

Issue Brief:

Middle Eastern Americans & The First Amendment

Keywords: The First Amendment, Freedom of Religion, Freedom of Speech, Islam, Islamophobia, Middle Eastern Americans, The Patriot Act, 9/11

Description: This brief focuses on issues related to Middle Eastern Americans and the First Amendment, particularly in regard to the anti-Islamic sentiment that spread through America in the aftermath of the September 11, 2001 terrorist attacks.

Key Points:

- Middle Eastern Americans are both ethnically and religiously heterogeneous.
- After the terrorist attacks of 9/11, misconceptions of Islamic identity led to widespread backlash against many Middle Eastern Americans, regardless of their religious affiliation.
- The USA Patriot Act of October 2001 allowed greater freedom for law enforcement agencies to gather intelligence, leading to an increase in surveillance which many critics believe violated the First Amendment rights of Middle Eastern Americans.

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Overall, Middle Eastern Americans represent a significant minority in the ethnoracial breakdown of the United States. In 2009, there were approximately 2 million Middle Eastern Americans. Of these, 45% were born in the Middle East and 49% were native-born US citizens. The Middle East has been a steady, albeit relatively small-scale, source of immigration for the United States for years. Americans from the Middle East accounted for just 2.2% of all immigrants in the United States in 2009, with about 830,000 people leaving their countries to come to America in that year. Around 2008, data revealed that one-third of the immigrants who were born in the Middle East (and North Africa) arrived to the US in 2000 or later, indicating that even in a post-9/11 world the United States has remained a popular destination for migrants. The majority of these immigrants hail from Iraq, Egypt, and Lebanon, but the fastest-growing groups are Saudis, Yemenis, and Sudanese.

As the geographic spread of these countries of origin suggests, Middle Eastern Americans come from a wide range of ethnic ancestries, including Arab, Algerian, Egyptian, Iraqi, Jordanian, Kurdish, Lebanese, Moroccan, Palestinian, Syrian, Yemeni, and more. Similarly, Middle Eastern Americans are religiously heterogeneous. The majority of Arab Americans are Catholic (35%), but there are also a significant number of Muslims (24%) and Eastern Orthodox Christians (18%), as well as other smaller religious minorities. This diversity is a recent development within America; before 1960, as many as 90% of Arab Americans were Christian. (It is unclear whether the “Arab Americans” mentioned in this data constitute all Middle Eastern Americans; however, regardless of the specific statistics, it is apparent that a variety of religions are practiced.) Such religious heterogeneity is also a stark contrast from the

Table 1. Middle Eastern Countries with the Largest Immigrant Populations in the United States, 2000

Country	Total 2000	1990-2000	1980-1989	pre-1980
Iran	279,062	70,648	90,437	117,977
Pakistan	269,831	143,125	88,530	38,176
Israel	123,695	44,456	39,577	39,662
Iraq	112,586	68,414	7,470	36,702
Bangladesh	103,341	86,885	13,149	3,307
Turkey	91,178	49,264	13,603	28,311
Egypt	87,266	44,632	15,518	27,116
Lebanon	83,396	21,731	29,841	31,824
All Others	319,492	162,794	86,162	70,536
Total	1,469,847	691,949	384,078	393,611
All Arab Countries*	583,846	291,357	130,176	162,313

* Arab countries include Bahrain, Iraq, Jordan, Kuwait, Lebanon, Omar, Qatar, Saudi Arabia, Syria, UAE, Yemen, Algeria, Egypt, Libya, Morocco, Sudan, Tunisia, Mauritania, and all persons who did not report a country but were born in the region and gave an Arab ancestry, primarily Palestinians.

Source: Center for Immigration Studies analysis of public use file of Census 2000 Supplemental Survey.

This data from 2000 shows the variety of countries from which Middle Eastern American immigrants hail.

(<http://www.cis.org/articles/2002/back902.pdf>)

Many of the First Amendment issues facing Middle Eastern Americans stem from public misconceptions over religion. After the terrorist attacks of September 11, 2001, a sense of Islamophobia swept through the United States. The rise of religious intolerance and prevailing lack of knowledge about Islamic identity often led to backlash against even non-Muslim Middle Eastern citizens. This hostile response led to a rise in issues related to First Amendment rights. Although the First Amendment guarantees freedom of religion, many Middle Eastern Americans were unable to truly practice this right due to severe prejudice and threats against their lives. Moreover, the First Amendment's protection of freedom of speech led to many legally-valid public protests against Islam, a rise of anti-Muslim "hate speech," and in certain extreme cases even the planned desecration of religious symbols (such as when Floridan Pastor Terry Jones scheduled a Qur'an burning for September 11, 2010).

Another major issue related to Middle Eastern Americans and First Amendment Rights is the debate over the legality of surveillance.

The USA Patriot Act, signed on October 26, 2001 as a swift reaction to the 9/11 attacks, granted more legal freedom for law enforcement agencies to gather intelligence. As such, it opened the door for increased surveillance. Many critics of the Patriot Act asserted that it violated the First Amendment freedoms of speech and association. Simply by expressing one's Middle Eastern heritage, a citizen could be the target of such practices. Indeed, the extent of such surveillance is

Middle East itself, which in 2008-09 was made up of 56.4% Sunni Muslims, 35.4% Shia Muslims, 3.91% Christians, 1.7% Jews, and 2.76% other non-Muslims. Despite a Christian majority and a clear diversity of beliefs, however, many Middle Eastern Americans are erroneously labeled as Muslim regardless of their actual religious affiliation.

Many of the First



The First Amendment guarantees freedom of religion and speech. It does not, however, cover burping.
(<http://bartsblackboard.com/files/2009/11/The-Simpsons-06x24-Lemon-Of-Troy.jpg>)

still being exposed more than a decade later. An August 2011 Associated Press article revealed that after 9/11 the NYPD partnered with the CIA to covertly monitor Muslim areas. Undercover officers would blend into Middle Eastern American communities to observe Muslim Americans and in some instances would even use informants known as “mosque crawlers” to monitor religious sermons, regardless of whether or not there was any evidence of wrongdoing. Even as recently as May 2012, reports surfaced indicating that the NYPD had kept secret files on business owners and other simply because they were Muslim. Such practices indicate that the First Amendment issues faced by Middle Eastern Americans stem almost entirely from the erroneous notion idea that all members of the ethnoracial group practice Islam.



This political cartoon from 2006 reveals some of the backlash against the Patriot Act.

(<http://static-l3.blogcritics.org/11/01/31/152583/patriotact.jpg>)

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Useful Websites:

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Center For Immigration Studies (www.cis.org)

First Amendment Center (www.firstamendmentcenter.org)

Middle Eastern American Resources Online (www.mearo.org)

Migration Information Source (www.migrationinformation.org)