

Penalising women who wear the burqa does not liberate them

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[discrimination islamophobia](#)



Islamophobia and anti-Muslim prejudices continue to undermine tolerance in Europe. One symptom is the debate about banning the burqa and niqab in public places. In Belgium a law will enter into force on Saturday 23 July, which besides a fine provides for up to seven days of imprisonment for women wearing such a dress.

France became in April this year the first country in Europe to prohibit full face veils, exposing anyone who wears the niqab or burqa in public to fines of 150 Euros and/or “citizenship training”. Some 30 women have been fined or prosecuted since the entry into force of the law.

Loud voices in countries such as Austria, Denmark, Netherlands and Switzerland are demanding similar methods. And in northern Italy an old anti-terrorist (sic!) law against concealing the face for security reasons, has been used by some local authorities to punish women with full-cover veils.

Contrary to European human rights standards

One of the main arguments has been that penalising is in the best interest of the few women in Europe who wear the veil. It is being argued that the ban would help them to liberate themselves. There is very little to show that this would be the case.

It is more likely that such laws – so obviously targeting the adherents of one religious faith – would further stigmatise these women and lead to their alienation from the majority society. Banning women dressed in the burqa/niqab from public institutions like hospitals or government offices may only result in them avoiding such places entirely. This is not liberation.

A [report from the Open Society Foundations](#) reveals that since the debate on the face veil began in France, 30 of the 32 women interviewed for the report had experienced verbal abuse, and some had also been physically assaulted. As a direct result they have preferred to limit their time spent outside the home.

In fact, the banning may run counter to European human rights standards, in particular the right to respect for one's private life and personal identity. In principle, the state should avoid legislating on how people dress.

However, there are particular situations where there are compelling community interests that make it necessary for individuals to show themselves for the sake of safety or to allow for necessary identification. This is not controversial and, in fact, there are no reports of serious problems in this regard in relation to the few women who normally wear a burqa or a niqab.

Sidetracking from much deeper problems

Rightly, we react strongly against any regime ruling that women must be dressed in full-cover veils. This is absolutely repressive and should not be accepted. However, the problem is not solved by targeting and penalising the women.

The way the dress of a small number of women has been portrayed as a key problem requiring urgent discussion and legislation is a sad capitulation to the prejudices of the xenophobes. Such forces are certainly not undermined when others are adopting some of their terminology and attitudes.

Much deeper problems of intercultural tensions and gaps have been sidetracked by the burqa and niqab discussions. In stead of encouraging this unfortunate discourse, political leaders and governments should take more resolute action against hate crimes and discrimination against minorities.

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