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European values: liberty or tyranny

Are the rise of right-wing parties and the increasing crackdowns on immigrants antithetical to European values?

D. Parvaz

Al Jazeera (12.12.2010) / HRWF (20.12.2010) – www.hrwf.net - In recent months, Europe has witnessed mass deportations and crackdowns on religious and ethnic minorities. With the burka ban in France and parts of Italy, the anti-Roma movements in France and Hungary and police surveillance cameras set up in predominately Muslim neighbourhoods in the UK, the continent seems to be experiencing a shift in ideology that is centred less on notions of liberty and inclusion and more on protectionism and exclusion.

European elections have yielded wins for right-wing parties in country after country - think Holland, Hungary, Sweden and the UK, where the Conservatives' failure to secure a solid majority is seen as a result of gains for the anti-immigrant UK Independence Party and the British National Party.

This swing to the right tends to sprout with grassroots community movements, frequently presented as protecting European values, or protecting Europe from the threat of cultural demise, Sharia, criminal immigrants and so on. But what, exactly, are European values, and is limiting certain freedoms and resorting to a nearly granular social control the best way to protect them?

To the outsider, European values may appear to rely on human rights rather than religious doctrines as a guiding principle, or they may be perceived as values based on Christianity.

When Ban Ki-moon, the UN secretary-general, warned the European parliament against the "new politics of polarisation", he was specifically concerned with intolerance towards Muslim immigrants. "Some play on people's fears. They seek to invoke liberal values for illiberal causes. They accuse immigrants of violating European values," he said in October.

But what can be done when even the president of the European Union feels that non-Christian ideologies contradict European values?

That is precisely what Herman van Rompuy said before becoming EU president, when he argued that Turkey, a secular country (where headscarves are banned in universities and public buildings) with a Muslim majority, could not be considered a candidate for EU membership.

"Turkey is not a part of Europe and will never be part of Europe," he said. "The universal values which are in force in Europe, and which are fundamental values of Christianity, will lose vigour with the entry of a large Islamic country such as Turkey."

European discourse

But Willy Fautré, the director of Human Rights Without Frontiers, believes "there are no European values ... only universal human values enshrined in the document of human rights". Fragmenting rights, he argues, only serves to weaken them.

Sarkozy claims that "the burka is incompatible with French republican values, but he has not given any example of how it is incompatible," says Fautré, who feels that if a woman is, in fact, coerced into wearing a burka the ban would only "worsen her plight" by further alienating her from society and limiting her access to social services and education.

Fautré rails against the pervasive underlying assumption in the European discourse that Islam is "incompatible or even a threat to European values" - a narrative he says is reinforced by some media and politicians.

And it is not just tabloids that have contributed to the hysteria - social media has played a role in the anti-immigration, anti-Islam campaign, with film clips predicting when various Western countries will become Muslim states getting millions of hits, and clips refuting those claims receiving just a fraction of the interest.

"This is why you have such reactions in Switzerland, for example, where people demonstrated against the building of a Muslim place of worship - with or without a minaret, in fact - in their neighbourhoods," says Fautré, noting that the issue cannot be reduced to Christians versus Muslims, because Roma, Jehovah's Witnesses in Austria and other minorities face the same battle for acceptance in Europe.

Several countries, including France and Italy, have targeted, deported or marginalised ethnic Roma, who, while European, are generally viewed with the same suspicion as other 'undesirable' immigrants. Both countries have escaped disciplinary action by the EU executive for their actions.

However, this rightward swing is not unanimous - protests against the deportations of Roma swept France, and in Switzerland, voters shot down the minaret ban by 60 per cent in Geneva. There are also programmes - such as one in Germany and Austria, which aims to guide imams in helping their congregations adapt to European life - that seek to nurture integration and harmony.

Socially acceptable racism

Matthew Goodwin, a professor at the School of Politics and International Relations at the University of Nottingham, says the rise of nationalist movements in Europe predates the current economic crisis.

"It's more closely linked to cultural issues, meaning the feeling that one's values and culture is under threat," says Goodwin, who is an expert on political extremism, immigration and Islamophobia in Britain.

He says far-right nationalist parties have grown more sophisticated in how they phrase their xenophobic jargon.

"So, to say that, 'Muslims are different, their way of life isn't like ours, they don't belong in Europe,' is different from saying that they are inferior ... and that's more acceptable to the moderate voter who is concerned about immigration," says Goodwin, who is also an associate fellow at the Europe programme at Chatham House, an independent think-tank which is currently holding a series of events on the spread of populist extremism in Europe.

While the younger generation of Europeans is far less prejudiced than previous generations, Goodwin says it is important to distinguish between values and attitudes. "Europeans generally do subscribe to values that we want them to subscribe to," he says, meaning universal human rights, "and there's a steep generational decline in prejudice in the younger generation in Europe. But when we flip the coin, the attitudes aren't always the same."

While values are general guiding principles, attitudes are formed by perceptions of day-to-day life. So a perceived threat after the September 11 attacks, or the bombings that followed in Madrid and London in 2004 and 2005 might alter one's attitudes, though perhaps not one's values.

And social movements, kicked off by common attitudes can lead to political movement - take, for example, the Netherlands, where the nationalist Freedom Party made gains in June's elections (with MP Geert Wilders, recently on trial for hate speech against Muslims, as the face of the party).

Goodwin says that the two drivers for the rise of extreme right-wing parties in Western Europe are, "the increased importance of immigration in the minds of voters ... and the fact that established parties have been unable to present an acceptable and adequate response to those concerns".

So combining the perception that established parties, such as the Labour party in the UK, is incompetent or unresponsive in the face of these concerns with a tabloid media "hostile to immigration" says Goodwin, "provides the far-right with a very potent opportunity".

Co-opting 'European values'

The Swiss People's Party (SVP) was behind the minaret ban, which was passed last year, as well as the more recent referendum, passed on November 28, which calls for the immediate deportation of foreigners who commit crimes, ranging from murder to benefit fraud.

This law would apply even to foreigners who have lived all of their lives in the country, and whose children were born there.

The SVP's campaign materials have included black crows pecking at the Swiss map and, most recently, a regional ad depicting first naked young women standing in a pristine lake and then elderly women, clothed - some in hijab - wading through muddy waters.

Silvia Bär, the deputy general secretary for the SVP, said via e-mail that the party's values "do not differ in any form from universal human rights," and rejected the notion that a ban on building mosque minarets constituted a restriction on religious freedoms.

While Bär did not indicate how her party's actions fit into the construct of European values, she did point to a key distinction between the Swiss and French approach.

"Switzerland has seen a great deal of crime ... The Swiss laws already allow the expulsion of foreign criminals after they serve their sentence, but the initiative that was approved by the Swiss people now will facilitate the legal process to expel the criminals after they have served their prison sentence here in Switzerland," she wrote. "The Roma in France are being expelled for being Roma."

Of course, right-wing rhetoric in France, Hungary, Denmark and Italy also holds that the Roma are being deported as a means of crime prevention.

Still, there are those who do not feel that the far-right's co-opting of the term "European values" will stand. Radko Hokovsky, the director of the Prague-based European Values Network, a non-governmental think-tank that studies and promotes European values, says those values are not so politically malleable.

"It's not true that majority can decide anything and can change and suspend liberal and individual freedoms," he says.

"The very core of what we call European values is a combination of freedom and responsibility - responsibility for community and society," adds Hokovsky, who believes that European values are the same as universal human rights, as adopted by the United Nations in the Universal Declaration of Human Rights.

"This basic value must always be protected."

Whose values?

Just as the term "family values" can mean different things in the US - an anti-gay rights polemic or a call for social programmes that offer financial and social support for all families - the term "European values" also has multiple meanings, depending on who is using it.

Politicians, community activists and religious leaders may each have their own definition of the term, but in the cold language of statistics, the term, on its own, is essentially meaningless.

"I don't know exactly what European values are," says Loek Halman, a researcher at Tilburg University in the Netherlands, which directs the European Values Study.

"If you're going to talk about European values, you can only do that if you compare it to world values, and those comparisons aren't made at the moment."

The European Values Study, which has been conducted since 1981, looks in detail at several aspects of life in 47 countries and regions on the continent. Still, Halman is reluctant to say that it says anything about Europe as a monolithic society.

"It is dangerous to talk about Europe as a whole, because if you look at Europe from the outside, it seems very homogeneous, but from the inside, it is actually quite diverse," he says.

"What you see at the political level might not be caused by what we see at the values level."

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European Parliament Annual Report on Human Rights in the World

Freedom of religion or belief

121. Underlines that freedom of religion or belief constitutes, amongst all human rights, an essential and basic right which must be respected, and that conditionalities related to respect for human rights which feature in the bilateral agreements with non-EU countries need to be enforced more strongly and more effectively;

122. Welcomes the Council conclusions on freedom of religion or belief adopted in November 2009; acknowledges the importance of freedom of religion or belief for the identity of religious and non-religious individuals alike, given that belief, in whatever form it takes, is a vital component of personal and social belonging; calls on the Council and the Commission to adopt and implement practical measures to fight religious intolerance and discrimination and promote freedom of religion or belief worldwide as considered in the aforementioned conclusions; calls on the Council and the Commission to involve the EP, civil society organisations and other relevant actors in the process;

123. Calls on the HR/VP of the Commission to mainstream freedom of religion or belief in EU human rights policy and to give a thorough evaluation of the situation of freedom of religion or belief in the EU Annual Report on Human Rights;

124. Calls on the HR/VP to increase the number of staff working on issues concerning respect for freedom of religion or belief in external action and to create dedicated structures, especially in the context of the establishment of the European External Action Service; supports the identification of the issue of respect for freedom of religion or belief in the world as one of the priorities of the EEAS, given the grave violations of such freedom existing in the world and the obvious need to provide assistance for persecuted religious minorities in many areas of the globe;

125. Calls on the Council and Commission to take into account religion and the dialogue with religious authorities and bodies engaged in inter-faith dialogue in conflict prevention, conflict resolution and reconciliation;

126. Remains deeply concerned that discrimination based on religion or belief still exists in all regions of the world, and that persons belonging to particular religious communities, including religious minorities, continue to be denied their human rights in many countries, such as North Korea, Iran, Saudi Arabia, Somalia, the Maldives, Afghanistan, Yemen, Mauritania, Laos, Uzbekistan, Eritrea, Iraq, Pakistan and Egypt; condemns the Chinese authorities for the persecution of individuals who practise their religion outside officially sanctioned channels, including Christians, Muslims, Buddhists and Falun Gong practitioners; urges China to ratify the ICCPR as it promised; urges the Chinese authorities to refrain from their oppressive policy in Tibet, which could eventually lead to the annihilation of the Tibetan religion and culture; condemns the Iranian authorities for the persecution of individuals belonging to religious minorities, including Christians, Bahá'í, and Muslims who have converted to another or no religion; urges the Iranian authorities to protect religious minorities in accordance with their obligations under the ICCPR; urges the authorities of the Russian Federation to impose a moratorium on the implementation of the 2002 Law on Fighting Extremist Activity, which is extensively misused to persecute peaceful religious minority groups; expresses its concern about the situation of the Montagnard Christian minority living in the Central Highlands of Vietnam; reminds the Vietnamese authorities that the rights of minorities include freedom to practise their religion without restriction, freedom of association and expression, the right of peaceful assembly, the equal right to own and use land and the

right to participate fully and effectively in decision- making regarding issues that affect them, including with respect to economic development projects and re-settlement issues;

127. Urges the EU to develop a toolkit on the advancement of the right to freedom of religion or belief in its external policy, to regard freedom of religion or belief as fundamental, to include a checklist on the necessary freedoms pertaining to the right of freedom of religion or belief in order to assess whether they are being respected and to include mechanisms to identify infringements of freedom of religion or belief, in order to enhance the promotion of freedom of religion or belief in the work of civil servants, especially in the European External Action Service, as well as to involve civil society organisations in the preparation of the toolkit;

128. Welcomes the EU's continuous stance of principle in relation to the UNGA and UNHRC resolutions on combating defamation of religions; welcomes the resolution on elimination of all forms of intolerance and discrimination based on religion or belief tabled by the EU; encourages the EU to continue its striving for a balanced approach between freedom of expression and a prohibition of incitement to religious hatred; encourages the EU to engage in a constructive dialogue with the Organisation for Islamic Conference and other supporters of the principle of defamation of religions;

129. Stresses that international human rights law recognises freedom of religion or belief regardless of registration status, so registration should not be a mandatory precondition for practising one's religion; points out with concern, furthermore, that in Azerbaijan, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan and Vietnam religious groups need to register with the government and operate under government-controlled management boards, which interfere with their religious autonomy and restrict their activity;

130. Calls on Russia to put a moratorium on the implementation of the 2002 Law on Fighting Extremist Activity as it is used and abused to restrict religious freedom, and to repress and attempt to ban non-violent religious groups; notes furthermore with great concern that 265 religious and faith-based organisations are on a black list of so-called extremist organisations;

131. Urges, furthermore, the following countries to stop restrictions on freedom of association and assembly of religious groups and to respect freedom of religion or belief: Saudi Arabia, Egypt , Eritrea, Iran, Somalia, Yemen, Belarus, North Korea and Laos;

132. Underlines the obstacles still existing in parts of the world such as Saudi Arabia, Indonesia, Pakistan, Iraq, Somalia and Sudan to the unhindered profession of faith, at both the individual and the collective level, as well as growing intolerance of religious minorities in countries with grounded democratic traditions such as India, and calls on the Commission to emphasise such issues in the context of its relevant political dialogues;

133. Firmly condemns any criminalisation or punishment for 'apostasy' in relation to cases of conversion from one religion to another or from one religious denomination (subgroup) to another, as still carried out in most of the countries of the Middle East and North Africa; calls on the EU institutions to exert pressure on these countries to reject such practices, in particular where capital punishment is the prescribed penalty; is deeply concerned about forced conversion practices still existing in countries such as Saudi Arabia and Egypt, and asks for a clear commitment on the part of the EU institutions to the fight against such human rights violations;

134. Recalls that in a number of countries in the world, prohibition, confiscation and destruction of both places of worship and religious publications, and prohibition of the training of clergy, are still common practice; urges the EU institutions, in their contacts

with the relevant governments, to counter such violations and to encourage those countries where blasphemy laws are used for the purpose of persecuting members of religious minorities to amend or abolish such provisions;

135. Stresses that for the EU freedom of conscience is a fundamental value, incorporating the freedom to believe or not to believe and the freedom to practice the religion of one's choice;

Intersectionality of Freedom of Religion or Belief and Women's Rights: The "Burqa Issue" in the EU

Paper presented at the "Women – Religion or Belief – Human Rights Panel" at the UN in Geneva on 12 March 2010, an event organized by WOW (Worldwide Organization for Women), WUNRN (Women's UN Report Network) and WILPF (Women's International League for Peace and Freedom) at the initiative of Ms Lois A. Herman

By Willy Fautré, *Human Rights Without Frontiers*



Ms. Asma Jahangir (UN Special Rapporteur on Freedom of Religion or Belief) - **Mr. Willy Fautre** (Director, Human Rights Without Frontiers International) - **Dr. Prof. Valentina Colombo** (Academic Research on Arab Women's Role in Democratization Processes in the Middle East, European University of Rome) - **Ms. Berhane Ras-Work** (President, Inter-African Committee) - **Rev. Doju Dinajara Freire** (Soto Zen Duddhist Nun, Global Peace Initiative of Women) - **Mme. Fatimatou Mansour** (First Secretary for Human Rights - Permanent Mission of Morocco – Geneva) **and Ms. Lois A. Herman** (Coordinator WUNRN, Women's UN Report Network).

Moderator: *Ms. Ruth Kobia, M.Div., UN Geneva Representative - Women, Environment and Health - Worldwide Organization for Women

The intersectionality of freedom of religion or belief and women's rights is one of the most complex human rights issues faced by the world today. Down through the centuries, religious extremism and interpretation of holy books have shaped traditions and cultural stereotypes in a number of patriarchal societies. Some of these traditions and stereotypes have been detrimental to women, and have survived until the 3rd millennium.

The religious, sacred and cultural are sometimes so intimately interwoven that it is difficult to differentiate between them. Societies dominated by men and by the rule of religion have adopted a number of practices which are not explicitly prescribed by their holy books, such as the preservation of girls' virginity by genital mutilation, or the eradication of sinful sexual relations by honor killings. Clothing restrictions and obligations imposed by states or by religious groups (but also freely chosen by women), whether they are rooted in religious principles or not, are debated publicly, not only in Muslim countries but also in European, American and Asian countries where Islam is a minority religion.

Problems arising from the problematic coexistence of women's rights and freedom of religion or belief are not only acute in countries, regions or societies where Islam has been dominating the culture and the traditions for centuries. Tensions between freedom of religion or belief on one side and women's rights on the other are also increasingly experienced in the open societies of the European Union where religion has lost its dominating position in politics, society and the daily lives of the citizens. Throughout the last decades, the regular flow of asylum-seekers from Muslim, Hindu and Buddhist countries has introduced an increasing diversity of religions, cultures and traditions in European societies, a number of which have failed to address modernity in due time and to integrate the culture of human rights. This slow but steady process has resulted in overreaction, and even hostility between some autochthonous populations and some categories of migrants on such issues as the veil or the minarets. This has also reactivated sensitive debates on integration in Western societies, on the defense of national identity and European values.

With regard to the wearing of religious, ethno-religious and cultural symbols, the EU member states have adopted a variety of policies ranging from the ban, to the accommodation in the public sphere, in schools and in state institutions.

This report addresses the issue of the full veil¹ in public space as an example of the political management of intersectionality between freedom of religion or belief and women's rights by a number of EU member states.

Definitions

The full veil whose purpose is to conceal the face and physical features of the woman's body can take several forms²: the hijab, the niqab, the burqa and the chadri, just to name a few.

The hijab is an Arabic word meaning barrier or partition. The literal definition is defined as veil, screen, cover(ing), or curtain. In Islam, hijab is considered the principle of modesty that is required in the Qur'an and includes behavior as well as dress. The practice of hijab is observed through the wearing of a headscarf by Muslim women, sometimes including a veil that covers the entire face except for the eyes. Muslim communities have differing beliefs and practices regarding how hijab should be

¹ This term will be mostly used in this report to designate the burqa, the niqab or any other garment fully covering the face and the body from head to toe of a Muslim woman.

² See pictures at http://atheism.about.com/od/womeninislam/ig/Women-in-Islam--Burqa--Chador/index_g.htm

enforced.³

A niqab is a face veil covering the lower part of the face (up to the eyes).⁴
The burqa refers to a full head to toe body covering with a small opening for the eyes.

The chadri, also referred to as the Afgan burqa, covers the entire face except for a small region about the eyes, which is covered by a concealing net or grille.

As a wide variety of clothing is used to practice hijab in the Muslim world, it is sometimes difficult to distinguish between the various veils. Therefore, the terms niqab and burqa are often used interchangeably.⁵

The full veil: a historical perspective

The oldest name of the practice of secluding women from public view is *purdah*⁶. It was a practice among women in certain societies of living in a separate room or behind a curtain, or dressing in all-enveloping clothes in order to stay out of sight of non-related men or strangers in the Middle East and parts of South-East Asia. The purpose was gender segregation.

Purdah first appeared in ancient Persia and evidence suggests it was also common in Babylon. The word itself comes from Urdu, a language closely related to Persian, and literally means 'screen' or 'veil'. The Arabic translation is 'hijab'. Before the spread of Islam, such all-enveloping garments were worn in the deserts of Arabia for protection against biting sand and wind.

In India, strict purdah denoted a high social standing. In this respect, the covering of the face and body was more a means of distancing oneself from lower class members of society, as opposed to making oneself invisible. Traditionally, the level of wealth or social standing of a certain family dictated the extent to which purdah could be observed. Richer families, in which it was not economically necessary for female family members to work and contribute, full purdah could be observed.

Purdah was adopted by Muslim invaders in the 7th Century. Historians have pointed out that the tent-style burqa became the dominant form of veiling only after the Muslims defeated the more advanced Persian and Eastern Byzantine empires. When these empires fell to the Arabs, the latter began to imitate this practice since they were the new upper class in society. Thus when the caliphate of Baghdad, under the Abbasids, had consolidated, the black burqa became a status symbol of upper class families and naturally those from the lower orders who wanted to enhance status would require their women to follow the same. Most of the *ahadith*, which prescribe complete coverage of women, were a product of the period that corresponds to the annexation of Asia Minor and Persia by Muslims.

Purdah was incorporated as one of the tenets of Islam by the prophet Mohammed, and through Muslim conquest, this practice of segregation spread throughout the Middle East.

³ LAKII.com. Definition of the Hijab. Feb 2010.
<http://www.lakii.com/lakiibooks.php?doWhat=showarticle&topicid=5&articleid=84>

⁴ Sensagent. Burqa/Nijab. February 2010. See <http://dictionary.sensagent.com/burqa/en->

⁵ Encyclopedia: Different terms for muslim dress <http://keywen.com/en/NIQAB>

⁶ See http://departments.kings.edu/womens_history/purdah.html

It is possible that crusading Islamic armies adopted it because it corresponded to teachings in the Qur'an regarding modest conduct and dress. In this respect, its roots are cultural as opposed to religious.

Families observing *purdah* in the past often upheld strict segregation of men and women inside the home; the women's quarters or *harem*, was a place that was off limits to all men. Women were not expected to leave the house except in extreme emergencies. In such cases, a special shrouded horse drawn carriage was used to transport the woman, in the company of a male relative.

The practice of *purdah* has almost disappeared in India, and is followed to varying degrees in Islamic countries. The burqa is the most visible surviving remnant of *purdah* in today's society.

The full veil in some Muslim countries

The status of the head-to-toe garment and the hijab in Muslim countries is hardly known by political decision-makers in Europe. The issue has however been investigated by Dr. Prof. Valentina Colombo, an Academic Researcher on Arab Women's Role in Democratization Processes in the Middle East at the European University of Rome, and was addressed by her at the 12 March 2010 Panel on "Women, Religion or Belief and Human Rights" at the UN in Geneva. Here is an excerpt of her presentation about the situation in several Muslim countries⁷.

Egypt

In March 2009, the Egyptian Ministry of Health prohibited the wearing of the niqab by nurses in hospitals. If they fail to respect the law, they could be taken to court and even fired. Huda Zaki, a representative of the Government, explained that "to be a nurse, like any other job, has some requirements, such as a specific dress code. A niqab prevents the nurse from doing simple actions, fundamental to their job, such as washing hands, which turns out to be impossible when wearing gloves." This ordinance, which started in Cairo, was then applied to the whole of Egypt.

In October 2009, Shaykh Tantawi, the head of Al-Azhar university, the highest seat of learning in the Sunni world, ordered a school girl to remove her niqab during a visit to an Al-Azhar school, saying he would seek an official ban for the face-veil in schools as "the niqab is a tradition and has nothing to do with Islam."

Iraq

The niqab was banned in a fatwa issued by the Iraqi Shaykh, Ahmad al-Qubaisi, who stated: "People have the right to know the identity of the person they are in front of in

⁷ See full text at <http://www.hudsonny.org/2010/03/behind-the-burqa-debate-in-europe.php>

order not to feel deceived. The obligation of niqab was only for the Prophet's wives as they were the mothers of all believers. Women who do not agree only have to look for another job in which they are not requested to show their faces".

Kuwait

Women wearing the niqab have been banned from driving for security reasons, as the only hole in the veil allows no 180-degree perspective. Moreover, it would be impossible to recognize the driver in case of driving infraction.

Saudi Arabia

People in charge of public security have started a battle against the niqab after discovering that many Islamic terrorists have used it to hide in to commit terror attacks.

United Emirates

The niqab was banned in all public offices to fight unrestricted absenteeism.

The full veil in the EU

In November 2006, then European Commissioner Franco Frattini stated that he did not favour a ban on the burqa⁸ but the EU member states are now adopting a wide range of positions on the issue.

Austria

In Austria, there is an ongoing debate initiated by Social Democrat Minister for Women, Gabriell Heinisch-Hoseck, towards formulating laws that would ban the full veil in public spaces if the number of women wearing it were to increase dramatically.⁹

Belgium

In Belgium, there is no federal law banning the full veil but as of December 2005, about twenty municipalities had already taken local decrees banning any garment covering the face so as to render identification impossible, with the exception of carnivals, and their number is increasing year after year. The local decrees usually make no explicit reference to some forms of full veil, but they were mainly adopted in communes of the Brussels Region that have sizable Muslim populations (like Molenbeek and Schaerbeek), and in Antwerp. Fines ranging between €75 and €150 have been occasionally imposed on women wearing a burqa.

In March 2008, the city of Verviers decided to introduce a city-wide ban on the burqa and any other form of headscarf covering the face. The justification was the need for police and other authorities to be able to recognise a person's face at all times.

In December 2008, the city of Londerzeel announced that - as of 2009 - it would ban the burkini from the city's swimming pool. The burkini - a two-part bathing suit with long sleeves, long pipes and a headscarf, which name is a composition of the words burqa and bikini - is worn by a number of Muslim girls in public swimming pools. The city declared that it decided to introduce the ban was motivated by hygienic reasons.¹⁰

⁸ Reformatorisch dagblad (in Dutch): [Brussel tegen boerkaverbod](#), 30 November 2006.

⁹ See <http://www.france24.com/en/20100126-burqa-law-other-eu-countries-france-law-veil-ban>

¹⁰ *De Morgen*, "Londerzeel verbiedt burkini in zwembad", 16 December 2008. <http://www.demorgen.be/dm/nl/989/Binnenland/article/detail/555405/2008/12/16/Londerzeel-verbiedt-burkini-in-zwembad.dhtml>

Denmark

In 2009, a proposal to impose a ban was withdrawn after the country's justice ministry ruled that the law would be legally problematic. The government is now considering a restriction to the wearing of the full veil in public, in schools and in courts and is awaiting recommendations from an ad hoc committee. The majority of Danes support the government's stance against the wearing of the veils by Muslim women in the streets. The penalty providing forcing a woman to wear the burqa has recently been increased to four years imprisonment.¹¹

A Copenhagen University report suggested that just 3 women wear a burqa in Denmark while around 200, mainly Danish converts, use the niqab but several politicians have queried these statistics. Prime Minister Lars Lokke Rasmussen has said that neither the niqab nor the burqa have any place in Danish Society and that the number of women involved is irrelevant to the government's stance.¹²

France

According to the Interior Ministry, an estimated 2,000 women wear the burqa in France and this is seen by many as "a threat to the republic". Polls have indicated that 65 percent of the French population, including Muslims, would like a law banning the burqa. Though statistics are hard to come by, anecdotal evidence suggests that the popularity of the burqa is on the rise.

In 2009, French legislators have indicated their fear of the growing popularity of the garment by signing a proposal to investigate its spread throughout the country. In January 2010 a parliamentary commission recommended a ban on the full veil in public places like hospitals and schools, and on public transport. The commission stopped short of recommending a full ban because not all of the 32 commission members could agree. A parliamentary vote is due to take place in the coming months¹³. The Commission members maintained that their recommendation was by no means an intrusion into the privacy of Muslim women or an attempt to curtail their human rights. It was agreed, however, that donning the burqa was a sign of the demeaned status of Muslim women. The ban is strongly endorsed by left-wing feminists such as Fadéla Amara, herself a Muslim and Secretary of State in the current French government. She argues that the burqa is "a kind of tomb for women" and that such garb is not their choice but it is imposed by male tradition.

¹¹ See *Euronews* 30/01/2010 <http://www.euronews.net/2010/01/30/burqa-ban-debate-gains-momentum-across-europe/>

¹² *Ice News*, 27 January 2010 <http://www.icenews.is/index.php/2010/01/27/denmark-calls-for-burka-ban-proposals>

¹³ Parliamentary report backs burqa ban (France 24, International News, 26 January 2010). See

http://www.france24.com/en/20100126-ban-burqa-gains-momentum-with-publication-parliamentary-report?ns_mchannel=SEM&ns_source=Google&ns_campaign=France%2024%20US_France&ns_linkname=France%20-%20islamic%20veil%20law_France%20burqa&ns_fee=0&gclid=CMHyqtObjaACFaFi4wodXG2Gdw

Some members of the National Assembly think that a ban would be a positive step towards fostering integration as it breaks down barriers of perceived "separation."

In February 2010, the French government refused to grant citizenship to a foreign national on the grounds that he forced his wife to wear the full Islamic veil. The man needed citizenship to settle in the country with his French wife but Immigration Minister Eric Besson said this was being refused because he was depriving his wife of the liberty to come and go with her face uncovered. Later, the minister stressed that French law required anyone seeking naturalisation to demonstrate their desire for integration.

"It became apparent during the regulation investigation and the prior interview that this person was compelling his wife to wear the all-covering veil, depriving her of the freedom to come and go with her face uncovered, and rejected the principles of secularism and equality between men and women," he said.¹⁴

It may be recalled that the controversy started when French President Nicolas Sarkozy declared in 2009 that such attire had no place in France and was "contrary to the values of the republic"¹⁵. He asserted that the burqa was not a religious symbol; rather it symbolised the subjugation of women. The security risk linked to the burqa and its clash with French republican values are the two main arguments that have been put forth.

Germany

The Interior Ministry of the Federal Republic Germany, has no plans to implement any ban on the burqa as religious issues fall under the competence of its sixteen states (Länder). Up to now, 7 of Germany's 16 states have prohibited teachers from wearing Islamic headscarves in public schools. A recent move by an ultra conservative premier of the state of Hesse to ban burqas in educational institutions backfired when it was pointed out that no student was wearing a burqa in the state schools.

Despite the politicians' reluctance to clamp down in minority rights, some 50 per cent of the population favors a ban¹⁶.

Italy

The burqa is currently not referenced in Italian law. In October 2009, Italy's anti-immigration Northern League proposed a burqa ban but as of 1 March 2010 no such draft law had yet been debated by Parliament. However, there exists legislation that forbids covering the face in public places. This law was introduced in 1975 as a counter-terrorism measure against homegrown guerilla groups and makes no reference to religious expression. Some politicians have called for this decades-old anti-terror rule to be enforced against veiled Muslim women while others are opposed to any form of ban.

Italy's far-right Northern League proposed a bill in 2009 that would impose a prison sentence of up to 2 years and a € 2,000 fine for those who "because of their religious affiliations are difficult or impossible to identify." The prefect of Treviso, Vittorio Capocelli, who represents the Interior Ministry in the city, says women should be allowed to wear the garment for religious motives as long as they can be identified if requested.¹⁷

¹⁴ BBC News site: <http://news.bbc.co.uk/2/hi/europe/8494860.stm>

¹⁵ France moves closer to a ban on burqas. Reuters, January 26 2010
<http://blogs.reuters.com/faithworld/2010/01/26/france-takes-first-step-towards-banning-muslim-face-veils/>

¹⁶ Financial Times, 1 March 2010, http://www.ft.com/cms/s/0/e0c0e732-254d-11df-9cdb-00144feab49a.html?nclick_check=1

¹⁷ See adnkronos international "Northern city ignores outcry and lifts burqa ban"
<http://www.adnkronos.com/AKI/English/Religion/?id=1.0.1409234542>

According to a recent opinion poll¹⁸, 63 per cent of the Italians are in favor of a ban.

Netherlands

Legislation in the Netherlands limits the wearing of the burqa and other total coverings on public transport or in schools. The Immigration Minister announced in November 2006 that the government was planning to fully ban the burqa and any other face-covering Islamic dress in public but since then and despite a motion tabled in the Dutch House of Representatives by the anti-immigration politician Geert Wilders, ¹⁹no such decision has been adopted by the parliament.

According to the Muslim community, only about 50 women are wearing the head-to-toe burqa or the niqab. They said a general ban would heighten alienation among the country's Muslims, who number approximately 1 million.

A February 2007 opinion poll indicated that 66 percent support a ban and 32 percent oppose it²⁰.

Sweden

In a radio debate between Swedish Prime Minister Fredrik Reinfeldt and leader of the opposition Mona Sahlin (Social Democrat), Reinfeldt refused to give a straight answer on the possibility of banning of burqas in Sweden. Sahlin said she was against a law, and that she is willing to fight for a woman's right to wear a burqa if she wants²¹.

According to Svenska Dagbladet (Independently moderate) none of the parties in parliament officially supports a ban on burqas and niqabs but individuals in the ruling coalition say they would like to introduce a ban.

According to a census made by Expressen (independently liberal) and the Swedish research consultancy Demoskop, 53 percent of the Swedish population wants a law against wearing burqa and niqab in public, while 46 percent is said to be against a prohibition.

The United Kingdom

No law prohibits the wearing of the full veil. Although Tony Blair called the burqa a "mark of separation," a ban on the full veil is currently not a major issue in the UK and on 22 January 2010, the British government reaffirmed its commitment to freedom of expression in terms of both religion and dress. The UK's Education Ministry, however, published guidelines in 2007 allowing schools to ban the wearing of niqabs in class²².

In January 2010, the leader of the UKIP (United Kingdom Independence Party) appeared to align itself with the ultra right wing BNP by calling for a ban on burqas and headscarves in public. Justice secretary Jack Straw said that this would be "a waste of

¹⁸ Financial Times, 1 March 2010, http://www.ft.com/cms/s/0/e0c0e732-254d-11df-9cdb-00144feab49a.html?nclick_check=1

¹⁹ See BBC "Dutch MPs to decide on burqa ban"
<http://news.bbc.co.uk/2/hi/europe/4616664.stm>

²⁰ See <http://www.stop-killing.org/node/823>

²¹ See <http://sydsvenskan.se/opinion/signerat/matsskogkar/article624607/Beslojad-debatt.html>

²² British headteachers can impose their own dress codes and many schools insist that their pupils wear uniform.

police time” and reiterated that the current administration had no intention of imposing such a ban.

57 per cent of the population favors a ban. Another survey found that 70 percent of Britons would be in favor of a ban in public places, schools, universities and airports.²³

Ban on the full veil: Pros and cons

Three categories of arguments are used by the supporters of a full or partial ban on the full veil: security, women’s rights and integration in the European values system.

1. National and Human Security

Some states have banned or want to ban the full veil on the grounds of public safety and argue that the police need to see the faces of everybody on the streets in order to prevent criminal activities (i.e. hold ups) and suicide-bombings, to identify criminals or prisoners on the run, to find missing persons, and so on.

For security reasons, the veil and the full veil may also need to be banned at the workplace.

There may also be features of certain institutional settings which are incompatible with the wearing of a full veil. People must be identifiable by teachers and professors (for a university exam or), by healthcare institutions (for medical exams and surgery), by social and administrative services (for allowances, passports, ID cards)²⁴, at post-offices (to get a registered letter), on public transport (for holders of a pass), etc.

Some argue that in some cases terrorists and criminals have worn a burqa to hide from the police and the authorities and that one of the suspects of the failed attempts to bomb London in 2005 wore a niqab, as a disguise. Al Qaeda and the Talibans have drafted young men and occasionally women into suicide bombing missions, sometimes using a burqa to avoid any suspicion or control. Such tactics have created fear and anxiety among governments. Banning the burqa is one way of reducing the terrorist risk factor, if not eliminating it, some think.

2. Women’s rights

According to the well-known Pakistani Islamist, Dr Israr Ahmed, men in the West have lost their manliness because they are in contact and work with women. That affects their perception of their sexuality. By strictly segregating men and women, Islam keeps men in their most natural state of virility and the burqa contributes to that “positive segregation,” he teaches.

To the Western world as well as to many Muslim women, the discriminatory and humiliating treatment of women throughout history under Islam is symbolized by the compulsory wearing of the full veil. Under Islam, many women traditionally must remain covered, are denied contact with non-related men, can be denied the ability to get jobs and education to the same extent as men, are subject to violence and forced marriage, are treated as having less political or social worth than men, and are discriminated against in a variety of ways. Can a civilisation that treats its women as inferior and its

²³

See public opinion survey http://www.visioncritical.com/wp-content/uploads/2010/01/2010.01.26_Burqa_BRI.pdf

http://www.visioncritical.com/wp-content/uploads/2010/01/2010.01.26_Burqa_BRI.pdf

²⁴ In France, there have been cases of social security abuses whereby foreigners assuming the identity of a social security-entitled French citizen were treated in healthcare institutions free of charge.

men as sexually uncontrollable claim to be the bearer of the best values of common humanity? This is another strong argument used in the debate on the burqa in France. Westerners, non-Muslims, and many Muslim women are actively fighting what they consider the subjugation and subordination of women through the imposition of the full veil. However, a ban could further worsen the plight of those who are coerced by family or by the dictates of tradition to cover themselves in public. Many believe that by making the burqa and the niqab illegal, a lot of women would be forced to stay at home, which would further alienate them and deprive them of their freedom of movement and their right to education.

Liberal Muslims and women's rights groups are advocating the cessation of compulsory enforcement of the burqa or niqab so that women can choose if they want to wear it. Indeed, a number of Muslim women do want to wear the full veil, including converted European citizens, and claim that their choice is also part of women's rights. A Frenchwoman, who took to the burqa entirely through her own volition, protested: "France is supposed to be a free country. Nowadays, women have the right to take their clothes off, but not to put them on."²⁵

Muslim women in Europe are pulled in all directions by contradictory forces: traditions which often dictate conservative dress codes and conduct, strong familial and cultural obligations, but also pressure from the larger community to be seen as visibly liberated, modern and empowered- in other words, integrated.

Our world is everything but static and the whole rationale behind a woman's right to keep her body invisible to men's eyes is now challenged by new technological progress as body scanners making possible an inspection of even the most private parts of the human body are being installed in international airports. In March 2010, two Muslim women refused to go through a body scan in a British airport and were not allowed to board...

3. National Values, Identity & Integration

The starting point of most discussions on the identity issue is the idea that a community needs a common set of values and references to ensure its coherence, to guide its actions and to endow these with legitimacy and meaning.²⁶

One of the most pervasive underlying assumptions in the discourse on European Muslim integration is that Muslim religiosity is incompatible with and a threat to European values. In France, President Sarkozy held that wearing a full veil is incompatible with France's national values. In June 2009, he started a controversy when he said in an ornate chamber of the Palace of Versailles: "In our country we cannot accept that women be prisoners behind a screen, cut off from all social life, deprived of all identity. The burqa is not a religious sign. It is a sign of subservience, a sign of debasement. It will not be welcome on the territory of the French republic." The public debate on French national identity was hereby reactivated with the endorsement of the president but it soon turned out to be a Pandora box and to backfire as xenophobia and anti-immigration arguments quickly dominated the discussions. Opposition political parties (with the exception of the extreme-right) and civil society organizations have refused to contribute to such a debate and up to now, the members of the French government have been unable to construe what they understand by national values.

As the full veil problem primarily concerns female migrants and women living or staying temporarily in France, asylum or visas should only be granted in the French logic to those who declare that they share those values and that they will respect them. A detailed questionnaire and a statement to be signed might even be submitted to the applicants.

²⁵ See

http://www.dailystar.com.lb/article.asp?edition_id=10&categ_id=5&article_id=111679

²⁶ Euractive article <http://www.euractiv.com/en/culture/european-values-identity/article-154441>

If the French government ever manages to give some concrete and measurable content to the French republican values and to legislate, it will give strong arguments to such hardliners as Iran's President Mahmoud Ahmadinejad who will be too happy to defend the Iranian republican values and impose a strict dress code to all women. Is that what the supporters of the defense of national values and identity really want?

Conclusions

Freedom of religion or belief may be invoked both in terms of the *negative freedom* of persons who do not want to be confronted with, or coerced into wearing or displaying a religious symbol, and in terms of the *positive freedom* of persons who wish not to hide their religious affiliation. Some women do want to wear the full veil in public on religious grounds. Women's rights have two faces, but one common denominator: freedom of choice. Therefore a total ban on the full veil in the public sphere cannot be justified by the only desire to free women from male coercion.

The ground on which the supporters of the protection of Western values and national identity in EU countries have built their argumentation to ban the full veil is shaky and may be counter-productive in our global world.

National and human security concerns are legitimate and certainly deserve the most attention. If restriction measures are to be envisaged, a number of old and new considerations raised at the UN level must however be kept in mind.

In his 1959 study of discrimination in the matter of religious rights and practices (E/CN.4/Sub.2/200/Rev.1, p. 33), the then Special Rapporteur of the Subcommission on Prevention of Discrimination and Protection of Minorities, Arcot Krishnaswami, said: "A prohibition of the wearing of religious apparel in certain institutions, such as public schools, may be motivated by the desire to preserve the non-denominational character of these institutions. It would therefore be difficult to formulate a rule of general application as to the right to wear religious apparel, even though it is desirable that persons whose faith prescribes such apparel should not be unreasonably prevented from wearing it."

In her report about her fact-mission in Macedonia in 2009, UN Special Rapporteur on Freedom of Religion or Belief Asma Jahangir wrote: "If a policy decision has been taken at the national level that interferes with the freedom to manifest one's religion or belief with regard to wearing religious symbols, issues of proportionality and religious tolerance need to be thoroughly respected. In this regard, the Special Rapporteur would like to reiterate that the following questions should be answered in the affirmative: Was the interference, which must be capable of protecting the legitimate interest that has been put at risk, appropriate? Is the chosen measure the least restrictive of the right or freedom concerned? Was the measure proportionate, i.e. balancing of the competing interests? Would the chosen measure be likely to promote religious tolerance? Does the outcome of the measure avoid stigmatizing any particular religious community?"

A last but not least question should also be raised: Should the state alone bear the burden of accommodating specific religious and cultural practices? There is sometimes a price to be paid by the persons who choose to put their conscience above the law. Jehovah's Witnesses and non-religious pacifists who are conscientious objectors to military service have accepted for decades in many countries to pay a high price for their choice: a prison term, a criminal record and the denial of access to employment in the public sector. Women who have chosen to wear the full veil in a country where such a garment is fully or partly banned may also have to pay a price for their choice. Time will tell whether their commitment is genuine or if most of them will find some form of reasonable accommodation with a modern world in constant evolution.

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Women - Religion or Belief - Human Rights Panel**

**WOW - Worldwide Organization for Women, WUNRN - Women's UN Report
Network and WILPF - Women's International League for Peace and Freedom**

**March 12, 2010
3:00 - 5:00 p.m.
Salle XXIII
UN Palais des Nations
Geneva, Switzerland**

During the 13th Session of the United Nations Human Rights Council

Speakers:

***Ms. Asma Jahangir - UN Special Rapporteur on Freedom of Religion or Belief**

***Mme. Fatimatou Mansour - First Secretary for Human Rights - Permanent
Mission of Morocco - Geneva, Switzerland**

***Rev. Doju Dinajara Freire- Soto Zen Duddhist Nun - Global Peace Initiative of
Women**

***Ms. Berhane Ras-Work - President, Inter-African Committee**

***Mr. Willy Fautre - Director, Human Rights Without Frontiers International**

***Dr. Prof. Valentina Colombo, Academic Research on Arab Women's Role in
Democratization Processes in the Middle East - European University of Rome**

***Ms. Lois A. Herman - Coordinator WUNRN, Women's UN Report Network**

Moderator:

***Ms. Ruth Kobia, M.Div., UN Geneva Representative - Women, Environment and Health - Worldwide Organization for Women**

Dutch anti-Islam politician creates stir in UK

Raphael G. Satter and Arthur Max

AP (05.03.2010) / HRWF (06.03.2010) - Email: info@hrwf.net - Website: <http://www.hrwf.net> - Dutch anti-Islam maverick Geert Wilders took his cinematic assault on the Quran to Britain's House of Lords on Friday, sparking heated debate inside the building and angry protests outside.

The invitation to Parliament, and Wilders' stunning political gains in the Netherlands this week, highlight a growing dichotomy in Europe: concern at the increasing number of Muslims who reject long-cherished liberal values, against the liberal tradition of welcoming the world's unfortunates and embracing multiculturalism.

Wilders screened his 15-minute film "Fitna" to about 60 people, including a half-dozen peers, in a wood-paneled committee room in Parliament. The film associates the Quran with terrorism, homophobia and repression of women.

Outside, about 200 protesters jeered and chanted "Fascist thugs off our streets." Police scuffled with several demonstrators who tried to block a street to prevent a demonstration of pro-Wilders activists from the English Defense League from approaching Parliament.

The bleach-blond politician later held court for the British media, replete with quotes from Thomas Jefferson, George Orwell and references to the First Amendment to the U.S. Constitution.

"I believe Islam is a violent and dangerous religion - but I have nothing against Muslims," he told reporters. Nevertheless, he said he wanted a Europe-wide ban on Muslim immigrants because "I believe they bring along a fascist ideology."

The visit, and the controversy surrounding it, added to Wilders' visibility as he heads into a national election campaign with his popularity soaring and polls predicting that his come-from-nowhere Freedom Party will be among the two largest in the next Dutch parliament.

His party scored well in local elections this week, winning one city outright and placing second in another. But his 4-year-old party lacks a national organization, and it declined to field candidates in nearly 400 other town hall races.

Wilders said he might even become prime minister after the June 9 election, although Dutch political analysts say it is unlikely he could garner a majority coalition if his party emerged as the largest.

The 46-year-old lawmaker said that if he came to power he would create a Dutch equivalent to the First Amendment - as well as closing all Muslim schools, forbidding the construction of any new mosque and banning the Quran, which he described as more dangerous than Hitler's manifesto Mein Kampf. The Prophet Muhammad, he said, "was a barbarian and a pedophile."

The intemperate language - heard in Britain only on obscure reaches of the extreme right - made even his hosts uncomfortable.

"I don't necessarily believe that," said Lord Pearson, the leader of Britain's U.K. Independence Party, a fringe group defined principally by its opposition to the European Union.

Wilders describes himself as a libertarian and rejects comparisons with right-wing European politicians such as Jorg Haider in Austria and Jean-Marie Le Pen in France. His special blend of traditional Dutch tolerance and anti-Islamic rhetoric defies easy categorization, and others throughout Europe have taken note of his success.

The English Defense League - a newly formed, self-described "counter-jihad" movement with reported links to the U.K. far-right - has mimicked Wilders's relentless focus on Islam.

France's immigration minister in November launched a series of "national identity debates" that stirred up anti-immigrant, and sometimes anti-Islam, sentiment that alarmed some in the mainstream. France's conservative government is also moving toward banning face-covering Islamic veils.

In Denmark, discontent about immigration fueled the rise of the nationalist Danish People's Party, whose leaders regularly bash Islam and urge Muslim immigrants to adopt Danish values and culture. The party won 25 of 175 seats in Parliament in the last election in 2007, making it Denmark's third biggest political party. It has used its leverage with the center-right minority government to push through sharp restrictions on immigration.

Outside the British Parliament, protesters calling themselves antifascists denounced Wilders and his backers of the English League as racists.

Jack Kavanagh, one of the people wrestled out of the crowd by police, expressed scorn for Wilders, calling his movie "racist tripe."

Across the way, 70-year-old retiree Ian Birchall said the English League was composed of "a particularly unpleasant bunch of racists" intent on setting Britons against the country's approximately 2 million strong Muslim community.

Back in the Netherlands, Wilders' outspoken attacks on Islam have brought charges against him for "hate speech," a little-enforced crime subject to a maximum one-year jail sentence and fine. He appealed to have the case dismissed, saying his remarks were not against Muslims but rather against Islam, and were protected by freedom of speech. Last month the court ruled against the objection, but is yet to set a trial date.

He has been under permanent police protection since his life was threatened in 2004 by the Muslim radical who killed filmmaker Theo van Gogh. His name was in a note pegged with a knife to van Gogh's lifeless chest.

The burqa in some EU countries and in Turkey

By Regis Dericquebourg for Human Rights Without Frontiers

HRWF (06.01.2010) – Email: info@hrwf.net – Website: <http://www.hrwf.net> – The wearing of the burqa in the public space in the EU has become a bone of contention between the authorities and civil society on the one side and some Muslims on the other side.

Some countries have adopted laws banning the burqa while others leave the decision to various local authorities.

National decisions

In 2007, the Netherlands were the first country to adopt a law banning the burqa in schools and public transports. About 6% of the Dutch are Muslims but the burqa is only worn by some hundreds of women. Recently, the ban has been extended to the universities. "We must guarantee a true communication and be able to look into a person's eyes," said MP Margot Kraneveldt.

Sweden and Italy also banned the burqa in public places. Some Italian cities are using the 1970 anti-terrorist law forbidding someone to hide his/her face. For example: Azamo docimo (10 February 2009), Montegretto Terme (26 September 2009).

Local decisions

In Belgium, no federal law prohibits the wearing of the burqa. The issue falls under the competence of the municipalities and several have adopted regulations that prohibit the covering of the face in such a way that it makes the identification impossible. The official texts do not explicitly mention the burqa but they were adopted in municipalities of the Brussels Region and in Antwerp where substantial Muslim populations (as in Schaerbeek or Molenbeek) are living.

Violations of this police regulation are punishable by a fine of about 75 EUR except during carnivals. In a recent case of repeated offence in Brussels, a Muslim woman was sentenced to a fine of 200 EUR. Islam is the major religion practised in Brussels where about 80 mosques have been identified. People who declare themselves Muslims represent 17 % of the local population.

Regulation without legislation

European countries in which clothing freedom has always prevailed, such as Germany and UK, now also face the burqa issue and have adopted a common approach aiming at regulating it. Great-Britain which has always been very tolerant towards religious symbols has been changing since 2006. One year after the bomb attempts in London, Jack Straw, now minister of justice, had criticized the full veil as a « visible declaration of separation ». Since then, he has asked the women who wear it and consult him at the office of his constituency to remove it.

It must be said that the full black veil is rather widespread in some districts of London. In the East End, many women, often young, wear it in their daily lives while shopping and keeping their children by their hands. The British tabloids have vigorously supported the position of Nicolas Sarkozy in this regard (See Libération, 22 June 2009). On the front page of its 24 June 2009 issue, the Daily Express proposed to ban the burqa in UK because "even the Muslims do not want it" and the Daily Mail of 24 June 2009 added that those who choose to live according the rules of the Talibans have nothing to do in Great-Britain.

In Germany, the ban of the burqa on the street is first of all considered a violation of the rights of religious minorities. A pilot project, the burkini, has just been experimented in a swimming-pool in Berlin to facilitate its access to Muslim women. This swimming suit leaves the face, the feet and the hands visible. Hence its name, miwing together burqa and bikini... However, these accommodation attempts have aroused vivid debates amplified by the writer Ralph Giordano who, in 2007, had already nicknamed « human

pinguins » the women wearing a burqa. This 84-year old German Jew who had escaped death during WW II by hiding in a basement in Hamburg had then been hailed by the neo-nazis but he vigorously rejected this sort of support.

Germany now also takes measures. In Bonn, two students who were about to graduate from the Gymnasium were expelled from their school in 2006 because they had worn clothes imposed on women on Afghanistan. The principal of the school had justified their dismissal on the ground that their teachers "want to see the faces of their students". The two young girls were not allowed to participate in the sports classes and in the practical exercises.

Turkey, a laicist republic, has fixed strict rules. It is impossible for a veiled women to study in a public university, to become a public servant or a lawyer. It is the same for those who wear a carsaf (the Turkish equivalent of the burqa). It is a fact that these women do not usually want to participate in social and economic life of the country, although some now dare go out of their households. In Istanbul, most women fully covering their bodies are mainly to be found in the district of Carsamba. « In the past, some women were also wearing a thin black veil on their eyes," explains Binnaz Toprak, from the Bosphorus University, "but this has become rare. » The carsaf phenomenon has also become anecdotic. » In 2006, this scholar published a research work showing a decrease in the wearing of the veil and the carsaf. In 2006, 1,1 % of the Turks were said to be wearing a full veil against 3,4 % in 1999 and this phenomenon was more widespread in the country side than in town. « Women wearing a carsaf are not a political stake », adds Binnaz Toprak. In this regard, they are different from the young militants who have been fighting since the 1990s to obtain the right to go to university with their veil.

HRWF Footnote: This report is based on the article « Plusieurs pays interdisent ou réglementent la burqa » published on 29 June 2009 on the website <http://www.ilmediterraneo.it>
