

TO BE MUSLIM OR “MUSLIM-LOOKING” IN AMERICA: A COMPARATIVE EXPLORATION OF RACIAL AND RELIGIOUS PREJUDICE IN THE 21ST CENTURY

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I. INTRODUCTION

This Essay begins with a confession. In taking implicit association tests (“IATs”) designed to measure my unconscious attitude toward two particular demographic groups, I discovered that I, an African-American, harbored a “slight automatic preference” for Europeans over blacks and for “other people” over “Arab-Muslims.” Both of these results were contrary to my professed or conscious assertions of neutrality. Why would a pro-integration scholar who seeks to promote cross-racial understanding and inclusion exhibit such implicit biases? And why is it that a majority of others who take these tests register similar implicit biases? The point of my confession is to underscore the fact of widespread unconscious bias. Unfortunately, a large body of evidence from experimental psychology demonstrates such bias on the part of whites *and minorities* against racial minorities, especially African-Americans.¹ This is in contrast to a dramatic reduction in explicit or reported bias against blacks. Indeed, there is much evidence to support the conclusion that “a

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1. Lawrence D. Bobo & Camille Z. Charles, *Race in the American Mind: From the Moynihan Report to the Obama Candidacy*, 621 ANNALS AM. ACAD. POL. & SOC. SCI. 243, 253 (2009). See generally Jerry Kang, *The Trojan Horses of Race*, 118 HARV. L. REV. 1489 (2005).

nondiscriminatory or colorblind identity is... important to most white Americans.”²

Despite our national nondiscriminatory identity, according to Project Implicit, a website sponsored by Harvard University that allows anyone to take an IAT anonymously, 70% of the thousands who have taken the Black-White IAT registered an automatic preference for whites over blacks.³ Similarly, 50% of those who took the Muslim-Other IAT showed an automatic preference for “other people” over “Arab-Muslims.”⁴ Not surprisingly, IAT results vary by demographic group. For example, whites tend to show higher rates of pro-white or anti-black implicit bias than do African-Americans, and those who are not Arab or Muslim tend to show higher rates of implicit bias against Arab-Muslims than do Muslims.⁵ In the same way that individuals’ policy preferences are influenced by the implicit biases they harbor, implicit biases also influence the policy choices of legislators, police officers, and employers.⁶ Cognitive research has shown that implicit bias against African-Americans and Arabs predicts policy preferences on affirmative action and racial profiling.⁷ A recent study conducted in Sweden, for example, found a correlation between implicit bias against Muslims and discriminatory hiring practices by the employers who held such biases.⁸

Implicit bias is not limited to blacks or Muslims. For example, IAT results show that large majorities unconsciously favor Christians over Jews, rich people

2. *Id.* at 254.

3. See Project Implicit, <https://implicit.harvard.edu> (last visited Oct. 14, 2009) [hereinafter Project Implicit]. One must take the “Black-White IAT” in order to receive a breakdown of the scores generated by others who have taken the test. The results presented to my research assistant on October 14, 2009 showed that 27% showed a “strong” automatic preference for whites, 27% showed a “moderate” automatic preference for whites, and 16% showed a “slight” automatic preference for whites. A copy of these results is on file with the author.

4. One must take the “Muslim-Other IAT” in order to receive a breakdown of the scores generated by others who have taken the test. The results presented to my research assistant on October 14, 2009 showed that 12% showed a “strong” automatic preference for other people, 20% showed a “moderate” automatic preference for other people, and 18% showed a “slight” automatic preference for other people. A copy of these results is on file with the author. To take the test and review your results and those of others, see <https://implicit.harvard.edu> (last visited Oct. 14, 2009).

5. See Shankar Vedantam, *See No Bias*, WASH. POST, Jan. 23, 2005, at W12, available at <http://www.washingtonpost.com/wp-dyn/articles/A27067-2005Jan21.html> (noting that the Harvard IAT results showed that “88[%] of white people had a pro-white or anti-black implicit bias” and that “more than two-thirds of non-Arab, non-Muslim [test takers] displayed implicit bias against Arab-Muslims”).

6. Linda Hamilton Krieger, *The Content of Our Categories: A Cognitive Bias Approach to Discrimination and Equal Employment Opportunity*, 47 STAN. L. REV. 1161, 1164 n.11, 1169-70, 1173, 1177, 1181-82, 1200-01, 1210 (1995).

7. See Jerry Kang & Mahzarin R. Banaji, *Fair Measures: A Behavioral Realist Revision of “Affirmative Action,”* 94 CAL. L. REV. 1063, 1065-66 (2006) (stating that “the presence of implicit bias can produce discrimination by causing the very basis of evaluation, merit, to be mismeasured”); see also Vedantam, *supra* note 5, at W12 (explaining that “bias against blacks and Arabs predicts policy preferences on affirmative action and racial profiling”).

8. See generally Dan-Olof Rooth, *Implicit Discrimination in Hiring: Real World Evidence* 17, INST. FOR STUDY LAB (IZA), Discussion Paper No. 2764 (Apr. 2007), available at <http://ftp.iza.org/dp2764.pdf>.

over the poor, and heterosexuals over gays and lesbians.⁹ In this Essay, however, I will focus on comparing the experience of prejudice against Muslims to that of African-Americans – primarily because I view the African-American population as the nation’s canary when it comes to evaluating the current state of American race (or inter-group) relations.¹⁰ I hold this view in part because African-Americans consistently experience higher reported incidences of hate crime and employment discrimination than other groups (including Muslims).¹¹ IAT results also suggest that blacks are subjected to higher rates of unconscious bias than any racial or ethnic group.¹² Comparing the Muslim experience of prejudice to that of African-Americans, then, may be instructive in assessing anti-Muslim intolerance in the United States. The manner in which African-Americans—a historically subordinated, enslaved group—are currently treated and perceived suggests something about the modern American capacity for inter-group tolerance. To the extent that our explicit or professed tolerances of African-Americans are not extended to Muslims (or are not matched in our subconscious), we learn more about how far we have to go in creating the non-discriminatory, egalitarian America to which we aspire.

While both African-Americans and Muslims are subject to unconscious bias, there is some evidence to suggest that bias against Muslims is more likely to be expressed explicitly. As noted above, most Americans embrace a non-racist identity; they reject race-based discrimination as wrong and even un-American.¹³ Explicit *public* statements of racism against racial minorities are usually met with swift social opprobrium, perhaps even more so when the incident involves African-Americans, because of the tortured, ugly history of discrimination against this group in the United States.¹⁴ Explicit, public anti-Muslim comments

9. Vedantam, *supra* note 5, at W12.

10. Although this comparison appears to assume that African-Americans and Muslims are two mutually exclusive groups, this is decidedly not the case because about one third of the Muslim American population is African American. AM-ARAB ANTI-DISCRIMINATION COMM. RES. INST., 2003-2007 REPORT ON HATE CRIMES AND DISCRIMINATION AGAINST ARAB AMERICANS 15 (2008) *available at* <http://www.adc.org/PDF/hcr07.pdf> [hereinafter ADC-RI Report]. That said, the cognitive research about implicit bias discussed in this introduction underscores that these two groups are perceived distinctly.

11. See, e.g., FED. BUREAU OF INVESTIGATION, HATE CRIME STATISTICS, 2007 tbl.1 (2008), *available at* http://www.fbi.gov/ucr/hc2007/table_01.htm (reporting 3434 victims of Anti-Black bias crimes in 2007 compared to 142 victims of Anti-Islamic bias crimes, 234 Anti-Asian victims, 830 Anti-Hispanic victims, 890 Anti-Male Homosexual victims, 908 Anti-White victims, and 1127 Anti-Jewish victims).

12. See Project Implicit, *supra* note 3. When my research assistant took all of the IAT tests available at the Project Implicit website, he discovered that 70% of Black-White IAT test takers preferred whites over blacks. However, IAT results show that other *non-racial* groups face higher implicit biases than blacks. Seventy-six percent of persons who took the Able-Disabled IAT preferred able people over disabled people. Eighty percent of test takers preferred young people over old people, and 70% preferred thin people over fat people. The results are on file with the author.

13. See generally DREW WESTEN, THE POL. BRAIN 219–48 (2007).

14. Examples that come to mind include: (1) Rush Limbaugh’s recent failed attempt to become a partial owner of a NFL team because of racist remarks attributed to him, Judy Battista, *Limbaugh Dropped From Bid to Buy Rams*, N.Y. TIMES, Oct. 14, 2009, at B17; (2) Don Imus’ firing from a lucrative radio program because he called Rutgers University basketball champions “nappy-headed hoes,” Bill Carter & Louise Story, *NBC News Drops Imus Show Over Racial Remark*, N.Y. TIMES, Apr. 12, 2007, at A1; and (3) Senator George Allen’s political implosion after calling S.R. Sidarth, a 20-year-old Virginian native of Indian descent who had been following him on the campaign trail, “macaca,” a

do not appear to engender similar widespread outrage. In fact, explicit anti-Muslim statements and attitudes appear to be on the rise. In its most recent report on hate crimes and discrimination against Arab-Americans, the American-Arab Antidiscrimination Committee (“ADC”) claims that while reported incidences of violent hate crimes against Arab-Americans have declined since the early 2000s, defamation of Muslims and Islam in non-fiction television, radio, websites, newspapers and print have increased dramatically in the United States during the same period.¹⁵ Not surprisingly, this increase in anti-Arab, anti-Muslim media coverage has been accompanied by an increase in negative explicit opinions of Muslims and even “Muslim-Americans” in public opinion surveys.

According to annual opinion surveys conducted by the Pew Forum on Religion and Public Life (“Pew Forum”), the percentage of survey participants claiming an “unfavorable” view of “Muslims” rose from 29% in 2002 to 35% in 2007.¹⁶ Between 2005 and 2007, unfavorable opinions of “Muslim-Americans” rose from 25% to 29%.¹⁷ Americans are not without empathy for Muslims. A 2009 Pew Forum survey showed that 58% of participants believed that that Muslims are subject to “a lot of discrimination,” far more than said the same of Jews (35%), evangelical Christians (27%), or Mormons (24%). In the same survey, only 49% of participants claimed that African-Americans were subject to a lot of discrimination. The only persons perceived to suffer more discrimination than Muslims were homosexuals.¹⁸ Despite this apparent empathy, Muslims do not appear to have gained the kind of social acceptance that African-Americans or other racial or ethnic groups have. In a 2007 Pew survey of racial attitudes, 82% of participants had a favorable view of African-Americans while only 8% expressed an unfavorable view of them.¹⁹ Another 2007 Pew survey found that 35% of participants had an unfavorable view of Muslims while only 43% of participants had a favorable view of them.²⁰ Muslim-Americans are viewed more favorably than Muslims (53% compared to 43%), but Muslim-Americans’

term for monkeys that is considered an ethnic slur in parts of the world, Mark Leibovich, *Voters Hearing Countless Ways of Saying “Sorry,”* N.Y. TIMES, Sept. 1, 2006, at A1.

15. See ADC-RI Report, *supra* note 10, at 3–4, 81–84.

16. PEW F. ON RELIGION & PUB. LIFE, PUBLIC EXPRESSES MIXED VIEWS OF ISLAM, MORMONISM 1 (2007) available at http://pewforum.org/uploadedfiles/Topics/Religious_Affiliation/religionviews07.pdf [hereinafter Pew Survey, *Public*] (The percentage expressing a “favorable” view of Muslims declined during the same period from 47% to 43%). For an overview of opinion survey results, go to <http://pewforum.org/surveys/religionviews07/>.

17. See Pew Survey, *Public*, *supra* note 16.

18. PEW F. ON RELIGION & PUB. LIFE, MUSLIMS WIDELY SEEN AS FACING DISCRIMINATION: VIEWS OF RELIGIOUS SIMILARITIES AND DIFFERENCES 1 (2009) [hereinafter Pew Survey, *Muslims*], available at <http://pewforum.org/newassets/images/reports/summer09/survey0909.pdf>. A summary of the report is available at <http://pewforum.org/docs/?DocID=436>.

19. Paul Taylor, *Race, Ethnicity and Campaign '08: People . . . Can We All Get Along?*, PEW RES. CENTER PUBLICATIONS, Jan. 17, 2008, available at <http://pewresearch.org/pubs/694/race-ethnicity-and-campaign-08> (citing a 2007 Pew phone survey in which 28% of all adults had a “very favorable” view of blacks and 54% had a “mostly favorable” view of them). In the same survey 89% had a favorable view of whites and 77% had a favorable view of Hispanics. *Id.*

20. See Pew Survey, *Public*, *supra* note 16.

unfavorable ratings are nearly four times as high as that of African-Americans.²¹ In Part II of this Essay, I explore the possible reasons for this pronounced difference in explicit bias expressed against Muslims and Muslim-Americans.

II. POSSIBLE EXPLANATIONS FOR DIFFERENTIAL BIAS AGAINST MUSLIMS

Implicit and explicit bias by individuals and policymakers against Muslims can result in individual and institutional acts of discrimination. In the aftermath of the terrorist attacks of September 11, 2001 (“the 9/11 attacks”) incidents of anti-Muslim hate crimes and discrimination spiked, although reported incidents of such crimes have declined significantly since then.²² A similar pattern occurred with employment discrimination reported to the Equal Employment Opportunity Commission (“EEOC”). After the 9/11 attacks, the EEOC added a category of employment discrimination against individuals perceived to be Arab, Muslim, Middle-Eastern, South Asian, or Sikh, and the numbers of such complaints, so far exceeding one thousand, have decreased each year since 2002.²³ But discrimination at airports against Muslims, or persons who appear to be Muslim, continues to be a significant problem for such travelers.²⁴ Although the federal government has disavowed racial profiling, several policies implemented in the name of national security since the 9/11 attacks operate as

21. Again, 29% of participants expressed an unfavorable view of Muslim-Americans, *supra* text accompanying note 16, while only 8% of participants in the racial attitudes survey expressed an unfavorable view of African-Americans, *supra* text accompanying note 19.

22. The number of victims of Anti-Islamic bias crime rose from 36 in 2000 to 554 in 2001. Compare FED. BUREAU OF INVESTIGATION, HATE CRIME STATISTICS, 2000 11 (2001), available at http://www.fbi.gov/ucr/cius_00/hate00.pdf, with FED. BUREAU OF INVESTIGATION, HATE CRIME STATISTICS, 2001 13 (2002), available at <http://www.fbi.gov/ucr/01hate.pdf>. By 2007, this number had leveled to 142. See FED. BUREAU OF INVESTIGATION, *supra* note 11 at tbl.1.

23. Alana Semuels, *Workplace Bias Against Muslims, Arabs on Rise, Advocates Say*, L.A. TIMES, Oct. 3, 2006, at C1. However, the EEOC’s numbers likely suffer from underreporting because Muslims or persons mistaken as such may be afraid to approach the government for help. The Washington-based Council on American-Islamic Relations claimed that it processed more civil right and workplace discrimination complaints in 2005 than it ever had, with claims rising to 1972 from 1522 the year before. *Id.* In any event, workplace discrimination against Muslims appears to exceed that experienced before the 9/11 attacks. See Amy Joyce, *Discriminating Dress: External Symbols of Faith Can Unfairly Add to Interview Stress*, WASH. POST, Sept. 25, 2005, at F6 (citing David Grinberg, EEOC spokesman, as saying that the number of EEOC claims filed by Muslims doubled from the four years before the 9/11 attacks to the four years after); see also ADC-RI Report, *supra* note 10, at 34 (noting that ADC received approximately 10 reports of employment discrimination weekly between 2003 and 2007 and that while these numbers were reduced from the post-9/11 spike in claims, they were higher than those seen in the pre-9/11 era).

24. See ADC-RI Report, *supra* note 10, at 13–18. Although such episodes are now rare compared to the immediate aftermath of the 9/11 attacks, Muslim travelers continue to be at risk of discriminatory acts by airline employees and other passengers based upon negative stereotyping, ignorance or outright hostility. See *id.* Fortunately, the Transportation Security Administration (“TSA”), which manages airport security checks, has refused to engage in systematic racial profiling against Arab and Muslim-Americans, or persons who appear as such. However, Homeland Security watch lists, and a discretionary policy begun in 2007 that allows TSA officials to subject individuals wearing headgear (e.g., turbans and hijabs/headscarves) to additional screening, appear to have a discriminatory impact on Muslims. See *id.* at 15–23 (describing incidents).

racial or religious profiling of Arab-Americans and Muslims.²⁵ This is in marked contrast to the Bush administration's concerted effort to eliminate racial profiling against African-Americans and other racial minorities.²⁶ Other areas of continued concern about potential anti-Muslim discrimination that are beyond the scope of this Essay include customs and border protection, Homeland Security watch lists, immigration policy, and detainee/prisoner abuse.²⁷ To the extent that Muslims are treated differently and subject to explicit or differential bias, it is important to understand why.

Clearly the 9/11 attacks contributed mightily to widespread identification of Muslims with terrorism. The 9/11 attacks arguably created a "terrorist" stereotype that fuels a perception in the American psyche of Islam and the Middle East as being a civilization in direct opposition to that of the United States and the West.²⁸ Indeed, in the immediate aftermath of the 9/11 attacks, a consensus appeared to emerge among whites, blacks, and Hispanics that profiling of Muslims or Arabs was appropriate.²⁹ A number of legal scholars argued in favor of profiling.³⁰ While such sentiments may have subsided nearly a decade removed from the 9/11 attacks, this oppositional, terrorist stereotype

25. See, e.g., *id.* at 10, 15–16 (TSA headgear screenings); *id.* at 18–21 (border detentions and delays based upon Homeland Security watch lists); *id.* at 26 (residual requirements of the National Security Entry-Exit Registration System); see also Muneer I. Ahmad, *A Rage Shared by Law: Post-September 11 Racial Violence as Crimes of Passion*, 92 CAL. L. REV. 1259, 1267–68 (2004) (arguing that the Bush administration's "national security" exception to its policy banning racial profiling has led to the profiling of Arabs, Muslims, and South Asians "because it is almost exclusively these communities that are suspected of terrorism").

26. See Ahmad, *supra* note 25, at 1267–68.

27. See generally ADC-RI Report, *supra* note 10, at 18–33.

28. Leti Volpp, in *The Citizen and the Terrorist*, 49 UCLA L. REV. 1575, 1575 (2002), for example, argues that "September 11 facilitated the consolidation of a new identity category that groups together persons who appear 'Middle Eastern, Arab, or Muslim.'" Drawing on Edward Said's seminal 1978 book, *Orientalism*, she argues further that both the new "terrorist" identity category and Asian-Americans are stereotyped as "Orientals." And she suggests that Orientalism defines the West and the East as mutually hostile and opposing civilizations. By painting the East as "primitive, barbaric, and despotic," the West emerges as "modern, democratic, and progressive." *Id.* But see Kevin R. Johnson, *The End of "Civil Rights" as We Know It?: Immigration and Civil Rights in the New Millennium*, 49 UCLA L. REV. 1481, 1488–89 (2002) (arguing that the racialization of Middle Easterners predates the 9/11 attacks).

29. See David A. Harris, *New Risks, New Tactics: An Assessment of the Re-assessment of Racial Profiling in the Wake of September 11, 2001*, 2004 UTAH L. REV. 913, 913–16 (2004) (noting the dramatic switch from the anti-racial profiling attitude in the two years preceding the 9/11 attacks to a consensus among whites, blacks, and Hispanics for profiling Muslims/Arabs following the 9/11 attacks).

30. See, e.g., Samuel R. Gross & Debra Livingston, *Racial Profiling Under Attack*, 102 COLUM. L. REV. 1413, 1437 (2002) ("Given the extremity of the threat and identity of the known terrorists, the government is justified in focusing that investigation on Middle Eastern men despite the fact that the public decision to do so has caused understandable pain and anxiety for many Arab[-]Americans."); see also Sharon L. Davies, *Profiling Terror*, 1 OHIO ST. J. CRIM. L. 45, 45 (2003) (critiquing "the post-9/11 arguments offered by a number of criminal justice scholars in favor of proposals that would subject Arabs and Muslims to some degree of ethnic-profiling . . . [and disputing] the suggestion that such profiling proposals are in fact importantly different from . . . discredited racial profiling practices directed at African[-]American and Latino males in drug-interdiction efforts along the nation's highways").

continues to be propagated, intentionally and unintentionally, through a variety of media, news, and information outlets.

A. Islamophobia and Mainstream Journalism that Propagates Stereotypes

A growing cadre of activists, writers, and media pundits intentionally propagate Islamophobic statements and misinformation.³¹ “The term ‘Islamophobia’ refers to hostility toward Islam and Muslims that tends to dehumanize an entire faith, portraying it as fundamentally alien and attributing to it an inherent, essential set of negative traits such as irrationality, intolerance, and violence.”³² It is not uncommon, for example, for such activists or pundits to make statements like the following,

All you Muslims who have sat on your frickin’ hands the whole time and have not been marching in the streets and have not been saying, “Hey, you know what? There are good Muslims and bad Muslims. We need to be the first ones in the recruitment office lining up to shoot the bad Muslims in the head.” I’m telling you, with God as my witness . . . human beings are not strong enough, unfortunately, to restrain themselves from putting up razor wire and putting you on one side of it.³³

or,

The point here is that there are 150 Muslim students’ associations, which are coddled by university administrations and treated as though they were ethnic or religious groups, when they are political groups that are arms of the Muslim Brotherhood, which is the fountainhead of the terrorist jihad against the West.³⁴

Anti-Islamic or anti-Muslim statements attributed to such activists, writers, and pundits tend to equate Islam with terrorist violence and raise the specter of Muslims in the United States, including American citizens, as comprising a “fifth column” intent on aiding extremist anti-American terrorists groups abroad.³⁵ Such statements are propagated through cable television, talk radio, websites, and print outlets and in best-selling books. In a recent investigative report, *Fairness and Accuracy in Reporting* (“FAIR”), a non-profit media watch group that scrutinizes media practices that marginalize minority and dissenting viewpoints, went so far as to characterize the network of organizations and outlets that regularly feature anti-Muslim viewpoints as an Islamophobic movement.³⁶

31. See *FAIRNESS AND ACCURACY IN REPORTING, SMEARCASTING: HOW ISLAMOPHOBES SPREAD FEAR, BIGOTRY AND MISINFORMATION* 4-8 (2008), available at http://smearcasting.com/pdf/FAIR_Smearcasting_Final.pdf (discussing an Islamophobic movement and highlighting the statements of twelve activists, writers and media personalities, including David Horowitz, Robert Spencer, Daniel Pipes, Glenn Beck, Bill O’Reilly, and Michelle Malkin).

32. *Id.* at 4.

33. *Id.* at 5 (citing *Glenn Beck Program*, radio broadcast, Aug. 10, 2006).

34. *Id.* at 8 (quoting David Horowitz appearing on Fox News television broadcast, May 9, 2008).

35. See generally *id.* See also ADC-RI Report, *supra* note 10, at 75-76.

36. See *FAIRNESS AND ACCURACY IN REPORTING*, *supra* note 31, at 6-7; see also ADC-RI Report, *supra* note 10, at 81-82 (describing the same phenomenon as a coordinated and vicious anti-Islam campaign).

Then there are the, perhaps unintentional, statements of establishment journalists that propagate similar stereotypes. A recent *New York Times* article, for example, relied on a cultural stereotype to explain opposition in Afghanistan to a U.S. military attack that killed ninety civilians when a more straightforward, even obvious, explanation would have sufficed.³⁷ According to FAIR and the ADC Committee, not only do mainstream news outlets regularly propagate cultural stereotypes about Muslims, they also give airtime and print space to extremist (Muslim and anti-Muslim) voices while often excluding or downplaying moderate Muslim voices.³⁸

B. The Impact of Anti-Muslim Media on Bias Against Muslims

Research from empirical psychology suggests that such anti-Muslim media coverage contributes to prejudice against Muslims. In the wake of the 9/11 attacks, for example, researchers found significantly higher levels of bias against "Arabs" than "blacks," especially among participants who experienced high levels of media exposure.³⁹ Moreover, study participants indicated a belief that they were justified in feeling prejudice against Arabs.⁴⁰ In the wake of the 9/11 attacks, it is more socially acceptable to express explicit bias against Arabs or Muslims than against blacks or other racial/ethnic groups. In addition, some fear that "true prejudicial or stereotypical beliefs [about Muslims] are probably much stronger than what people are willing to admit."⁴¹

Implicit bias research, using IATs, controls for participants who might alter their responses to be more socially acceptable.⁴² In one implicit bias study, researchers primed participants with positive, neutral, and negative information on Muslims, which affected the participants' implicit attitudes. Participants exposed to negative information displayed greater levels of prejudice measured by the IAT, and participants who read a positive article about Muslim culture displayed significantly less implicit bias against Muslims than those who read negative or neutral materials.⁴³ In other studies, IAT results showed implicit

37. See FAIRNESS AND ACCURACY IN REPORTING, *supra* note 31, at 5 (citing Carlotta Gall, *Afghans Want a Deal on Foreign Troops*, N.Y. TIMES, Aug. 25, 2008) (quoting an August 2008 New York Times article which stated that U.S. "bombings and house raids 'are seen as culturally unacceptable by many Afghans who guard their privacy fiercely,' while the detention of hundreds of Afghans without trial was said to have 'stirred up Afghans' strong independent streak and ancient dislike of invaders'").

38. See ADC-RI Report, *supra* note 10, at 82-83; see also FAIRNESS AND ACCURACY IN REPORTING, *supra* note 31, at 5-7.

39. See Sonia Chopra, *Anti-Arab and Anti-Muslim Sentiment Amongst Potential Jurors: Underlying Psychological Constructs and Tools for Identification 4* (unpublished manuscript, available at <http://www.njp.com/articles/AntiArabSentiment.pdf>) (citing research and noting that there "was significantly greater prejudice against Arabs than Blacks" and that "those who had heavy media exposure were significantly more prejudiced overall as compared to those in the light exposure category").

40. *Id.*

41. *Id.*

42. *Id.*

43. See *id.* at 5 (citing Jaihyun Park, Karla Felix & Grace Lee, *Implicit Attitudes Toward Arab-Muslims and the Moderating Effects of Social Information*, BASIC AND APPLIED SOC. PSYCHOL., 29(1), 35-45 (2007)).

preference for “white” and “black” names over Arab-Muslim ones.⁴⁴ When participants were asked to give open-ended responses about what they knew or heard about Arab-Muslims through the media, the most common response was a reference to terrorism and/or violence, followed by deep religiosity, discrimination against women, negative personality traits, and physical appearance.⁴⁵ Those participants who mentioned terrorism in their responses were more likely to show implicit bias against Arab-Muslims.⁴⁶ This is consistent with a Pew Forum survey in which participants were asked what influenced their views on Muslims. The largest percentage of respondents (32%) said “media,” and 48% of those media-influenced respondents had unfavorable opinions of Muslims, while only 20% had favorable opinions of Muslims.⁴⁷ It is not surprising that the public has increasingly associated Islam with violence considering the increasing negative media coverage of Muslims, ongoing coverage of the Iraq and Afghanistan wars, and extremist terrorist incidents throughout the world.⁴⁸ While anti-Muslim media appears to have an impact in shaping public opinion of Muslims, the political and religious orientation of survey participants also appears to have a significant impact. Liberal Democrats, for example, tend to have a positive impression of Muslims, while conservative Republicans do not.⁴⁹ Similarly, young people and college graduates tend to express more favorable views of Muslims than do older people and those who are less educated.⁵⁰ And white evangelical Protestants are significantly less likely than other religious groups to have a favorable opinion of Muslims or Muslim-Americans.⁵¹ This is not surprising given that several of the public personalities closely associated with the so-called Islamophobic movement are evangelical Christian leaders.⁵²

C. The Comparative Experience of African-Americans.

As mentioned in the introduction to this Essay, African-Americans are subject to higher levels of implicit bias than other racial and ethnic groups, including Muslims, and this phenomenon is likely fueled, at least in part, by

44. *See id.*

45. *See id.*

46. *Id.*

47. *See* Pew Survey, *Public*, *supra* note 16, at 1.

48. *See* Pew Survey, *Muslims*, *supra* note 18, at 7 (noting that the “yes” response to the question whether Islam encouraged violence rose from 25% in 2002 to 38% in 2009, although the “yes” responses in interim years were as high as 46%).

49. *See* Pew Survey, *Public*, *supra* note 16, at 5 (noting that 66% of liberal Democrats had a favorable impression of Muslims compared to only 26% of conservative Republicans).

50. *See id.*

51. *Id.* (noting that “roughly half of white mainline Protestants (51%) and white Catholics (48%) express favorable views of Muslims, [while] only about a quarter of white evangelicals (24%) say the same” and that views of Muslim-Americans reflect similar religious divisions).

52. *See* ADC-RI Report, *supra* note 10, at 81-82(citing, *inter alia*, Pat Robertson and Jerry Falwell); FAIRNESS AND ACCURACY IN REPORTING, *supra* note 31, at 5 (citing Pat Robertson); *see also* ONTARIO CONSULTANTS ON RELIGIOUS TOLERANCE, ATTACKS ON MUSLIMS BY CONSERVATIVE PROTESTANTS (2009), available at http://www.religioustolerance.org/reac_ter18b.htm (featuring verbal attacks on Muslims by conservative Christians leaders including Franklin Graham, Jerry Falwell, Pat Robertson, and Jimmy Swaggart).

negative media portrayals of blacks.⁵³ Negative stereotypes about blacks persist despite our nation's considerable progress in dismantling *de jure* (or Jim Crow) segregation and creating a post-civil-rights-movement America that is broadly committed to nondiscrimination. As Lawrence Bobo and Camille Charles have argued, "[a] strong body of research indicates that a variety of anti-black attitudes substantially affect the way many whites respond to explicit racial policy questions."⁵⁴ Elsewhere, I have argued that the black ghetto, a government-created phenomenon, may be at the heart of our nation's continued struggle with race relations between blacks and non-blacks.⁵⁵ In my view, the decidedly non-mainstream signatures and behaviors of the ghetto, or "thug life," celebrated in hip-hop and sometimes raised to performance art by urban teenagers, say, riding public transportation, propagate a cultural stereotype that is intentionally opposed to middle-class American norms.⁵⁶

Whatever the source of implicit bias against African-Americans, the persistence of such empirically demonstrated bias despite favorable reported opinions of blacks by non-blacks underscores that anti-black implicit bias is not easily overcome.⁵⁷ How does one explain the relatively higher level of *conscious* acceptance of African-Americans compared to Muslims in the United States?⁵⁸ One possibility is that positive encounters with African-Americans (actual and virtual) are much more frequent for most Americans than are encounters with Muslims, simply because it is much more likely that someone who is not black or Muslim would know a black person as opposed to a Muslim.⁵⁹ Familiarity with

53. See, e.g., Sandra Braman, *The Ideal v. The Real in Media Localism: Regulatory Implications*, 12 COMM. L. & POL'Y 231, 258-59 (2007) (citing research showing that "[r]acial issues are distorted in local TV news in ways that significantly affect inter-group relations."). Braman's research shows and she argues, "African-Americans are greatly over-represented in TV news stories about poverty, for example, compared to their actual proportions among that socio-economic class. Blacks are much more often pictured than whites in stories about illicit drug use, despite the fact that there are far more whites using drugs than blacks. It is also misleading to suggest that blacks are only perpetrators of crime rather than also its victims. Robert Entman argues that the use of African-American newscasters and reporters not only is not sufficient to dispel the images created by news stories themselves, but also undercuts appreciation of discrimination problems when linked to news stories about blacks." *Id.*; see also Leonard M. Baynes, *Race, Media Consolidation, and Online Content: The Lack of Substitutes Available to Media Consumers of Color*, 39 U. MICH. J.L. REFORM 199, 209-10 (2006) (noting that African-Americans and Latinos/as "were two times more likely to be shown in local crime stories than in human-interest stories," that they "were more often shown as perpetrators than as victims," and that "[s]tories with non-White offenders and White victims were given more emphasis" even though intra-group crime is more common in reality).

54. Bobo & Charles, *supra* note 1, at 253.

55. See generally SHERYLL CASHIN, *THE FAILURES OF INTEGRATION: HOW RACE AND CLASS ARE UNDERMINING THE AMERICAN DREAM* 237-60 (PublicAffairs 2004).

56. For an example of what I mean by urban teenage "performance art" on the Metro in Washington, D.C. see *id.* at 257-58 (recounting an episode in which three girls debated loudly about whether to murder another girl).

57. See *supra* text accompanying notes 11, 19; see also Michael B. Mushlin & Naomi Roslyn Galtz, *Getting Real about Race and Prisoner Rights*, 36 FORDHAM URB. L.J. 27, 44 n.82 (2009) (citing a follow up IAT study in which "participants were unable to suppress the tendency to appear pro-white on the black/white IAT.>").

58. See *supra* text accompanying notes 13-21.

59. The Muslim population in the United States is estimated to be only about 2.45 million, which equates to about 0.8% of the overall population. PEW F. ON RELIGION & PUB. LIFE, MAPPING THE

Muslims does breed tolerance. According to a Pew survey, “people who know a Muslim are less likely to see Islam as encouraging of violence” and those “who are most familiar with Islam and Muslims are most likely to express favorable views of Muslims and to see similarities between Islam and their own religion.”⁶⁰

The relative lack of familiarity with Muslims in our nation is fueled not just by demographics but also by the fact that moderate Muslims are relatively invisible in American life.⁶¹ In contrast, while there are far too many negative portrayals of African-Americans in American media, some of the most celebrated and admired people in the nation are African-American. From Oprah to Obama, Colin Powell to Will Smith, there are numerous examples of well-known and well-liked African-Americans, many of whom exemplify our most cherished shibboleths about America as the land of opportunity. I personally cannot name any well-known, popular Muslim-American counterparts. Similarly, there are forty-two African-Americans serving in Congress and only one avowed Muslim serving in that body – Keith Ellison of Minnesota, who also happens to be African-American.⁶² In sum, while mainstream, middle- and even upper-class black people are a known quantity in the United States, especially since the election of President Obama, moderate mainstream Muslims are not well known to Americans. Meanwhile, bad Muslim actors receive considerable media attention in the United States and they *are* well known to the American public.⁶³

Another primary reason for disparately lower levels of conscious acceptance of Muslims than of African-Americans involves the unique processes of differentiation brought about by the 9/11 attacks. One researcher has demonstrated, for example, that “[w]hen events or situations are threatening to our sense of individual and/or group security the result can be a stronger sense of in-group loyalty and increased hostility towards members of the out-group.”⁶⁴ As discussed above, 9/11 exacerbated the possibility of Americans associating Muslims and Muslim Americans living in the United States with extremist terrorists abroad. After 9/11, our national anxieties about security threats were manifested in, among other things, widespread displays of the American flag. In other words, our “in-group” loyalties to America were heightened.⁶⁵ And when

GLOBAL MUSLIM POPULATION 27 (2009), available at <http://pewforum.org/uploadedfiles/Topics/Demographics/Muslimpopulation.pdf> [hereinafter *Pew Survey, Mapping*]. Meanwhile, there are roughly 36 million blacks in the U.S., comprising about 11.8% of the population. U.S. CENSUS BUREAU, CURRENT POPULATION SURVEY, ANNUAL SOCIAL AND ECONOMIC SUPPLEMENT tbl.1 (2004), available at <http://www.census.gov/population/socdemo/race/black/ppl-186/tab1.pdf>. The total U.S. population was approximately 304 million as of July 1, 2008. U.S. CENSUS BUREAU, NATIONAL AND STATE POPULATION ESTIMATES, ANNUAL POPULATION ESTIMATES 2000 TO 2008 (2009), available at <http://www.census.gov/popest/states/NST-ann-est.html>.

60. Pew Survey, *Muslims*, *supra* note 18, at 2.

61. *Cf. supra* note 10.

62. See Black Americans in Congress, Black-American Representatives and Senators by Congress, 1870–Present, 111th Congress, 2009–2011, <http://baic.house.gov/historical-data/representatives-senators-by-congress.html?congress=111> (last visited Apr. 26, 2010).

63. See *infra* note 86 and accompanying text.

64. Chopra, *supra* note 39, at 2 (citing Debra L. Oswald, *Understanding Anti-Arab Reactions Post-9/11: The Role of Threats, Social Categories, and Personal Ideologies*, 35 J. APPLIED SOC. PSYCH. 1775 (2005)).

65. I was part of this phenomenon. Like millions of others in the days following the 9/11 attacks, I bought an American flag and, for the first time in my life, displayed it on my front porch.

in-group loyalties are emphasized, there is always a risk that an out-group is being demarcated.⁶⁶ In one bias study conducted in the months following the 9/11 attacks, for example, “[s]elf-categorization as an American was the most effective predictor of anti-Arab sentiment.”⁶⁷ Moreover, the study participants exhibiting the most bias against Arabs were the ones “highly identified as American and who perceived greater threat levels” against our nation than did other study participants.⁶⁸

African-Americans, in contrast, are considered to be American, or at least the stereotypes that are attributed to blacks do not inherently suggest otherwise.⁶⁹ Even before blacks were formally accorded all of the privileges of American citizenship, their contributions to this country were sometimes recognized, even lauded, at the expense of other groups.⁷⁰ More importantly, the African-American experience in this country has been defined by a nearly 400 year struggle to be accorded the same legal and social rights accorded to white Americans. This process of “becoming American” is mirrored in the struggles of most other historically subordinated racial and ethnic groups, although each group has had unique challenges and aspirations, and most of these groups might claim that, for them, the process of Americanization is unfinished.⁷¹ While this process for African-Americans began centuries ago when the first African slave landed in Jamestown in 1619,⁷² it feels as if the process for Muslim-

66. See Chopra, *supra* note 39 (“Categorizing based on group membership is associated with derogation of out-group members, depersonalization, and over emphasis on in-group similarity and out-group differences.”) (citing HENRI TAJFEL, *HUMAN GROUPS AND SOCIAL CATEGORIES: STUDIES IN SOCIAL PSYCHOLOGY* (1981); Henri Tajfel & John C. Turner, *The Social Identity of Intergroup Behavior, in PSYCHOLOGY OF INTERGROUP RELATIONS* 7, 7-24 (1986)).

67. See Chopra, *supra* note 39, at 3 (citing Oswald, *supra* note 64).

68. *Id.*

69. Asian-Americans, for example, are frequently stereotyped as “foreign.” See, e.g., Keith Aoki, “Foreign-ness” & Asian American Identities: *Yellowface, World War II Propaganda, and Bifurcated Racial Stereotypes*, 4 *ASIAN PAC. AM. L.J.* 1, 18-23 (1996) (discussing Asian “foreign-ness” and “otherness”); Natsu Taylor Saito, *Alien and Non-Alien Alike: Citizenship, “Foreignness,” and Racial Hierarchy in American Law*, 76 *OR. L. REV.* 261, 295-97 (1997) (describing how “foreignness” has been used to mask discrimination against Asian-Americans); Neil Gotanda, “Other Non-Whites” in *American Legal History: A Review of Justice at War*, 85 *COLUM. L. REV.* 1186, 1186-92 (1985) (book review).

70. See, e.g., *Plessy v. Ferguson*, 163 U.S. 537, 561 (1896) (Harlan, J., dissenting) (In an opinion advocating for equal protection for blacks, Harlan refers to the Chinese race as “so different from our own that we do not permit those belonging to it to become citizens of the United States” and notes that “with few exceptions, [the Chinese are] absolutely excluded from our country.”).

71. Cf. Robert S. Chang & Keith Aoki, *Centering the Immigrant in the Inter/National Imagination*, 85 *CAL. L. REV.* 1395, 1402, 1408 (1997) (arguing that “foreignness is used as a proxy for exclusion from the national community” because “the identification of American [is] with White”) (quoting Walter Benn Michaels, *The Souls of White Folk*, in *LITERATURE AND THE BODY: ESSAYS ON POPULATIONS AND PERSONS* 185, 188 (Elaine Scarry ed., 1988); Rene Galindo & Jami Vigil, *Language Restrictionism Revisited: The Case Against Colorado’s 2000 Anti-Bilingual Education Initiative*, 7 *HARV. LATINO L. REV.* 27, 36-37 (2004) (explaining the general assimilation and Americanization difficulties experienced by all racial minorities because race “impedes the process of assimilation into the American mainstream, largely due to the refusal of the dominant society to accept racial minorities in general.”); ROBERT BLAUNER, *RACIAL OPPRESSION IN AMERICA* 51-74 (1972) (discussing how racism in the United States was constructed for the different races).

72. PBS.org, *Arrival of first Africans to Virginia Colony*, <http://www.pbs.org/wgbh/aia/part1/1p263.html> (last visited Apr. 26, 2010).

Americans is just beginning. In the final part of this Essay, I underscore the role of the modern civil rights movement in rendering blacks more American in the eyes of their fellow citizens and the role that coalition-building and civil rights advocacy could play in reducing anti-Muslim bias.

III. WHAT TO DO ABOUT IT

Conscious race-based discrimination is now considered un-American in our nation.⁷³ Most Americans revere the values that animate the *Brown v. Board of Education* decision,⁷⁴ even if they do not personally live an integrated life.⁷⁵ Obviously this was not always the case. From the nation’s founding, a legalized system of racial caste and racial subordination was contemplated by the framers of our Constitution, even if they did not wish to “stain” the document with express mention of the word slavery.⁷⁶ The current American commitment to anti-discrimination is an ethos that was earned through decades, if not centuries, of civil rights advocacy.⁷⁷ The modern civil rights movement, in particular, moved us within one generation from a nation where many, if not most, whites openly supported racial subordination to one where a majority of whites did not.⁷⁸ The images of fire hoses and police dogs being turned on the children of

73. See, e.g., WESTEN, *supra* note 13, at 219–48 (making this claim).

74. *Brown v. Bd. of Educ.*, 347 U.S. 483 (1954).

75. See CASHIN, *supra* note 55, at IX–XXII (arguing the same); see also *supra* note 2 and text accompanying note 14.

76. See NATHANIEL WEYL & WILLIAM MARINA, AMERICAN STATESMEN ON SLAVERY AND THE NEGRO 69, 70, 100, 124 (1971) (giving a comprehensive treatment of the views of the framers on slavery); see, e.g., BENJAMIN FRANKLIN, OBSERVATIONS CONCERNING THE INCREASE OF MANKIND, PEOPLING OF COUNTRIES, ETC. (1755) (expressing the view that America should be a country for white Anglo-Saxons only and that blacks should be excluded altogether from the country); Letter from Thomas Jefferson to Edward Coles (Aug. 25, 1814), available at <http://teachingamericanhistory.org/library/index.asp?document=307> (remarking that the presence of blacks in the United States “produces a degradation to which no lover of his country, no lover of excellence in the human character can innocently consent.”). The Constitution, while not explicitly using the word “slave” in its text, accommodated and protected slavery. See U.S. CONST. art. I, § 2, cl. 3 (including three-fifths of slaves as a basis for representation); *id.* art. I, § 9, cl. 1 (limiting power of Congress to restrict the slave trade); *id.* art. IV, § 2, cl. 3 (preserving a slave’s status as recoverable property even if a slave could escape to “free” states where slavery was prohibited or not extensive).

77. The modern civil rights movement, which can be demarcated as beginning in 1955 when Rosa Parks refused to give up her seat to a white passenger, was preceded, *inter alia*, by decades of civil rights litigation pursued by the NAACP Legal Defense Fund, by the pioneering work of A. Phillip Randolph and the Brotherhood of Sleeping Car Porters, and by 19th and early 20th century examples of civil rights protest. See generally JOHN HOPE FRANKLIN & ALFRED A. MOSS, JR., FROM SLAVERY TO FREEDOM 505–601 (Random House 2000) (1947); see also SHERYLL CASHIN, THE AGITATOR’S DAUGHTER: A MEMOIR OF FOUR GENERATIONS OF ONE EXTRAORDINARY AFRICAN AMERICAN FAMILY 34–35 (PublicAffairs 2008) (describing the success of the black-led Equal Rights League in desegregating Philadelphia streetcars in 1867). And, of course, these examples of civil rights advocacy and mobilization were preceded by slave revolts, the work of black and white abolitionists, and the American Civil War. See generally FRANKLIN & MOSS, *supra* note 77, at 138–244.

78. Compare FRANKLIN & MOSS, *supra* note 77, at 539 (noting that the “white backlash” following the passage of the Civil Rights Act of 1964 was “marked by strong resistance to its enforcement and . . . considerable violence” by whites who said “blacks . . . pushed ‘too hard’ for equality.”), with Bobo & Charles, *supra* note 1, at 253, and text accompanying note 14. See also Taylor, *supra* note 19 (noting that about eight out of ten whites had a favorable opinion of blacks between the poll period of 1990 to 2008).

Birmingham, seared in the minds of many, radically changed the political context and made it possible to enact meaningful civil rights legislation designed to dismantle Jim Crow segregation.⁷⁹ It is easy to forget the labor intensive nature of this social revolution. The non-violent demonstrations in Birmingham in the spring of 1963 motivated nearly one thousand similar protests in over one hundred southern cities, resulting in over twenty thousand arrests.⁸⁰ And this seemingly spontaneous chorus of a thousand protests was the result of years of quite intentional grass roots organizing by the Southern Christian Leadership Conference.⁸¹ In short, oppressed people organized, formed grass-roots coalitions, and demanded a new social order from political elites; and the nation eventually followed.⁸²

In my view it will take a similar degree of intentional effort to create an ethos in which Muslims are perceived and valued as full members of American society. Yet there is little impetus for such a mobilization on behalf of Muslims in the United States, given the cultural forces I have described above. Worse, as I am concluding this Essay, the nation is debating the meaning and cause of the murders at Fort Hood, Texas, in which a Muslim-American army officer, Nidal Malik Hasan, reportedly shot and killed thirteen people, including twelve fellow American soldiers.⁸³ Whatever the facts are concerning Hasan's actions and motivations, this horrific tragedy threatens to exacerbate further existing tensions between Muslims and non-Muslims because it reinforces both the post-9/11 stereotype of Muslims as terrorists and the post-9/11 process of differentiation between "Americans" and those who would attack us.⁸⁴

In light of these hurdles, where should those who are committed to reducing anti-Muslim bias begin? I recommend that advocates and leaders for Muslims and Muslim-Americans consider the examples of certain organizations currently engaged in grass roots organizing to transcend racial and inter-group differences. Elsewhere I have written about the work of the Gamaliel Foundation and the Industrial Areas Foundation ("IAF"), and I continue to be inspired and encouraged by their successes.⁸⁵ Gamaliel, in particular, sponsors more than fifty interfaith coalitions of suburban and inner city church groups that are seriously attacking issues of racial and regional inequity.⁸⁶ Consistent with Alexis de Tocqueville's keen observation that the lifeblood of American democracy was the ability of citizens to form associations to address issues dear to them,⁸⁷ Gamaliel

79. See Sheryll D. Cashin, *Shall We Overcome? Transcending Race, Class, and Ideology Through Interest Convergence*, 79 ST. JOHN'S L. REV. 253, 262-65 (2005) (describing the political impediments to passage of civil rights laws and the role of grass roots protest in dramatically changing the political context to enable passage of the Civil Rights Act of 1964).

80. *Id.* at 264.

81. *Id.* at 264 n.38.

82. See *id.* at 260-66.

83. See Scott Shane & James Dao, *Investigators Study Tangle of Clues on Fort Hood Suspect*, N.Y. TIMES, Nov. 14, 2009, at A1.

84. See *supra* text accompanying notes 28-30.

85. See generally Cashin, *supra* note 79, at 282-90.

86. *Id.* at 286.

87. See ALEXIS DE TOCQUEVILLE, *DEMOCRACY IN AMERICA* (Henry Reeve trans., Alfred A. Knopf 3d ed. 1946) (1835).

is committed to redressing the race and class divides in our nation’s metropolitan regions. It teaches “mass based organizing” to its local affiliates who, in turn, have formed powerful regional coalitions across artificial lines of race and political jurisdiction—coalitions that can marshal thousands of individuals to demonstrate at public hearings and other forums for public policy reforms like “fair share” affordable housing.⁸⁸ Gamaliel and IAF succeed in forming and maintaining effective multiracial, multi-class coalitions by (1) organizing leaders of existing identity/advocacy groups that should be allies, (2) demonstrating and appealing to common interests using objective data, and (3) undertaking extensive grassroots mobilization of the constituencies of each coalition partner.⁸⁹

In my experience of attending such cross-racial forums, black, Latino/a, Asian and white leaders are regularly at the table of coalition efforts for civil rights and social justice.⁹⁰ However, I do not recall ever seeing Muslim leaders at these meetings or conferences. I would urge Muslim civil rights, advocacy and faith organizations to undertake a concerted effort to become a part of such coalitions and for non-Muslim civil rights leaders to undertake a similarly concerted effort to include them.

Much could be gained from such an intentional effort to connect Muslim and civil rights communities. Muslim and Muslim-American constituencies would gain much-needed allies, on the ground, in communities where they live—allies that could help counter misinformation and bigotry about Muslims and Islam. The potential benefits to the civil rights community of a concerted effort to include Muslims are less obvious but no less meaningful. Currently, the struggles and concerns of Muslims are relatively invisible in traditional civil rights discourse. A widening of the civil rights lens explicitly to include Muslims and advocate for religious tolerance, in my view, would help accelerate America’s transition to a truly inclusive, tolerant, multi-racial, and multi-religious society. It would give more concrete, robust meaning to American pluralism. All individuals and identity groups need to be challenged on occasion in order to gain empathy for peoples perceived as “other.” If the research and survey data presented above in this Essay accurately reflect reality, one of the groups that currently seems to be most “other” in our *explicit* consciousness is Muslims—a faith group that comprises nearly one-quarter of the world population.⁹¹ In sum, once our nation truly includes and accepts Muslims as part of the American family, we will have radically approximated the non-discriminatory ideals in which we profess to believe, and all groups and identities—majority, minority, and otherwise—should feel more included and accepted as a result.

88. See *id.* at 286–287. In New Jersey, for example, a Gamaliel-sponsored, multiracial coalition recently succeeded in garnering the repeal of a law that allowed suburban communities to contract out of half of their court-mandated (*Mt. Laurel*) fair-share affordable housing obligations. See generally Jonathan Tamari, *N.J. Closes Low-Income Loophole*, PHILA. INQUIRER, July 18, 2008, at A1.

89. See Cashin, *supra* note 79, at 288.

90. Often Native Americans are also represented at such gatherings, but in my experience, unfortunately, this is not consistently the case.

91. See Pew Survey, *Mapping*, *supra* note 59, at 1 (noting that “there are 1.57 billion Muslims of all ages living in the world today, representing 23% of an estimated 2009 world population of 6.8 billion).