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Sahar F. Aziz

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GLOBAL CONFLICT AND POPULISM IN A POST-9/11 WORLD

REMARKS FROM THE SEVENTEENTH ANNUAL
BUCK COLBERT FRANKLIN CIVIL RIGHTS LECTURE*

Sahar F. Aziz[†]

It is a privilege to be here today to deliver the Seventeenth Annual Buck Colbert Franklin Civil Rights Lecture. As a civil rights attorney and law professor working with Muslim and Arab American communities who are among the most unpopular minority group today, it is a special honor to recognize the noble work of Buck Colbert Franklin. It is courageous lawyers like him who inspire my generation to pursue social justice. He fought against all odds to defend African American victims of the Tulsa race riots.¹ Doggedly countering blatant racism, Franklin went all the way to the Oklahoma Supreme Court defending African Americans' rights to rebuild their communities after the devastating riots.² Hence, I am grateful for the trail blazed by Buck Colbert Franklin and other civil rights lawyers that came after him. Without their tenacity and commitment to justice, many of us would not be here in this room today. And while I would like to celebrate the absence of racism and xenophobia ninety years after Franklin's historic lawsuit, the facts on the ground caution us against sitting on our laurels.³

* This article is based on Professor Sahar Aziz's delivery of the Seventeenth Annual Buck Colbert Franklin Civil Rights Lecture at the University of Tulsa School of Law on September 15, 2016. A video recording of the lecture is available at: <https://www.youtube.com/watch?v=WKil717L6pI>.

† Professor of Law, Texas A&M University School of Law, Nonresident Fellow Brookings Doha Center. Professor Aziz thanks Professor Sam Halabi and Dean Lyn Entzeroth for their gracious hospitality. She also thanks Callie Dodson for her diligent research assistance.

1. BUCK COLBERT FRANKLIN, MY LIFE AND AN ERA: THE AUTOBIOGRAPHY OF BUCK COLBERT FRANKLIN (John Hope Franklin & John Whittington Franklin eds., 1997).

2. *Id.*

3. Michael Selmi, *Statistical Inequality and Intentional (Not Implicit) Discrimination*, 79 LAW & CONTEMP. PROBS. 199 (2016) (discussing the role of discrimination in inequalities through school discipline and racial profiling).

In 2015, Black people were killed by police at more than twice the rate of Whites.⁴ Indeed, the probability of being Black, unarmed, and shot by police is approximately 3.5 times higher than the probability of being White.⁵ According to the Washington Post, thousands of civilians were killed by police between 2005 and 2015, but only fifty-four officers were criminally charged.⁶ Of those, twenty-one officers have been acquitted, and only eleven police officers have been convicted.⁷ Thus, we should not be surprised when we hear demands to reform our legal system. For many Americans, the legitimacy of our entire justice system is in question.⁸

And yet, when African Americans exercise their freedom of speech and assembly to protest an inequitable justice system, they are vilified as thugs, hooligans or trouble makers—as has been the case with the BlackLivesMatter movement.⁹ Contrary to biased portrayals of the BlackLivesMatter movement as an extremist group, its members are calling for an end to the dehumanization of Black youth across all areas of society including, in our nation’s justice and education systems, social service agencies, media, and pop culture.¹⁰ Yet, when they demand a cessation of zero-tolerance school policies and arrests of students,¹¹ and reallocation of funds from police and punitive school discipline practices to restorative services; they are deemed a threat.¹² Thus, the public controversy surrounding the BlackLivesMatter movement’s demands for reform is misdirected. Criticism is more appropriately directed at our inability, or perhaps unwillingness, to pay attention to the harsh realities that have engendered this grassroots movement.

When governments fail to listen to their citizen’s grievances, the people have no choice but to resort to the streets.¹³ Grassroots movements challenging government abuse is not unique to the United States. They have taken root in many parts

4. Aaron Bandler, *5 Statistics You Need To Know About Cops Killing Blacks*, DAILY WIRE, July 7, 2016, <http://www.dailywire.com/news/7264/5-statistics-you-need-know-about-cops-killing-aaron-bandler>; Wesley Lowery, *Aren't more white people than black people killed by police? Yes, but no.*, WASH. POST, July 11, 2016, <https://www.washingtonpost.com/news/post-nation/wp/2016/07/11/arent-more-white-people-than-black-people-killed-by-police-yes-but-no/>; John Swain et al., Young black men killed by US police at highest rate in year of 1,134 deaths, *The Guardian* (Dec. 31, 2015) <https://www.theguardian.com/us-news/2015/dec/31/the-counted-police-killings-2015-young-black-men> (reporting that “[o]verall in 2015, black people were killed at twice the rate of white, Hispanic and native Americans. Young black men were nine times more likely than other Americans to be killed by police officers in 2015.”).

5. Andrew Rosenthal, *The Real Story of Race and Police Killings*, N.Y. TIMES, Sept. 4, 2015, http://takingnote.blogs.nytimes.com/2015/09/04/the-real-story-of-race-and-police-killings/?_r=0.

6. Kimberly Kindy & Kimbriell Kelly, *Thousands Dead, Few Prosecuted*, WASH. POST, Apr. 11, 2015, <http://www.washingtonpost.com/sf/investigative/2015/04/11/thousands-dead-few-prosecuted/>.

7. *Id.*

8. See L. Song Richardson, *Police Racial Violence: Lessons from Social Psychology*, 83 FORDHAM L. REV. 2961, 2966-2970 (May 2015).

9. Calvin John Smiley & David Fakunle, *From “brute” to “thug:” The demonization and criminalization of unarmed Black male victims in America*, JOURNAL OF HUMAN BEHAVIOR IN THE SOCIAL ENVIRONMENT (Jan. 20, 2016), <http://dx.doi.org/10.1080/10911359.2015.1129256>; see also Tyler Cherry, *How Fox News’ Primetime Lineup Demonized Black Lives Matter in 2015*, MEDIA MATTERS FOR AMERICA (Dec. 29, 2015, 9:19 AM), <http://mediamatters.org/blog/2015/12/29/how-fox-news-primetime-lineup-demonized-black-l/207637>.

10. *About the Black Lives Matter Network*, BLACK LIVES MATTER, www.blacklivesmatter.com/about (last visited Oct. 16, 2016).

11. *Id.*

12. *Id.*

13. Jessica West, *Protest is Different*, 50 U. RICH. L. REV. 737 (Jan. 2016) (describing the conflict between the need

of the world, including in Egypt, where I was born.¹⁴ In 2011, Americans were mesmerized in front of their television screens watching tens of millions of Tunisians, Egyptians, Bahrainis, and Yemenis take to the street in peaceful protests.¹⁵

Perhaps for the first time, Americans saw Arabs and Muslims as human beings—seeking democracy, economic opportunity, and dignity—the same values we cherish as Americans. The tens of millions of peaceful protesters in the Arab Spring proved to the western world that Orientalist framings of the Middle East as barbaric, uncivilized, and anti-democratic were patently false.¹⁶ Women standing shoulder to shoulder with men protesting decades of abuse and corruption shredded stereotypes of the meek Arab and Muslim woman.¹⁷ Women finally exposed Western Media's biased depiction of the region and its people as a fraud.

Americans heard Egyptians' calls for bread, freedom, and social justice as a sign of courage against an authoritarian regime that had long oppressed them. A regime that had stolen billions of dollars in state funds only to leave twenty-six percent of the population at below or near the poverty line.¹⁸ Americans believed Egyptians when they accused the Mubarak regime of systematic torture of political dissidents. They believed Egyptian youth when they condemned police abuse that pervaded their society. In those historic moments, for the first time, Americans empathized with the common Egyptians' desire to live a dignified life where they could provide their families with the basic necessities of life—free from government abuse.¹⁹ We understood that their grievances arose out of systemic and structural injustices. Many of our civil society organizations worked with Arab non-government organizations to build up civil society as a tool to reform society indigenously, according to the values and norms of Egyptians—not superimposed by the United States.²⁰

No longer did we see Muslims only as potential terrorists, extremists, or fundamentally different than us. We finally saw their humanity—that has been there all along—but we were blinded by our biases and misinformation. Yet, when communities of color or poor communities in the United States protest societal inequities,

for civil disobedience in the face of unjust laws or actions, and the focus by others on the social and legal disruption caused by protests).

14. Sahar F. Aziz, *Bringing Down an Uprising: Egypt's Stillborn Revolution*, 30 CONN. J. INT'L L. 1 (2014).

15. See Ayodeji K. Perrin, *Introduction to the Special Issue on the Arab Spring*, 34 U. PA. J. INT'L L. i (2013).

16. See Agatha Koprowski, *Islamophobia, Neo-Orientalism, And The Specter Of Jihad: Problems Facing Muslim Litigants In U.S. Courts*, 14 U. PA. J. L. & SOC. SOCIAL CHANGE 183 (2011) (discussing how Orientalism contributes to discrimination and negative stereotypes of Muslims litigating in U.S. courts).

17. Shugofa Dastgeer & Peter J. Gade, *Visual framing of Muslim women in the Arab Spring: Prominent, active, and visible*, 78 INT'L COMM. GAZETTE 432, 433 (2016).

18. Adel Abdel Ghafar & Fraus Mastri, *The Persistence of Poverty in the Arab world*, BROOKINGS INST. (Feb. 28, 2016), <https://www.brookings.edu/opinions/the-persistence-of-poverty-in-the-arab-world/>.

19. Amir Ahmed, *Thousands protest in Egypt*, CNN (Jan. 26, 2016, 6:54 PM), <http://www.cnn.com/2011/WORLD/meast/01/25/egypt.protests/>.

20. See Lorne W. Craner, *Egypt at a Crossroads, Testimony before the House Committee on Foreign Affairs*, INT'L REPUBLICAN INST. (Feb. 16, 2012) http://www.iri.org/sites/default/files/2012%20February%2016%20IRI%20President%20Testifies%20on%20the%20Situation%20in%20Egypt%20-%20complete%20testimony_0.pdf.

some of us become defensive.²¹ We discount their perspectives and marginalize their voices.

When African American males are incarcerated in state jails at an average rate of 5.1 more times than that of White Americans,²² we point to individual responsibility. When in twelve states, more than half the prison population is black,²³ we do not question the fairness of our criminal justice system. Why are we unable or unwilling to examine our own structural disparities?

When most Black and Latino students attend underperforming schools, we blame the kids and their parents for not being committed to education.²⁴ In many of the nations' biggest cities, African American and Latino students attend schools with populations with a large majority of low-income students.²⁵ To compare, in only four metropolitan areas do the majority of White students attend similarly populated schools.²⁶

When you combine those facts with data showing that children, “who spend more than half of their childhood in poverty have a high school graduation rate of only 68 percent”²⁷—the racial achievement gap becomes even more glaringly a structural, not individual, problem. Similarly, the unemployment rate of African Americans in 2014 was 10.4% compared to 4.8% of Whites.²⁸ Yet, we assume they must not be looking hard enough for work or do not want to work. When all the data points to systemic racial inequality in education, employment, health, and criminal enforcement, we continue to hold fast to our belief that individual responsibility and meritocracy is the foundation of our society. Why are we so wedded to our national myth that the individual, not society, is solely responsible for the circumstances of her life?

As we reflect back on our reactions to the Arab Spring, when we witnessed people taking to the streets condemning what they believed was systemic oppression, why do we not view their counterparts in the U.S. through the same lens? Why are we quick to dismiss the grievances of our fellow citizens who work every day and yet cannot make ends meet financially, cannot access quality schooling for their children, cannot find affordable housing in safe neighborhoods, cannot afford healthcare, and

21. See Alison Burke, *Henry Louis Gates, Jr., and other experts reflect on black America since MLK*, BROOKINGS INST. (Nov. 30, 2016), <https://www.brookings.edu/blog/brookings-now/2016/11/30/henry-louis-gates-jr-and-other-experts-reflect-on-black-america-since-mlk/>; see also Lydia O'Connor, *Sarah Palin Calls Black Lives Matter Protestors 'Thugs' and 'Rioters'*, HUFFINGTON POST (Jul. 11, 2016, 1:21 PM), http://www.huffingtonpost.com/entry/sarah-palin-blm-thugs_us_5783bc15e4b0344d51501e7b.

22. Ashley Nellis, *The Color Of Justice: Racial And Ethnic Disparity In State Prisons*, SENT'G PROJECT (2016), at 3-4.

23. *Id.*

24. See, e.g., Gary M. Stern, *School Policy and Attitude Cut Hispanic Achievement*, EDUC. DIG., May 2004, at 39, 40-41 (discussing Latino parents' value of education but lack of cultural capital required to help their children succeed).

25. Janie Boschma & Ronald Brownstein, *The Concentration of Poverty in American Schools*, ATLANTIC (Feb. 29, 2016), <http://www.theatlantic.com/education/archive/2016/02/concentration-poverty-american-schools/471414>.

26. *Id.*

27. *Id.* (quoting Abigail Langston).

28. Michael W. Chapman, *White Unemployment, 4.8% -- Black Unemployment, 10.4%*, CNS NEWS (Jan. 9, 2015, 11:31 AM), <http://www.cnsnews.com/news/article/michael-w-chapman/white-unemployment-48-black-unemployment-104>.

must worry about the police abusing them?²⁹ Why can we not see their humanity the way we saw the humanity of those in the Arab Spring, as short-lived as that was?

Now, some of you may be thinking it is unreasonable to compare chronically authoritarian regimes in the Middle East with the United States where rule of law is more established. To be sure, our nation's justice system is less corrupt and more transparent. But in many ways, oppression that is clothed in democracy is much more pernicious than the naked oppression of dictatorship. Citizens in democratic states are more easily lulled into believing in the national myths that result in apathy.³⁰ Although they have the right to protest, they waive these rights based on a false sense of security.

Worse yet, many citizens in democratic countries frown upon those who meaningfully invoke their freedom of assembly and speech to defend the unpopular, the underprivileged, and the neglected among us.³¹ We label them as radicals and thugs—the same labels given to the protesters in the Arab Spring by their authoritarian governments. We should not have to personally experience rights violations or poverty in order to recognize the systemic economic and political disparities in America.

Must we lose our homes and our jobs to realize that a full-time job at minimum wage yields only \$15,000 per year?³² A two-income family of four living on the minimum wage earns only \$30,000 per year, which barely hovers over the poverty line at \$24,000 per year.³³

Must we personally experience poverty in order to discover the harsh reality that access to public benefits is a matter of survival for millions of citizens who work full time in the world's wealthiest country? Hence, we should respect rather than dismiss our fellow Americans willing to publicly condemn such structural inequities.

In contrast, citizens living under dictatorships want nothing more than to protest and defend their inalienable rights but for most the cost is too high.³⁴ Only the bravest are willing to die at the hands of intelligence services that torture using medieval tactics. Indeed, their torture methods were the primary impetus for our government's post-9/11 secret rendition program, which transferred suspected terrorists to Guantanamo Bay prison indefinitely.³⁵

29. EMILY CUDDY, ET AL., BROOKINGS INST., IN A LAND OF DOLLARS: DEEP POVERTY AND ITS CONSEQUENCES (2015), <https://www.brookings.edu/research/in-a-land-of-dollars-deep-poverty-and-its-consequences/>.

30. See Michael Mitchell, *Changing Racial Attitudes in Brazil*, 9 NAT'L POLITICAL SCI. REV., RACE AND DEMOCRACY IN THE AMERICAS 35, 40, 44 (Georgia A. Persons ed., 2003).

31. Paul Herrmson & Kathleen Weldon, *Going Too Far: The American Public's Attitudes Toward Protest Movements*, HUFFINGTON POST (Oct. 22, 2014, 2:48 PM), http://www.huffingtonpost.com/paul-herrmson/going-too-far-the-america_b_6029998.html.

32. See, e.g., KAIROS CTR., CURRENT US POVERTY STATISTICS (2015), <http://kairoscenter.org/wp-content/uploads/2015/02/Poverty-Fact-Sheet-Feb-2015-final.pdf>; UC DAVIS CTR. FOR POVERTY RES., *Minimum Wage Basic Calculations and Its Impact on Poverty*, (Aug. 30, 2016), <http://poverty.ucdavis.edu/faq/what-are-annual-earnings-full-time-minimum-wage-worker>.

33. See UC DAVIS CTR. FOR POVERTY RES., *supra* note 32; KAIROS CTR., *supra* note 32.

34. See Sahar F. Aziz, *Bringing Down an Uprising: Egypt's Stillborn Revolution*, 30 CONN. J. INT'L L. 1 (2014).

35. See FREEDOM HOUSE, TODAY'S AMERICAN: HOW FREE? 9-12 (Arch Puddington et al. eds., 2008) available at <https://freedomhouse.org/report/todays-american-how-free/civil-liberties-implications-counterterrorism-policies-full-chapter>; Leila Nadya Sadat, *Ghost Prisoners and Black Sites: Extraordinary Rendition Under International Law*, 37 CASE

Citizens across the world living under authoritarianism yearn to openly express their criticism of their government or expose societal ills in newspapers without fearing prosecution. To be sure, it is authoritarian regimes that directly suppress their citizens' fundamental human rights. But we, too, play a role in undergirding their oppression. When our government provides military aid to dictators that use the weapons against their own citizens, we are viewed as an extension of the oppressive regimes.³⁶ When our government overlooks their human rights violations, and fails to shun them in the international community, we as a nation are viewed as hypocrites.³⁷

That we live in a democratic society where we can protest, write, and lobby without going to jail makes it all the more reasonable for citizens abroad to disbelieve us when we proclaim that we defend human rights. And thus our international reputation suffers, making it more difficult to be on the right side of history.

Now, reasonable minds will point out that our nation may cause more harm than good when we engage in international disputes. Indeed, our occupation of Iraq—while deposing one of the most brutal dictators the region has ever seen—has unleashed an unprecedented level of violence. More than 119,000 Iraqi civilians have been killed since 2003.³⁸ Despite decades of intermarriage and friendships between Shi'i and Sunni Iraqis, the nation appears to be permanently divided along sectarian lines.³⁹ Armed militias ruthlessly kill civilians merely for belonging to the wrong sect.⁴⁰

As a result, terrorist attacks in Iraq have reached unprecedented levels.⁴¹ The political chaos has created fertile ground for terrorists to set up bases. When we dismantled the Iraqi military and criminalized membership in the Ba'ath Party soon after occupying the country, we gave the terrorists highly trained recruits who were motivated to join them in resistance to what they viewed as a humiliating American occupation.⁴² And that is precisely what happened when Al Qaeda of Iraq was established

W. RES. J. INT'L L. 309 (2006).

36. JEREMY M. SHARP & CARLA E. HUMUD, U.S. FOREIGN ASSISTANCE TO THE MIDDLE EAST: HISTORICAL BACKGROUND, RECENT TRENDS, AND THE FY2016 REQUEST, CONG. RES. SERV. (2015), <https://fas.org/sgp/crs/mideast/R44233.pdf>.

37. See Astrid Reyes, *U.N. Holds U.S. Accountable for Human Rights Violations at Home and Abroad*, AMERICAN CIVIL LIBERTIES UNION (Mar. 29, 2014, 6:32 PM), <https://www.aclu.org/blog/un-holds-us-accountable-human-rights-violations-home-and-abroad>; Charlie Savage, *U.S., Rebuffing U.N., Maintains Stance That Rights Treaty Does Not Apply Abroad*, N.Y. TIMES (Mar. 13, 2014), http://www.nytimes.com/2014/03/14/world/us-affirms-stance-that-rights-treaty-doesnt-apply-abroad.html?_r=0.

38. IRAQ BODY COUNT, IRAQI DEATHS FROM VIOLENCE 2003–2011 (2012), <https://www.iraqbodycount.org/analysis/numbers/2011/>; Neta C. Crawford, *Costs of War: Iraqi Civilians*, WATSON INST. INT'L AND PUBLIC AFFAIRS (2015) <http://watson.brown.edu/costsofwar/costs/human/civilians/iraqi>. (estimating the Iraqi civilian casualty numbers at approximately 165,000 killed by direct violence since the US invasion).

39. See Paul R. Williams & Matthew T. Simpson, *Rethinking the Political Future: An Alternative to the Ethno-Sectarian Division of Iraq*, 24 AM. UNIV. INT'L L. REV. 191 (2008).

40. See BBC NEWS, *Iraq: Shia Militias 'Killing Sunnis in Reprisal Attacks'*, (Oct. 14, 2014), <http://www.bbc.com/news/world-middle-east-29603272>; AL JAZEERA, *Sunni Mosques Firebombed After Attacks Hit Iraqi Shias*, (Jan. 12, 2016, 9:41 PM), <http://www.aljazeera.com/news/2016/01/sunni-mosques-firebombed-iraqi-160112152046040.html>.

41. Uri Friedman, *Iraq: The World Capital of Terrorism*, ATLANTIC (Jul. 5, 2016, 7:10 PM), <http://www.theatlantic.com/international/archive/2016/07/iraq-terrorism-isis-world/489974>.

42. See James P. Pfiffner, *US Blunders in Iraq: De-Baathification and Disbanding the Army*, 25 INTELLIGENCE & NAT'L

in 2004; it has since killed tens of thousands of Iraqi civilians. Former Iraqi generals and soldiers who could have been co-opted into the new Iraqi regime were instead marginalized and driven to join terrorist groups whose primary goal was to create as much instability and bloodshed as possible.⁴³

As our country fought terrorism alongside the new Iraqi government, we made fatal mistakes that made Iraq and the entire region less safe. In direct contradiction to our values and our laws, our government tortured people we suspected of terrorism. Members of our armed forces abused and humiliated Iraqi detainees in the Abu Ghraib prison, confirming to Iraqis that we were occupiers, not liberators.⁴⁴

We also housed terrorism suspects together in Camp Bucca where they were able to plan the beginnings of what would become the Islamic State of Iraq and Syria (ISIS)—an organization whose violence and barbarism is far worse than Al Qaeda.⁴⁵ Since its formal creation, ISIS has killed tens of thousands of civilians, the vast majority of whom are Muslims residing in Iraq and Syria.⁴⁶

For those who study the Middle East, many of the decisions were rookie mistakes due in large part to the control of US foreign policy by security hawks whose knowledge of the region is superficial.⁴⁷ The inner policy making circles rarely have experts who are fluent in Arabic or Farsi, have lived in the Middle East, or have formal qualifications to make decisions that will have long lasting effects on the security of the region and the United States.⁴⁸

Among the lessons we learned is that our military interventions in the Middle East now directly impact our lives here at home. The terrorism that has sprouted up from the political vacuum we created has spread to European capitals.⁴⁹ Here at home, inflated fears of terrorist attacks have been used to justify eroding our civil liberties.⁵⁰ We are compromising our fundamental values out of fear rooted in negative racial and religious stereotypes of Muslims.

SEC., Feb. 2010, at 76.

43. See JESSICA STERN & J. M. BERGER, *ISIS: THE STATE OF TERROR* (2015).

44. See Seymour M. Hersh, *Torture at Abu Ghraib*, *NEW YORKER* (May 10, 2004), <http://www.newyorker.com/magazine/2004/05/10/torture-at-abu-ghraib>.

45. See, e.g., Terrence McCoy, *How the Islamic State Evolved in an American Prison*, *WASH. POST* (Nov. 4, 2014), <https://www.washingtonpost.com/news/morning-mix/wp/2014/11/04/how-an-american-prison-helped-ignite-the-islamic-state/>; Brad Parks, *How a US Prison Camp Helped Create ISIS*, *N.Y. POST* (May 30, 2015, 9:38 PM), <http://nypost.com/2015/05/30/how-the-us-created-the-camp-where-isis-was-born/>.

46. See OFFICE OF THE UNITED NATIONS HIGH COMM'R FOR HUMAN RIGHTS & UNITED NATIONS ASSISTANCE MISSION FOR IRAQ, *REPORT ON THE PROTECTION OF CIVILIANS IN THE ARMED CONFLICT IN IRAQ* (2016), <http://www.ohchr.org/Documents/Countries/IQ/UNAMIRReport1May31October2015.pdf>.

47. See Jane Harman, *Disrupting the Intelligence Community: America's Spy Agencies Need and Upgrade*, 94 *FOREIGN AFF.* 99 (2015) (describing challenges faced by the American security community in effectively gathering information and making decisions).

48. See James F. Jeffrey, Michael Eisenstadt, & Gideon Rose, *Rethinking the U.S. Military Role in the Middle East*, *WASH. INST.* (June 30, 2016), <http://www.washingtoninstitute.org/policy-analysis/view/rethinking-the-u.s.-military-role-in-the-middle-east>.

49. Ann M. Simmons, *Two years of terror: 278 people have died in recent terror attacks in Europe*, *L.A. TIMES* (July 16, 2016), <http://www.latimes.com/world/europe/la-fg-europe-terror-20160715-snap-htmlstory.html>.

50. See DAVID COLE & JULES LOBEL, *LESS SAFE, LESS FREE: WHY AMERICA IS LOSING THE WAR ON TERROR* (2009).

Perhaps the most tragic development of the past fifteen years is the complete collapse of Syria. What started out as peaceful protests in the Arab Spring has transformed into a violent proxy war where Saudi Arabia, Iran, Russia and other Western powers are battling for regional hegemony while hundreds of thousands of Syrians die from state and non-state violence.⁵¹ Millions more have fled their homes and seek refuge in Western capitals.⁵²

But rather than offer sanctuary for Syrian refugees, our nation has shunned them. As they flee for their lives from terrorism, we vilify them as terrorists. Some states, including my home state of Texas, have gone as far as filing law suits seeking to legally prohibit Syrian refugees from resettling in their states.⁵³ Texas Governor Greg Abbott minced no words when he stated, “We are working on measures to ensure . . . that Texans will be kept safe from those refugees.”⁵⁴ Likewise, Oklahoma Governor Mary Fallin called on President Obama not to accept any Syrian refugees.⁵⁵ Such statements directly contradict what our children are taught in school: that we are a prosperous country who has thrived because of, not in spite of, its immigrants.

How do we answer our children’s questions about why we will not accept Syrian refugees even though their social science books state that America is the land that accepted the world’s downtrodden and offered them a refuge from religious persecution, political persecution, and dire poverty?

How can I tell my children it is because they are Arab and Muslim that Syrians’ pleas for help are falling on deaf ears in America? Have we already forgotten the images of the millions of human beings like us, who sacrificed life and limb to challenge their dictators who receive direct support from our government—which is funded by our tax dollars? Have we already replaced the images of women, children, and men in Yemen, Syria, Bahrain, Egypt, who want what we want—dignity, security, prosperity—with the images of terrorists who want to kill them as much as they want to kill us? These are the people that represent the 1.5 billion Muslims in the world⁵⁶—not a handful of terrorists. These are the images you should see in the media when you learn about Muslims here in America and around the world.

51. *Syria: The story of the conflict*, BBC NEWS (Mar. 11, 2016), <http://www.bbc.com/news/world-middle-east-26116868>.

52. *Id.*

53. See Rebecca Hersher, *Court Dismisses Texas Lawsuit to Block Syrian Refugees*, NPR (June 16, 2016), <http://www.npr.org/sections/thetwo-way/2016/06/16/482342990/court-dismisses-texas-lawsuit-to-block-syrian-refugees>; see also Alexa Ura, *Texas Loses Fight to Keep Syrian Refugees Out*, TEX. TRIB. (June 16, 2016), <https://www.texastribune.org/2016/06/16/texas-loses-fight-keep-syrian-refugees-out/>.

54. Ari Melber & Halimah Abdullah, *Can Governors Block Syrian Refugees? Probably Not*, NBC NEWS (Nov. 17, 2015), <http://www.nbcnews.com/storyline/paris-terror-attacks/can-governors-block-syrian-refugees-well-it-depends-n465171>.

55. *Oklahoma Gov. Fallin calls on President Obama to suspend bringing Syrian refugees to U.S.*, KFOR.COM (Nov. 16, 2015), <http://kfor.com/2015/11/16/oklahoma-gov-fallin-calls-on-president-obama-to-suspend-bringing-syrian-refugees-to-u-s/>.

56. Michael Lipka, *Muslims and Islam: Key findings in the U.S. and around the world*, PEW RES. CTR. (July 22, 2016), <http://www.pewresearch.org/fact-tank/2016/07/22/muslims-and-islam-key-findings-in-the-u-s-and-around-the-world/>; see also *The Future of World Religions: Population Growth Projections, 2010-2050*, PEW RES. CTR. (Apr. 2, 2050), <http://www.pewforum.org/2015/04/02/religious-projections-2010-2050/>.

Instead you are bombarded with images of dark skinned, scary looking bearded men and are misinformed that they represent 1.5 billion Muslims. You are not fully informed that 99.9% of Muslims around the world share with you their hatred and opposition to these terrorists who misappropriate Islam to pursue a warped political agenda.⁵⁷ The news does not tell you about the philanthropy and contributions of American Muslims. For example, after the tragic mass shooting in Orlando, Muslim American communities nationwide raised over \$100,000 to help families of the victims of the Orlando shooting.⁵⁸

The same media bombards us with images of African American males as criminal suspects, while rarely depicting the doctors, lawyers, and successful business people in African American communities. Over time, this reinforces negative stereotypes of the dangerous, angry Black man and it is these pernicious stereotypes that animate over-policing, hate crimes, and selective enforcement of criminal laws against Black communities.

Few of us may know that African American households give 25% more of their discretionary income to philanthropic activities than Whites.⁵⁹ Notwithstanding that as a group, African Americans have thirteen times less wealth than Whites. According to a Pew Research Center report, White households in the U.S. had a median wealth of \$144,200—almost thirteen times the median wealth of black households at \$11,200.⁶⁰ In terms of income, in 2014, the median household income for whites was \$71,300 compared to \$43,300 for blacks.⁶¹ For college-educated whites, the median household income was \$106,600, significantly higher than the \$82,300 for households headed by college-educated blacks.⁶²

So today in September 2016, we bear a heavy burden to continue the work of Buck Colbert Franklin to ensure our country stays true to its values. Equality, fairness, transparency, and justice for all—not just in words but in practice. As an immigrant and a daughter of immigrants from an authoritarian regime, I have faith in this country. My faith is not based on the dismal statistics I cited today but in my fellow citizens who have had the courage to defend the civil rights of African Americans, Latinos, Muslims, and other subordinated groups.

57. See *Concerns about Islamic Extremism on the Rise in Middle East*, PEW RES. CTR. (July 1, 2014), <http://www.pewglobal.org/2014/07/01/concerns-about-islamic-extremism-on-the-rise-in-middle-east/>; see also Ishaan Tharoor, *Study: Muslims hate terrorism, too*, WASH. POST (July 1, 2014), <https://www.washingtonpost.com/news/worldviews/wp/2014/07/01/study-muslims-hate-terrorism-too/>. (describing the finding that Muslims are concerned about growing terrorism threats).

58. Francis Kai-Hwa Wang, *Muslim Organizations Raise Funds for Victims of Orlando Massacre*, NBC NEWS (June 16, 2016), <http://www.nbcnews.com/news/asian-america/muslims-organizations-raise-funds-victims-orlando-massacre-n593586>.

59. Lou Carlozo, *Black Americans donate to make a difference*, REUTERS (Feb. 23, 2012), <http://www.reuters.com/article/us-usa-blacks-donors-idUSTRE81M1WI20120223>; see also *Cultures of Giving: Energizing and Expanding Philanthropy By and For Communities of Color*, W.K. KELLOGG FOUNDATION & ROCKEFELLER PHILANTHROPY ADVISORS (Jan. 2012), <http://www.d5coalition.org/wp-content/uploads/2013/07/CultureofGiving.pdf>.

60. Rakesh Kochhar & Richard Fry, *Wealth inequality has widened along racial, ethnic lines since end of Great Recession*, PEW RES. CTR. (Dec. 12, 2014), <http://www.pewresearch.org/fact-tank/2014/12/12/racial-wealth-gaps-great-recession/>.

61. *Demographic trends and economic well-being*, PEW RES. CTR. (June 27, 2016), <http://www.pewsocial-trends.org/2016/06/27/1-demographic-trends-and-economic-well-being/>.

62. *Id.*

I have worked arm in arm with Americans of all religions—Christians, Jews, Catholics, Hindus—and all races—White, Black, Latino, Asian—to do the difficult (and often unpopular) work of preserving this nation’s values. I know from personal experience that as much as we have racists and bigots in this country, we have multiple times more people truly committed to equality, freedom, and justice for all. I know that for every piece of hate mail I receive in response to my civil rights work defending Muslims, I have ten times more friends and colleagues who stand by me. I know many of you here today are the vanguards of our democracy. But as an immigrant and an American who straddles two continents, I want to caution you not to take for granted your rights. I want to warn you that our democracy is fragile. It is a product of how we treat the powerless, the voiceless, and the poorest among us.

Our democracy is not merely what is written on a piece of paper called the US Constitution. Our actions are what breathe life into that historic document and I want to remind you that we are not superior to people across the globe. They too are humans with the same flaws that we possess. While many Arabs and Muslims may live under authoritarianism, it is not due to a human deficiency, but due to structural deficiencies in their societies—which they seek to change. They deserve our support in ways that empower them, not occupy them.

In closing, I want to caution that if we allow our structures and systems to debase our society into one where the circumstances of one’s birth determine the circumstances of one’s death, we too will become ruled by authoritarians. When the poor will be poor all their lives regardless of how hard they work or how smart they are, we are no longer an equitable society. When the color of one’s skin becomes an impediment to the fundamental human desire to prosper economically and psychologically, we are an unjust society. When a person’s gender delegates her to the lowest rungs of the pay scale no matter how smart or skilled she is, we are not a meritocracy.

As we gather here today to commemorate the remarkable work of Buck Colbert Franklin, we now hold the torch that he carried. Let us follow the path blazed by giants like Buck Colbert Franklin to ensure all persons—documented or undocumented, Black, White, Latino, Asian, Muslim, Christian, Hindu, all races and religions—in the United States are treated with dignity, equality, and respect.

Let us dismantle the systems that divide us as a nation and as global citizens. Let us unite in our universal human desire to be free from oppression. It is through our actions that Buck Colbert Franklin’s legacy lives on.