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## **Banning the baleful burqa**

**THE OFFICIAL MAXIM:** “Islam is a religion of peace”, has now been joined by another: “The burqa is a cultural *not* a religious custom”. Both are intoned in order to dissuade people in Britain from making baseless or thoughtless assertions about a religion with which few of us are familiar. The purpose of these ‘home truths’ is laudable, but it is radically undermined by contact with the contemporary outlook and practice of millions of Muslims throughout the world.

The custom of systematically veiling women from head to foot is practiced by Muslims; not by all Muslims of course, but it is only Muslims who believe that the sight of a woman’s face should be restricted to her close male relatives in the family home. It is only Muslims who seek systematically to exclude women from public life. It is only Muslims who believe that a woman’s full name should be known only by her immediate kin; it is only Muslims who believe that a woman’s citizenship should be mediated and expressed entirely through and by the men in her life.

Of course, some Muslims advocate the full equality of women and millions of Muslims oppose the wearing of full-face veils, preferring instead to leave a woman’s open face to be framed by a scarf, which covers the ears and hair, and voluminous clothes to cover the rest of her body. It is, however, inescapably true that Islam has, in common with Christianity, Judaism, and a host of other religions, a serious problem with women. The religion is the resolutely patriarchal practice of submission to a resolutely patriarchal god. Women do have their place, but it is a resolutely subordinate place.

It is certainly true that during the course of its tumultuous conquests and conversions Islam has over fourteen centuries encountered and absorbed ele-

ments of many different cultures and of many essentially parochial customs. Consequently, the practice of Islam, its conceptions of modesty, the organisation of family life and the arrangement of relations between the sexes, differ markedly from one place to another. The assumptions, customs, and modes of dress of Muslims in Turkey are not identical to those in Malaysia; Islam manifests itself in radically different ways in Saudi Arabia, Thailand, and Pakistan. The 1.8 billion people who in some sense or another espouse faith in the *Quran* and in the injunctions of the last Prophet of God, Muhammad, do not always see eye to eye.

It is also true that the *Quran* and the Hadith are less than detailed or emphatic about the need to veil women's faces or, indeed, what form these coverings should actually take. However, the views of modesty and of the modes of behaviour thought to be appropriate for women are indeed a religious question within Islam throughout the world, *not* simply a cultural matter. This is because, both God and the Prophet are and were masculine personalities, and we can only assume that the Angel Gabriel who from time to time recited God's words and intentions to Muhammad, was also of the male gender. Muslims, by and large, view the equality of women to be manifested in the performance of their domestic and familial role and obligations, which is "equal" but simply "different" from the man's role in dictating the nature and terms of religious observance, and the organisation of political, social, economic, and military affairs. Just as the advocates of Apartheid believed in 'separate but equal development' for black and white, Muslims generally believe that men and women are "equal but different"; their equality is manifested in their respective performance of the wholesome and quite specific roles facilitated by nature and ordained by God and His Prophet.

Last week President Nicolas Sarkozy called for the burqa to be banned, saying "The burqa is not a religious sign – it's a sign of subservience, a sign of debasement". Well, it certainly is a sign of the

subservience of women, but in insisting that it is not a religious sign, Sarkozy is attempting to both have his cake and to eat it. He wants to defend the idea of religious liberty, while simultaneously attacking an important element of Muslim religious belief. Muslims like Orthodox Jews and devout Roman Catholics do not accord men and women equivalent or similar roles in religious observance or in political arrangements; a strict hierarchy is maintained, one ordained by God, in which men are given the exclusive right to shape religious observance. This is followed, as night follows day, with the assumption that men should take the lead in all civil, military, and political affairs.

Sarkozy's attempt to separate the subordination of women from the practice of Islam is a project without the prospect of success. A mode of Islamic feminism may emerge at some time in the future in which the patriarchy embedded in the historical practice of the religion is challenged and the exclusive rule of men is overthrown; this might happen, but it cannot be instigated by the President of France, because it would have to be an intrinsically religious movement, arising within the community of those who believe in the special value of the *Quran* and the Hadith.

Sarkozy should stick to representing a secular republic and advocating a secular state in which religious freedom is guaranteed. The reactionary character of Islam is not really his business as the head of the French Republic. He has not advocated a law insisting that Roman Catholic bishops ordain women priests, he has not proposed legislation aimed at compelling Orthodox rabbis and their courts, to recognise the ministry of women rabbis. Similarly, he can't insist that Muslim's institute equal rights for women in the practice of Islam. He can, however, insist legally upon the *civil* equality of men and women. He can campaign to make the equality of women in France a practical fact within French legal, educational, and economic life. Consequently, he can and should outline the specific circumstances in which

the wearing of a burqa undermines or violates the full exercise of a Muslim woman's citizenship.

Evidently, a woman cannot properly give evidence in court wearing a full face veil, she cannot teach in a burqa, she cannot reasonably expect to be able to vote in a burqa, or to be allowed to enter banks or pass through customs in a burqa. She cannot drive or operate many different kinds of machine safely in a burqa. In some of these circumstances the segregation of the sexes might be considered, but on the whole, the concealment of a person's face and identity is inconsistent with their exercise of full citizenship. Consequently, restrictions and limitations are inevitable in a society that insists upon the legal equality of every individual. We cannot allow fathers, brothers and husbands to vouch for the women in their company (or in their *possession*); women must speak for themselves, and represent themselves, in all matters relating to the public life of the society.

Restrictions on when and where burqas may be worn will arise spontaneously and should be dealt with by practical and piecemeal decisions, and by the courts when those decisions are challenged, but general legislation on what kinds of clothes people may or may not wear – what used to be called sumptuary laws – belong, like the burqa, to the late middle ages.

Islam, along with Christianity and Judaism, is a religion given to bloodshed and killing as much as it is to the arts of peace; Islam, in common with the other religions of the Book, is capable of discovering impiety and heresy wherever it looks. Islam is intrinsically opposed to equal rights for women, it is intrinsically hostile to homosexuals, it is intrinsically opposed to the right of those born into the faith to abandon or repudiate its tenets. Islam, not the burqa, is the problem. For this reason a blanket ban of the burqa is a foolish idea. Consequently, anybody who wants to promote equality would be best advised to endorse and promote secularism in all areas of our national life rather than attempting to dictate what kind of clothes women should or should not wear.