

## Mosque Debate Reaching New Level

Unless you have been living under a rock you have no doubt been inundated with discussion of the proposed Islamic Community Center a couple of blocks from the site of the former World Trade Center. Leaving aside personal opinion, there is no question that this has become one of, if not the main hot-bed issue in the current election cycle. From New York City Mayor Michael Bloomberg to Gubernatorial Candidates Rick Lazio and Carl Palladino to President Obama himself, it seems that everyone has weighed in with their opinion on both the legal right to build the center as well as the “moral” implications of doing so. The issue ignites passion in many, and also raises interesting legal issues, which have at this point been discussed ad nauseam. What has not been discussed, however, at least not at nearly the length of whether building the center is right or wrong, is the fact that what was once the topic of a debate among peers with differing opinions has come dangerously close to sparking physical violence.

As recently as Tuesday, according to the New York Times, a group of teenagers in Western New York was accused of harassing members of the World Sufi Foundation mosque in Carlton, NY. The group allegedly yelled obscenities and insults during prayer celebrating Ramadan, and also sideswiped a worshiper with a vehicle and fired a shotgun outside of the building. The district attorney in Orleans County indicated that while minor incidents have occurred in the past, none have ever been so severe.

While this most recent event can and probably will be chalked up by many to “kids being kids,” the underlying issue raises some concerns. From a legal perspective, there is clearly a distinction between the First Amendment right to freedom of speech, and conduct that results in physical violence or the threat thereof. Cases such as that in Carlton raise the possibility of lawsuits for assault, battery, and intentional infliction of emotional distress, among others, and it will be interesting to see if the increase in such acts prompts those at the forefront of the debate to turn down the heat or keep fanning the flames.