

REP. DAVIS: HOMELAND SECURITY HEARING FOCUS IS MISGUIDED

WASHINGTON, DC (march 9, 2011) - Rep. danny k. davis (D-IL) issued the following statement ON THE homeland hearings on the extent of radicalization in the american muslim community and that community's response

We have spent a significant amount of time in the opening days of this Congress discussing the Constitution so it might be worthwhile to note that there is nothing in the Constitution empowering Congress to make investigations and exact testimony. Of course today we more or less take that power for granted as necessary for the work of the legislative branch.

But the history of such investigations is not always a proud one.

The very first Congressional investigation occurred in 1792 inquiring into the defeat of General St. Clair and his army by Native Americans in what is now Ohio. Of course the investigation should have been into why St. Clair, who was also the Governor of the territory, was attempting to expel the Native Americans from their home lands and turn the land over to White settlers.

And then there was the hearing on the internment of Japanese Americans in California after Pearl Harbor where we have the testimony of Lieutenant General John L. DeWitt, head of the Western Command, who also administered the internment program:

"I don't want any of them (persons of Japanese ancestry) here. They are a dangerous element. There is no way to determine their loyalty. The west coast contains too many vital installations essential to the defense of the country to allow any Japanese on this coast. ... The danger of the Japanese was, and is now - if they are permitted to come back - espionage and sabotage. It makes no difference whether he is an American citizen, he is still a Japanese. American citizenship does not necessarily determine loyalty. ... But we must worry about the Japanese all the time until he is wiped off the map. Sabotage and espionage will make problems as long as he is allowed in this area. ..."

Of course we all know that in 1983 the Congressional Commission on Wartime Relocation and Internment of Civilians issued a report condemning the internment as "unjust and motivated by racism rather than real military necessity." Subsequently Presidents Ronald Reagan and George H. W. Bush signed legislation providing redress payments to those interned and formally apologizing to the Japanese American victims of the internment.

Then we have Senator McCarthy's hearings. Looking back on that great miscarriage of legislative power Senators Levin and Collins wrote in their preface to a collection of documents on the hearings:

The power to investigate ranks among the U.S. Senate's highest responsibilities. As James Madison reasoned in The Federalist Papers:

"If men were angels, no government would be necessary. If angels governed men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: You must first enable the government to control the governed; and in the next place, oblige it to control itself."

Senator McCarthy's zeal to uncover subversion and espionage led to disturbing excesses. His browbeating tactics destroyed careers of people who were not involved in the infiltration of our government. His freewheeling style caused both the Senate and the Subcommittee to revise the rules governing future investigations, and prompted the courts to act to protect the Constitutional rights of witnesses at Congressional hearings.

This committee has the responsibility to investigate threats to our homeland. It also has the responsibility to do so in a manner which enhances our security not diminish our security. The Muslim American community has compiled an outstanding record in defense of our nation. As Denis McDonough the President's deputy national security advisor has said:

In fact, many of the incidents and arrests that do make headlines are because of the good citizenship and patriotism of Muslim Americans who noticed something and spoke up. Since the September 11th attacks, a number of individuals inspired by al Qaeda's ideology and involved in supporting or plotting terrorism were stopped, in part, because of the vigilance of members of local communities, including Muslim Americans.

The bottom line is this--when it comes to preventing violent extremism and terrorism in the United States, Muslim Americans are not part of the problem, you're part of the solution.

The prestigious Triangle Center on Terrorism and Homeland Security found that nearly a third of thwarted post-9/11 terrorism cases came out of tips from the Muslim American community.

I believe this may well be the very first Congressional hearing in which an entire religious community is being investigated as enemies of our nation because of the actions of a few. This is analogous to suggesting that Christianity is a threat to American children because a few individuals who call themselves Christian are pedophiles. Proceeding down the path charted by this investigation undermines our national security.

The harm done by promoting the notion that the American Muslim Community poses a threat to our homeland security is very real. In the Chicago area, home to over 400,000 Muslims, anti-Muslim sentiment has greatly affected Muslims in all aspects of their lives, including at their schools, workplaces, mosques, and public places. In particular, there has been increased attention and controversy regarding Muslim communities' zoning requests for mosques, denial of travel on a

surface transportation because of clothing, limited access to community activities, Muslim based art exhibits were defaced, a Muslim teacher's request for unpaid leave so she could perform Hajj, a religious pilgrimage, was denied, and an electric sign using a racial slur to call for the death of Muslims and African Americans appeared at a business.

Perhaps worst of all, these incidents are symptoms of the irrational fear of peaceful Chicago Muslims promoted by some. They are tearing at the fabric of unity in our nation which developed in the wake of the events of 9/11.

I believe it is incumbent on us, consistent with our responsibilities as Members of Congress, and consistent with our most basic notions of American values, and consistent with our commitment to search for facts and reject prejudice, to learn from the mistakes of past investigations, and to recast this investigation into one exploring the dangers of violent, extremism of all types and firmly eschew all attempts to stereotype groups or religions based on the actions of a few.