Middle Eastern Americans and the First Amendment

Key Terms: Middle Eastern American, Arab, Muslim, and the Patriot Act

Description: This issue brief seeks to explore the relationship between Middle Eastern Americans and the First Amendment by using historic patterns of prejudice. This brief will also analyze popular stereotypes surrounding the perception of Middle Eastern Americans as well as post-9/11 sentiments towards them.

Key Facts:

- There are more than 3.5 million Middle Eastern Americans
- Not all Middle Eastern Americans identify as Arab (only about 17%)
- Anti Terrorism measures implemented following 9/11 lead to an increase in racial profiling of Middle Eastern Americans.
- From 2000 to 2007 the amount of reported hate crimes committed against Middle Eastern Americans quadrupled.
The Patriot Act increased governmental flexibility in the prosecution and surveillance of suspected terrorists, which many have viewed as an attack on the First Amendment rights of Middle Eastern Americans.

**Issue Brief**

Since the inception of the United States as a nation, the role of Middle Eastern Americans in society has remained fairly ambiguous. While the US has always maintained a platform of religious tolerance, the perceived “otherness” of Arab American has spurred into a national dilemma. In our society, there is often a very limited distinction used to describe between Arab, Middle Eastern, and Muslim Americans. These terms are often used synonymously and sometimes perjoritatively to refer to any individual from the Middle East. The term “Middle Eastern” American refers to individuals who identify as being descendant from Western Asia and Egypt, while “Arab” American refers to an ethnic subgroup that is considered to be descendent from the Arabian Peninsula. While there is a lot of overlap between these groups, using them interchangeably is problematic because it fails to incorporate the non-Arab portion of Middle Eastern Americans.

**Demographics that Debunk the Stereotype**

The most prominent stereotype surrounding Middle Eastern American identity is that all Middle Eastern Americans are Muslim. As a result of this false assumption, Middle Eastern Americans are often subjected to religious persecution solely on the basis of their
appearance. Following the emergence of the idea of the “anti-American” Muslim from the Middle East after September 11th many Islamophobic sentiments became prevalent in society. Another commonplace stereotype that arose was the idea of a single Arab identity that rejected western progressivism. According to the 2010 census only 17% of Middle Eastern American identified themselves as “Arab American” (Demographics, 2012) the vast majority identified themselves along lines of nationalism, which shows the vast diversity of the Arab American community. This ties into the first amendment rights of Middle Eastern Americans because while individuals are guaranteed religious freedom they are also subjected to prejudice as a result of the perception of their religion. According to the FBIs statistics on hate crimes, approximately 11.6% of religiously motivated hate crimes were directed at Islamic Americans (Hate Crime Statistics, 2012). This was the second highest percentage only superseded by anti-Semitism. This statistic is representative of all hate crimes targeting Islamic persons (not just Middle Eastern Americans) and also does not include statistics for Middle Eastern Americans who do not identify as Muslim. However, this data is still the most accurate reflection of hate crimes against Middle Eastern Americans because looking to the factor of ethnicity becomes complicated by the fact that Middle Eastern Americans are categorized as “white”. The classification of Middle Eastern Americans as a part of the majority group makes it hard to determine the total effects of hate crimes on Middle Eastern Americans.

**Freedom of Speech**

The relationship between Middle Eastern Americans and the free speech clause of the first amendment is complex because it is muddled down with intricacies that allow for discrimination against them, while also limiting the span of their protected speech. Since the declaration of the US Patriot Act enacted under President George W. Bush, racial profiling of
Middle Eastern Americans increased more so than that of any other ethnic group (The US Patriot Act: Impact of the Arab and Muslim American Community, 2004). In relation to free speech, this meant that any political opinion could be extrapolated and perceived as terroristic speech. This is extremely crippling in the sense that it results in discrimination against Middle Eastern Americans and limits the ability of individuals to dissent from popular political opinions.

Following September 11th and the enactment of the Patriot Act, there was a distinctive shift in the popular public opinion of Middle Eastern Americans. A Gallup poll conducted in August of 2006 reported that 53% of Americans surveyed still believed that Arab Americans should be required to undergo more intensive security checks at airports (Terrorism in the United States, 2014). This visible bias against Arab Americans correlates directly with an increase in the racial profiling cases reported involving Middle Eastern Americans.
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