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First Amendment v. Sharia: Sixth Circuit Asked to Overturn Federal Court Decision that Condoned “Benghazi-like” Attack on Christians

Cincinnati, Ohio (July 8, 2013) — The American Freedom Law Center (AFLC), a national nonprofit Judeo-Christian law firm, filed its opening brief on Friday in the United States Court of Appeals for the Sixth Circuit, asking the court to overturn a lower court’s dismissal of a civil rights lawsuit brought by several Christian evangelists who were violently attacked by a hostile mob of Muslims while preaching at an Arab festival last year in Dearborn, Michigan, which has the largest Muslim population in the United States. [Video of the Muslim assault](#) went viral on YouTube.

AFLC had filed the lawsuit in September 2012 on behalf of the Christians against Wayne County, the Wayne County Sheriff, and two Wayne County Deputy Chiefs for not only refusing to protect the Christians from the attack but also for threatening to arrest the Christians for disorderly conduct if they did not halt their speech activity and immediately leave the festival area.

This past May, Federal Judge Patrick J. Duggan, sitting in the U.S. District Court for the Eastern District of Michigan, granted Wayne County’s motion for summary judgment and dismissed the lawsuit. In his ruling, Judge Duggan stated that “the actual demonstration of violence here provided the requisite justification for [the Wayne County sheriffs’] intervention, even if the officials acted as they did because of the effect the speech had on the crowd.”

In its opening brief in the Sixth Circuit, AFLC argues that “liberty is at an end if a police officer may without warrant arrest, not the person threatening violence, but those who are its likely victims merely because the person arrested is engaging in conduct which, though peaceful and legally and constitutionally protected, is deemed offensive and provocative Indeed, the district court’s decision compels private citizens who engage in . . . constitutionally protected conduct to surrender their fundamental right to freedom of speech to mob rule because violence now serves as a lawful justification for the government to suppress a speaker’s unpopular message. As a result,

the district court's decision rewards and thus encourages violence as a legitimate means of suppressing unpopular speech—an outcome squarely at odds with the First Amendment.”

Robert Muisse, AFLC Co-Founder and Senior Counsel, commented: “The district court’s ruling is an unprecedented blow to the First Amendment. Indeed, the fact that the court’s decision rewards and thus encourages violence as a legitimate means of suppressing unpopular speech jeopardizes the constitutional safeguards that our Founding Fathers fought so hard to establish.”

David Yerushalmi, AFLC Co-Founder and Senior Counsel, commented, “In light of the ongoing Muslim violence around the world, particularly against Christians in Syria, Egypt, and elsewhere, this ruling effectively empowers Muslims in America to engage in violence to silence Christian speech that they deem offensive. And pursuant to this ruling, it is perfectly justified for law enforcement officials to respond to such violence by arresting the Christian speakers for engaging in disorderly conduct instead of apprehending the violent Muslims. The ramifications of this ruling are ominous, which is why the appellate court must overturn it.”

The *American Freedom Law Center* is a Judeo-Christian law firm that fights for faith and freedom. It accomplishes its mission through litigation, public policy initiatives, and related activities. It does not charge for its services. The Law Center is supported by contributions from individuals, corporations, and foundations, and is recognized by the IRS as a section 501(c)(3) organization. Visit us at www.americanfreedomlawcenter.org.

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