

UK government and media demand measures against Muslim face veil

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A legal ruling by Judge Peter Murphy that a Muslim woman must remove a full-face veil while giving evidence has become the occasion for a campaign demanding additional measures to curtail democratic rights and seeking to whip up hostility to Muslims generally.

Murphy's ruling was made in anticipation of the trial of a Muslim defendant who cannot be named at Blackfriars Crown Court. She is charged with witness intimidation.

The judge's ruling was more nuanced than an earlier decision at the same court in March that a fully veiled woman wearing a niqab could not serve on a jury. Murphy said the woman could retain the veil for all parts of her trial, other than when giving evidence. He asserted it was crucial for the jury to see the woman's face so they could assess her demeanour and expression.

The 22-year-old defendant, known only as D, would also not have to testify in open court with her face uncovered and could give evidence by live video link or behind a screen so she could only be seen by the judge, jurors and her counsel. No artist's sketch of the defendant would be allowed to be made while her face was uncovered.

Murphy's ruling stated that he had sought to take the "least restrictive approach". According to the Human Rights Act 1998, the defendant has the right to manifest her religion, the judge stated, but added that "some restriction of the right of a defendant to wear the niqab during proceedings against her in crown court is necessary in a democratic society" and urged parliament or "a higher court" to act on the issue.

The decision and the judges call was seized on by leading representatives of both governing parties—Conservative and Liberal Democrat—to call for

a broader prescription of the veil. None urged a full ban on wearing the veil in public places, as has been imposed in France and Belgium, but they went as far as they felt able to in that direction.

Tory MP Philip Hollobone accused the judge of "bending over backwards to accommodate someone who clearly does not want to stick to the rules like everyone else does".

Liberal Democrat Home Office Minister Jeremy Browne called for a debate on whether the state should prevent young women having the veil imposed upon them by their male relatives and should consider banning Muslim girls from wearing veils in public places such as schools. Brown told the *Daily Telegraph* that there should be a "national debate" because "People of liberal instincts will have competing notions of how to protect and promote freedom of choice".

Again in the *Daily Telegraph*, Conservative MP Sarah Wollaston said it was time "to stop delegating this to individual institutions as a minor matter of dress code and instead set clear national guidance" to eliminate the niqab as an "invisibility cloak" and the burqa as a "symbol not of liberation but of repression and segregation".

David Cameron's spokesman said the prime minister did not support a ban on the niqab "in the street", but employers and various institutions had the right to set their own "dress codes" under the caveat in the Human Rights Act stipulating "the protection and freedom of others". Cameron would support schools if they wanted to impose dress codes that banned the veil, Downing Street said, in response to Birmingham Metropolitan College abandoning its own eight-year old ban on face veils in response to protests.

A number of prominent Muslims were quoted by politicians and the media arguing against the veil.

Imam Dr T. Hargey, director of the Muslim Educational Centre of Oxford, called the face veil a “pre-Islamic practice [that] is non-Qur’anic and un-Muslim”, the spread of which was due to “ill-informed Muslims ... conditioned to conflate culture with religion and befuddle liberal Britain that this is a principle of religious freedom and human rights when it is neither”.

In the *Independent*, Yasmin Alibhai Brown insisted that fully veiled women “hinder progressive Islam” and were worn by “women, mothers in particular, [who] have been brainwashed by proselytisers who want to spread conservative Islamic worship across Europe and North America. They are well funded by sources based in Saudi Arabia and the Gulf states”.

Such arguments, whether ill-intentioned or not, miss the point. The issue at stake is not one of religious doctrine, but democratic freedoms. Whether or not the Qu’ran mandates the wearing of the veil, sections of Muslims believe they should do so.

Moreover, even if there were a genuine issue of coercion—by a spouse or other relative—behind a woman’s wearing the full veil, public bans would not be a liberating mechanism. It would only result in women withdrawing or being forced to withdraw more fully still into the home.

Most fundamental of all, the wearing of the veil is not merely a cultural phenomenon but a political one. As with all manifestations of the growth of Islamic fundamentalism, it is in part a hostile reaction among a small number of Muslims to the global crimes committed by Britain and other imperialist powers--in Afghanistan, Iraq, and throughout the world.

Such sentiment is fuelled by the repressive measures that are imposed domestically in the name of the “war on terror”. And, despite the stated intentions of those supporting a ban on the veil, its use is encouraged by the overt or barely concealed Islamophobia that has once again accompanied the latest “discussion” on the issue spearheaded by a venal media and the political elite.

France imposed its ban on wearing a face-covering veil in public places in April 2011 and Belgium in July that same year. Germany discovered its own abhorrence of the veil in 2003, the year of the Iraq War, by allowing state governments to impose bans on teachers and other civil servants. A dozen Spanish cities have imposed bans since 2010. Among those insisting that

the judge had not gone far enough was Jack Straw, foreign secretary under Tony Blair in 2003 and a man directly implicated in this and every other criminal act associated with the “war on terror”.

No one but an intellectual or political scoundrel would attribute this rash of measures to a progressive defence of women’s rights, secular values and a commitment to the progressive integration of minorities. Such claims are as transparently false as any of the “humanitarian” rhetoric used to justify military intervention in the Balkans, Afghanistan, Iraq, Libya and Syria in pursuit of oil riches and other geostrategic aims. The campaign against the veil is a witch-hunt that must be opposed.



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