

Rouhy Shalabi
Lawyer for Al Salam Mosque Foundation

Rouhy Shalabi's accent reveals his place of birth: this life-long Cubs fan speaks with the nasal tones of a native Chicagoan. When Shalabi recalls the dispute over the mosque in Palos Heights, his memories are still vivid. He describes attending a Palos Heights City Council meeting: "It was a very tense, very uncomfortable feeling. I couldn't believe we were in Illinois." Shalabi remembers, "We heard everything from 'You people don't belong here, go back to your own country'; 'This is a Christian city'; 'Go treat your women good'; 'Why are you here? You dress funny.'" During this conflict, Shalabi became more than just the lawyer for the Al Salam Mosque Foundation; he served as a spokesperson for the Muslim community.

Members of the Al Salam Mosque Foundation contacted the law offices of Shalabi and Associates in early 2000, asking for legal representation in the purchase of a property. Much of Shalabi's work was in real estate, and Al Salam was ready to make an offer to purchase the Reformed Church property on 127th Street in Palos Heights. Shalabi describes the building as having an ideal location, less than ten miles away from the large and active Bridgeview Mosque, which was overcrowded. He explains that, for the Muslim population on the Southwest side, the Bridgeview Mosque is "like a magnet that attracts worshippers from throughout the area." With a large and growing Muslim community, there was a need for more than one mosque. "It would have been perfect, would've really been good. And this structure is there, I mean, all you have to do is just take off the cross and put a crescent on there, and that's it. It was set."

The same vision, for many people in Palos Heights, was a cause for concern; for some, it was a cause for fear. Yet in the early stages of the real estate deal, Shalabi says, there was nothing unique about the transaction. He spoke with his clients about price and contingencies, whether it was subject to financing, and brought up the issue of zoning and use permits. "Really, it was just a normal thing I would bring up: I never anticipated that indeed, it would have been a major issue. In our minds, a mosque to us is a place of worship, but I just wanted to be sure that there were no prohibitions or anything that would affect our ability to use it." Wanting to protect his clients, who were making a \$2.1 million investment, he made the contract contingent on receiving verification from the City of Palos Heights that the church could be used as a mosque and a school.

Shalabi remembers working closely with the church leadership: "It was very friendly, no problems between us and them. They -- as we went along -- began to indicate that there was some concern from their members too that the property was being sold to a non-Christian group. But they thought that the thing would still work out because they had had it on the market before." The first problems Al Salam encountered were not with the church, but with the City of Palos Heights. Shalabi remembers calling the City Hall, and asking, "What do I need to do to get assurance that we could use it as a mosque and a school?" Shalabi, who had hoped there would simply be some forms to fill out, describes being confused by the response he received. He remembers being referred to the city

attorney, then to the clerk's office, and then being told to write a letter to the mayor describing who they were and what they wanted.

Shalabi sent the letter as requested, and shortly thereafter, received a call from Mayor Koldenhoven. Koldenhoven suggested that Shalabi come to the zoning meeting at City Hall, to respond to some questions and concerns. Shalabi expected a small committee meeting, and was surprised to find 80 to 100 citizens gathered. "I remember sitting in the hallway and people walking in and staring us down." He asked himself, "Are they coming for *us* or is there something else going on here?" It quickly became apparent that many citizens of Palos Heights had come to ask questions about, or voice opposition to, the mosque.

Many of those who opposed the mosque, Shalabi explains, saw Muslims as being anti-Christian. He continues, "If I weren't a Muslim, based on what I see, I'd be scared too. You have people burning flags, beards, meanness – that's what people see, and that's not what Islam is all about." It seemed that the citizens of Palos Heights didn't know that there were already Muslims living in the community: "It's not like you're bringing some group from way outside to *invade* this town. People who live there just want to worship." Shalabi was stunned: "I was born and raised here, in Chicago. We're all Americans." He had never witnessed discrimination first-hand, let alone experience it. Growing up, he recalls that on the first day of school, he would have to explain how to pronounce his name, but otherwise, the Arab population in Chicago "blended in."

After the first meeting, Shalabi felt disappointed that Koldenhoven hadn't spoken up for the Muslims. He recalls that Koldenhoven apologized for what had been said, and added, "We have some aldermen who probably called for this, and had all these people come; I want you to know there is some friction." He recalls a divided and dysfunctional City Council: "It was a mess, if one said 'day,' the other said 'night'; they are going at each other regularly, and suddenly we're in the middle of all of this."

Shortly after that meeting, Koldenhoven invited Shalabi and some of the leadership from Al Salam to his office. It was an afternoon meeting, and Father Cronin from the local Catholic Church was invited as well. "We sat there and the mayor gave us books about the Bible versus Islam, as far as how to look at Muslims from the Christian point of view, and all this stuff." Shalabi was not sure of where Koldenhoven stood: he was encouraging them to go through with the deal, but, in the materials he provided at the meeting, and in a letter sent to local pastors, a reference was made to Islam as 'anti-Christian in nature.' Yet Koldenhoven made sure that Shalabi was aware of every meeting, and encouraged him to bring members of the Muslim community as well.

Shalabi describes the opposition to the mosque as well-organized, and praises those in Palos Heights who stood up for the Muslims. "And to the credit of citizens of Palos Heights, many of them did stand up to it. And wrote nice letters, and called me, and spoke to our community and said, 'We want you here.' And people spoke up at that meeting. But the majority that was opposed was very strong and loud and boisterous. And it was very ugly; it was just something I had not experienced before." The lines, he

recalls, were clearly drawn. On the other side, it was: “‘Go back to your own country. Go back to where you came from.’ ‘You people.’ If I hear another person referring to another person as ‘You people’-- it just makes the hair on the back of my neck stand up. As if, we’re-- what about *you* people, where did you come from?’”

He also credits the Muslim community for remaining polite during the meetings: “We took a lot of verbal abuse.” They tried to explain that they simply wanted a place to worship: “We’re doing good for you guys, we are buying a church that is for sale, the church is happy, they’re moving somewhere else, we’re going to work with you, we want to be part of this community because we *are*. We live here.” Whether or not Palos Heights is particularly biased, Shalabi is unsure; he does think that the dispute opened people’s eyes. “It was like, ‘We can go to school together, and we can work together, we can even live together, but we don’t want your mosque there.’” Amidst the growing controversy, Shalabi remembers that some of the religious leaders in Palos Heights, including Father Cronin and Reverend Semeyn were supportive; however, he felt that “the overwhelming majority were silent.”

When he remembers the large meeting held at the Rec Center, Shalabi notes, “Many people from our community spoke very eloquently and very well. And, people from Palos Heights who were in favor of our purchase, spoke eloquently and very well. But most, on the other side, did not. And it was very disheartening, it was very tense.” Some of the tension, and emotion, Shalabi believes, was enflamed by some of the statements made in the press, including one alderman who had made an analogy that seemed to equate the Muslims with Hitler. He was disheartened that none of the aldermen, nor Koldenhoven, said anything when inflammatory statements were made. “Very silent, the mayor and the aldermen were that evening.”

When the offer was made to pay the Mosque Foundation \$200,000 if they walked away from the contract, Shalabi felt it was his duty to present it to Al Salam for consideration; however, he felt it was unlikely to be accepted. Al Salam’s leadership questioned the motivations behind the offer and, early on, were not interested. Yet, as time went on, Shalabi recalls, his clients began to wonder if there was a real need for a Recreation Center in Palos Heights. In addition, he notes, “Every day we were hearing things: ‘You aren’t welcome here,’ and it got to the point where, even if you buy it, are you going to have quiet enjoyment here?” Shortly thereafter, he appeared on *Chicago Tonight* and heard the statement from Karen Hayes that would become a flashpoint: that Islam was a “false religion.” After the filming, he was approached by Murphy who assured him that the real issue here was the need for the building. He indicated that they might even be able to increase the offer to \$300,000 given all of the time and effort that had been expended.

Shortly thereafter, Shalabi reported this conversation to his clients. “On the issue of principle, my idea is to just fight it, to buy it and deal with it. But, you know, I can understand the concern they had. And I definitely understand the legal issues; I couldn’t even get a straight answer to a simple question.” He was also concerned about threats that the City could take the property by right of eminent domain. In Shalabi’s estimation, all

they needed to move forward was an assurance from the City that the church could be used as a mosque. But, he recalls, “The mayor’s position was you use it and if there’s a problem than you just deal with it in courts and stuff. So, my clients said in the end, ‘We’re convinced we’re not going to have any peace here.’” In his press conference outside of City Hall on July 13, 2000, Shalabi didn’t blame anyone; he wished Palos Heights all the best. The next day, he went on vacation with his family, thinking the matter was settled.

Shalabi says that he was surprised when the offer was vetoed by Koldenhoven. He doesn’t recall him having said he would veto it, and doesn’t remember reading statements in the newspaper to that effect. Shalabi thought that Koldenhoven would veto the higher amount, but understood the \$200,000 as an open offer. Even today, Shalabi wonders why Koldenhoven didn’t veto the offer on the first night, explaining that the community was put in a “no-win situation.” If Al Salam bought the property, he believes, they would have faced a hostile community who wanted the church as a Rec Center for their kids. “We just decided to do it, and move on. Thinking, they’ll be happy. They’ll buy it. They’ll have room for a Rec Center.”

The way things unfolded, in Shalabi’s estimation, doesn’t quite make sense. “I mean, on the outside it appeared that one side was for it and one was against it.” He notes that, when the City of Palos Heights filed a motion to dismiss the case, the Judge denied summary judgment, stating that he felt it was odd that the aldermen hadn’t voted to override the veto. Shalabi says that, while he doesn’t have any proof that the veto was orchestrated, “something wasn’t right.” Shalabi adds, “I’ll leave that to people to look at the facts and make their own determination. The bottom line is that there is no mosque there.”

When the lawsuit was filed by the Al Salam Mosque Foundation against the City of Palos Heights, the mayor, and the city council, Shalabi was no longer the attorney; he was named as a witness. Shalabi didn’t sit in on the case, which was filed in July of 2000 and wasn’t fully resolved until August of 2005, as there was some chance he would be called back to testify. He understands from the civil rights lawyers involved that “there were issues of governmental immunity, and the mayor having the right to veto it, notwithstanding all of this, home rule power and all that-- and I guess that’s how the jury went.” For Shalabi, “The lawsuit was never the intent here; we could have just walked away, and done nothing. But I think it sent a very strong message, and since then, mosques have grown, and I know of instances where the mayor and the agencies looked at the Palos Heights situation and said, ‘We’re going to approve your ability to use it.’ So, that’s something good that came out of it.”

The Muslim community, Shalabi explains, was truly upset and shocked by the offer, and the larger controversy. Many told him, “Don’t you even dare consider it,” and were very critical of the fact that the offer was ultimately accepted. As to his own view, Shalabi declines to comment, stating simply, “My hope was to buy it. I really wanted it, especially after that ‘false religion’ [comment] – I really wanted that place up there.” After the controversy, Muslims didn’t move out of Palos Heights; rather, “to our

community's credit, they worship, they dress the way they want, they do what they want. And we're all part of this great country, and certainly aren't going to be intimidated by people who have hate. There's no place for that."

Looking back, Shalabi explains, "I honestly believe that all of them, knowing us as we are now, would be less afraid, or concerned, than they were then. Because to know someone, makes you feel more comfortable, you're more at ease. But that still doesn't justify that type of bigotry or anything. And the masses, the regular citizens, they look at leadership: people have the right to be bigots and have the right to hate, unfortunately. But the leadership, and government, do not. People may not want Muslims there, that's fine, as citizens. But the government cannot discriminate and treat people different than another ... And I'm sure you have people there who don't like [Muslims] now, and nothing's going to-- people being what they are. But the point is they don't have the right to stop them from coming in."

Shalabi believes that the controversy did bring about some positive results: "the good thing that came out of that is that it has been very beneficial to Muslim organizations trying -- certainly, if people don't want a mosque there, they'll have a difficult time keeping them out. And we're very happy about that, if anything, we could accomplish that. Everyone will have to think twice, in light of this case, about trying to pull something like that off again.... And that's the main thing: you want to help, and people to learn by it."

While Shalabi is critical of Koldenhoven, he also believes that the mayor was not re-elected because of his stand. "I sincerely believe that's the case because people that were upset at the mayor, who don't like him, for even embracing the Muslims publicly." He continues, "I think they punished him for that. I really do. They made him pay the price for that." While Shalabi did not participate in the Christian-Muslim Dialogue Group, he is involved in numerous civic organizations, and is has been active in outreach, especially in the aftermath of 9/11. "I've spoken at churches...temples, schools, universities, and to let people know who we are. Let them know, 'We're like you: we're Sox fans and Cub fans, and we grew up here, and we were born here, and those of us who were not work here. Our parents came here looking for a better life, we're just like you.'"

Today, Shalabi explains, "the community is very strong -- and not in a fighting sense, but they will stand up for their rights, and we're Americans here." He continues, "Our community is very hard-working, family-oriented. We want the same thing that everyone else has: educate our children; live a good life; have the opportunity to work; have freedom of worship, and freedom of speech; and we have it here. It's a great country." Before 9/11, he notes that such blatant discrimination against Muslims was relatively rare, but Shalabi warns, "You see anyone be discriminated against, you better help them: because it could happen to you, and it did happen to us."