

# Swiss aren't only ones who resist mosque construction

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WASHINGTON (RNS)—When Switzerland recently voted to ban construction of minaret towers at mosques, some observers interpreted it as an expression of European xenophobia that never would find a home in multicultural America. But to say it couldn't happen here would be wrong—or at least premature.

In hundreds of communities across the United States where Muslims, Hindus, Buddhists and other religious minorities have sought to build or expand their houses of worship, private citizens have gone to great lengths to block their construction.

The Al Hidayah Mosque in Port Coquitlam, British Columbia, combines traditional architecture and artistic innovation to create a new look for mosques. But some communities in the United States find a mosque of any description unwelcome. (RNS PHOTO/Courtesy of Sharif Senbel)

Tactics range from using eminent domain and citing traffic concerns to running pig races and stirring up fears of terrorism.

There currently are at least five such cases, including in suburban Chicago, where the DuPage County zoning board of appeals voted unanimously to deny the Irshad Learning Center a permit to build a mosque in upscale Naperville, Ill.

Decisions on construction permits also are pending for mosques in Piscataway, N.J., and Northville, Mich. A Muslim group in Lilburn, Ga., is threatening legal action after city officials rejected their proposal to expand their mosque, while neighbors in Morada, Calif., filed suit to stop construction of a 13,820-square-foot mosque.

Lawyers supporting religious congregations in land use disputes say the right to build houses of worship is guaranteed by the [First Amendment of the Constitution](#), and amplified in laws such as the [2000 Religion Land Use & Institutionalized Persons Act](#), intended to protect houses of worship from onerous regulations.

Despite those legal protections, the fates of proposed worship spaces often are determined by local regulations, or lack thereof.

States like California, New Jersey, and Illinois are regulated extensively by such laws, requiring that proposed buildings meet strict requirements on noise, traffic, utilities and environmental impact of surrounding neighborhoods.

Worshippers and experts say they take those concerns seriously but argue that much of the opposition is rooted in bigotry. They say the not-in-my-backyard opponents use zoning laws to keep mosques, temples and other houses of worship out of their neighborhoods.

“It becomes a heckler’s veto. It empowers people who might not have a clean motive,” said attorney Eric Rassbach with the Washington-based Becket Fund for Religious Liberty. “Nobody admits to hating Muslims because they know they’re not going to win that way.”

Amin Mahmood, a member of the Morada, Calif., congregation, said he initially believed opposition to the proposed mosque was based on routine neighborhood concerns, but became doubtful when opponents in the Morada Area Association didn’t object to proposals for a new Baptist

church nearby.

“They didn’t go to court to oppose the church, but they go to court to oppose the mosque?” said Mahmood. “Come on.”

Calls to members of the Morada Area Association were not returned.

While local zoning meetings usually attract just a few interested parties, hearings concerning mosques can attract dozens, and often hundreds, of people on both sides. Wasi Zaidi, a founding member of the 11-year-old Muslim congregation in Lilburn, Ga., said between 400 and 500 people attended the Nov. 18 city council when his mosque was discussed.

“We didn’t get our rights. To get our rights, we have to go to a higher authority,” said Zaidi, explaining his group’s decision to sue.

Zaidi said he believed some opposition was legitimately rooted in noise and traffic concerns, but noted many comments made on local news sites revealed deep-seated anti-Muslim sentiment among Lilburn residents.

“They don’t like Muslims,” Zaidi said flatly. “And they don’t want us in their backyard.”

Scott Batterton, a member of the Lilburn City Council, acknowledged bigotry may have motivated some opponents but said most had legitimate quality-of-life concerns. Lilburn is not a racist town, he said, noting that it’s home to two other mosques and a Hindu temple.

“I can’t say what’s in everyone’s hearts, but the opposition we listened to was based on merit, not religion,” Batterton said.

Some cases approach near absurdity. In Westchester County, N.Y., in 2001, neighbors cited noise complaints to try and prevent Buddhist monks from holding silent meditation services in a private home.

In 2006, when a group of Muslims sought permission to build a mosque on a rural road in Katy, west of Houston, neighbor Craig Baker [hosted Friday night pig races](#). Muslims consider pigs to be dirty, and Friday is a holy day for Muslims.

Undeterred, the local chapter of the Muslim American Society obtained its construction permit for the mosque, and has in the meantime placed two modular buildings on the land for prayer services and community meetings.

Baker did not return phone calls, but Hesham Ebaid, director of the Katy Islamic center, tried to be diplomatic, conceding Muslims could have done a better job in outreach. More recently, the mosque has invited families for open house meet-and-greets.

As for Baker, Ebaid said, the pig races have stopped, and he even hired two Muslims to work at the bath and kitchen business he owns.

“He said, ‘I’m trying,’” Ebaid said. “So, I give him credit for that.”