muslim community in the city of Lomita has operated a mosque and held public worship services at its current location since 1985. It subsequently purchased neighboring properties in 1988, 1999 and 2001, adding facilities to serve their community beyond only a prayer space. In September 2008, as needs of the community continued to grow, an application was filed by the mosque to join the disjointed buildings strewn across the lots and build a new mosque on their property. In order to achieve this, the mosque required a zone change for a few of the lots.

In September 2009, ICSB obtained approval from Lomita's planning commission to consolidate its properties, along with a recommendation to the city council to allow the zone change as the project satisfied all requirements. While those opposed to the mosque had voiced their concerns during the planning commission application process, they became more organized after the decision.

The opposition exerted tremendous pressure on the council members to not approve the project. One of the main organizers of the opposition who gained notoriety during the opposition campaign was later elected to the city council. In response the ICSB community attempted to interact, educate, and engage with their neighbors and to clarify any misconceptions about the project. However, on March 1, 2010 the city council heard and denied the zone change request after four hours of public comment. Following this denial, CAIR-LA and the ICSB leadership notified the United States Department of Justice of potential discrimination.

In June 2011, the USDOJ launched an investigation into whether the denial by the city council was discriminatory. On March 21, 2012, ICSB, represented by attorneys at CAIR-LA and the law firm of Hadsell, Stormer, Keeny, Richardson & Renick, LLP, filed a lawsuit in federal court claiming the city engaged in religious discrimination under RLUIPA when it denied ICSB's application. Both the USDOJ investigation and ICSB's lawsuit are currently pending.



ISLAMIC CENTER OF TEMECULA VALLEY, CALIFORNIA

The Islamic Center of Temecula Valley was established in 1998 and has been an active participant in the Interfaith Council of Murrieta and Temecula Valley. It has participated in local canned food drives, provided shelter to those affected by California wildfires, and hosted yearly open houses during Ramadan. The Islamic Center initiated plans to build a full service community center in 2006. In April 2008, a comprehensive building and design plan was submitted to the City of Temecula Planning Department. The proposed 24,950-square-foot mosque would roughly mirror in size and acreage of two nearby churches – Calvary Baptist Church and Grace Presbyterian Church.

In 2010, a few political and local church groups, including the neighboring Calvary Baptist Church and local Tea Party members, began actively opposing the proposed Islamic Center. In July 2010, the local “Tea Party Patriots” organized a protest rally which was to be held during Friday prayers. In an email circulated on online forums, the group called on citizens to bring “guns, bibles and dogs” to intimidate Muslim worshippers. About 20 protestors showed up holding signs that said “God Bless America” and “No Allah’s Law here.” In response, about 70 Christian, Jewish, and Mormon members of the Interfaith Council and other groups organized a counter rally to support the Islamic Center. The Temecula City Council approved the mosque construction in January 2011.



ISLAMIC CENTER OF MURFREESBORO, TENNESSEE

The Islamic Center of Murfreesboro was incorporated in 1997 and in May of 2010, city officials approved plans for expansion. Opponents of the mosque included the Pastor of World Outreach Church in Murfreesboro, Allen Jackson, Lieutenant Governor Ron Ramsey, Republican candidate for Congress Lou Ann Zelenik, and local Tea Party candidate George Erdel. Their concerns ranged from zoning problems, traffic, and loss of neighboring property values to fear of the mosque being a training center for jihad and terrorism. The group Former Muslims United sponsored a billboard opposing the Islamic center. And in June of 2010, a sign marking the future site of the Islamic center was the target of vandalism and a fire at the construction site was designated as arson.

The local Muslim community hosted an open house event at the mosque to quell fears about intentions for a new mosque and answer questions about Islam. The community also cultivated outreach efforts within the broader community so when a demonstration against the planned mosque brought out protesters in July 2010, an equal number of counter protesters were there in support.

In September 2010, opponents of the mosque also tried to stall the expansion by bringing legal proceedings against the local government, alleging that the county had failed to give adequate public notice of the hearing approving the mosque project. The case quickly devolved from being about open meeting laws to a trial about Islam itself and questioning its status as a religion. The Justice Department's Civil Rights Division filed an amicus brief in support of the mosque affirming Islam's status as a religion.

On August 29, 2011, a judge upheld a ruling that the residents did not have standing to bring suit because they were unable to show that they had suffered harm. However, residents were informed that they could pursue a challenge of the county's compliance with open meeting laws which they proceeded to do in October 2011.

On May 29, 2012, the court ruled that the decisions made during the meeting, including those that approved the mosque construction, were void because the county had violated the public notice requirement. Construction of the mosque was ordered to cease. The United States Department of Justice then filed suit against the county claiming discrimination against the mosque. Federal prosecutors stated that the chancery court judge had created a separate "mosque standard" for people trying to build mosques versus other houses of worship. In July 2012, U.S. District Judge Todd J. Campbell granted a temporary restraining order allowing construction to be completed in time for Ramadan. On August 10, 2012 the mosque was able to open its doors to 300 worshipers.

CONCLUSION

We build mosques for many reasons, whether it is to accommodate for a growing population or to build a community center to foster community ties and teach our children about our religion, it is essentially to create a space where we may worship together. The right to build that space is protected by our laws and we have an equal right to exercise it.

We hope that this guide will provide you with a better understanding of the mosque construction process and assist you in planning for your future building or expansion. We may not have covered every issue that you will encounter; every construction is slightly unique due to city regulations and community needs. Please contact your local CAIR office for further assistance in creating a more tailored strategy to help you preempt and deal with any opposition.

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*“Ultimately,
America’s answer to
the intolerant man
is diversity, the very
diversity which our
heritage of religious
freedom has inspired.”*

- Robert F Kennedy

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