



MESSAGE FROM NYCLA PRESIDENT JAMES B. KOBAK JR.

Arriving at a Principled Position on the Debate Surrounding Construction of Islamic Community Center in Lower Manhattan

The proposed construction of an Islamic community center on Park Place in lower Manhattan, within blocks of the World Trade Center site, has recently drawn national attention. The building, Park51, would be approximately 15 stories and contain a mosque, a 500-seat auditorium, a restaurant and a pool. According to *The New York Times*, "Its leaders say it will be modeled on the Y.M.C.A. and Jewish Community Center in Manhattan."

The project's organizers are Daisy Khan, co-founder with her husband of the American Society for Muslim Advancement, her husband, Imam Feisal Abdul Rauf, Imam of a mosque in Tribeca for nearly 30 years and vice chair of the Interfaith Center of New York, and Sharif el-Gamal, a New York-born real estate investor.

Supporters of the project include Community Board 1, covering lower Manhattan, which voted overwhelmingly - 29 to 1 - to endorse the Islamic community center, and New York City officials, including Mayor Michael Bloomberg. NYCLA has come out in favor of the project. In the *New York Law Journal*, NYCLA President Elect Stewart Aaron was quoted as follows: "NYCLA was founded on a commitment to inclusion" and "welcomes the mosque to the neighborhood" as an addition that would make "the area around ground zero more vibrant." The New York City Bar also issued a formal statement in support of the mosque.

Opponents assail the project, claiming that given the mosque's proximity to the September 11th terrorist attacks and the fact that the 19 hijackers were radical Muslims, the building of a house of Muslim worship on Park Place would be disrespectful and insensitive to the friends and relatives of the nearly 3,000 people killed on that day. At least some friends and relatives have disclaimed this position.

As Mr. Aaron's quote indicates, this anti-downtown mosque position, adopted by some for political expediency but undoubtedly tied up with difficult emotions stemming from September 11th for others, seems deeply inconsistent with core constitutional and democratic values -- values for which NYCLA has always stood.

NYCLA believes a longer term, more nuanced and more inclusive perspective is appropriate, especially for those committed to the rule of law. NYCLA, unlike some critics, would be an actual neighbor of the proposed community center as the NYCLA Home of Law is only two blocks away at 14 Vesey Street. Yet we firmly believe that as long as the normal legal requirements for land use and public safety are fulfilled, no group should be denied a place for peaceable assembly and worship because of sincerely held religious belief or ethnicity. That a proposed community center may add to the diversity and mix of people and beliefs in an area of downtown Manhattan still suffering from the physical and economical dislocations of September 11th should be a reason for lawyers -- particularly members of an organization such as NYCLA -- to embrace a new neighbor, not to shun it.

NYCLA itself was formed to allow inclusion in a bar association of those whose backgrounds, views and ethical values seemed "different" or disquieting to many of the more established lawyers and members of society at the time. NYCLA's building was built 80 years ago to give its increasingly diverse membership a place to congregate, as well as learn and share their knowledge and experience at the bar.

NYCLA is proud of its tradition of inclusion, respect for diversity and civic involvement. The New York legal community is stronger because of its principled position. The same principles that support NYCLA's continued existence and presence in a downtown building apply to other groups and other buildings. For these reasons, assuming applicable laws and procedures are followed, NYCLA looks forward to a nearby cultural center that will add to the cultural and ethnic vibrancy of lower Manhattan.

August 27, 2010