

FORGOTTEN WOMEN: THE IMPACT OF ISLAMOPHOBIA ON MUSLIM WOMEN



Muslim women suffer from the same inequalities all women experience but these are compounded by additional factors, including perceived or real ethnicity, religion, nationality, social class, etc. They constitute a diverse group in the countries covered by the report. Most of the countries do not register self-identified religious affiliation nor do they systematically disaggregate statistical data along racial or religious lines (with the exception of the United Kingdom). **The lack of equality data and discrimination complaints disaggregated along ethnic/religious/gender lines** and the use of different proxies, such as nationality and migration background, were an obstacle

during the research and contribute to perpetuating the framing of Muslims as alien to the countries. There are also difficulties in recording intersectionality of discrimination grounds. Correlation between ethnicity and religious affiliation is difficult to determine and often results in problematic estimates, all the more so as discrimination happens based on the perceptions of perpetrators. Moreover, **cases of discrimination and hate crime remain highly under-reported**. Lack of trust in the police or equality bodies, of rights' awareness, fear of re-victimisation and internalisation of the normality of violence prevent Muslim women from reporting cases to the authorities.

» 8 countries: Belgium, Denmark, France, Germany, Italy, the Netherlands, Sweden and the United Kingdom

» Research based on desk research, focus groups (including national roundtables) and interviews, conducted between December 2014 and January 2016

Estimates of Muslim population in project countries

3,800,000 to 4,300,000	Germany
4,100,000	France
2,700,000	United Kingdom
1,700,000	Italy
1,000,000	Netherlands
630,000	Belgium
451,000	Sweden
236,300	Denmark

Out of total population:

France	8%
Netherlands	6%
Belgium	6%
Germany	5%
Sweden	4,9%
United Kingdom	4,5%
Denmark	4,2%
Italy	2,8%

Stereotypical image of Muslim women in public discourse: a fertile ground for discrimination and violence

Some media often depict a stereotypical binary representation of Muslim women either as oppressed or as dangerous and do not consider Muslim women as active agents. In all countries, most news stories related to Muslim women concern violations of women's rights, which contributes to constructing negative stereotypes and does not consider Muslim women as a diverse and heterogeneous group. Images of Muslim women, and Muslim women wearing religious clothing in particular, are often used to illustrate news items framing Islam as a problem.

Some **political discourse** argues the lack of compatibility between some expressions of Islam with 'European values'.

Muslim women are perceived to embody a homogeneous group supporting domestic violence and terrorism, homophobia, gender inequality, traditional gender roles, etc. This has an impact on their recognition as potential victims of discrimination and violence, including sometimes by law enforcement authorities and courts, which tend to be influenced by society's stereotypes.

Public opinion polls reflect the existence of such stereotypical views of Muslim women. This negative attention to Muslim women in media and political discourse also contributes to creating a fertile ground for discriminatory practices and violence on the ground.



Situation and discrimination in employment: additional obstacles when a woman and a Muslim

Discrimination occurs both in access to vocational training and employment and in the workplace. Muslim women are subject to three types of penalties in employment: **gender penalties, ethnic penalties and religious penalties**. In all countries, Muslim women face multiple discrimination based on gender, ethnic and/or religious grounds. Due to lack of data, difficulty to report discrimination on several grounds and lack of harmonisation of equality legislation in some countries, it is often difficult to grasp how the different grounds play a role in discrimination experiences. However, some studies, including CV testings and victimisation surveys, offer evidence of the intersectional discrimination faced by Muslim women, especially at the level of access to employment, which appears to be at the core of discrimination experiences of Muslim women. In some countries, data show that Black Muslim women are especially affected by multiple discrimination.

Discrimination in the labour market is often related to **perceptions of Muslimness, and especially the clothing of Muslim women**. For example, in the United Kingdom, one in eight Pakistani women are asked about marriage and family aspirations in job interviews whereas only one in thirty white women are asked such a question. In some countries, some women perceived as Muslims also experience an assessment of their level of 'islamisation'. **The headscarf is an**

additional obstacle in finding and keeping a job.

Muslim women often develop **avoidance strategies** in order not to be confronted with discrimination. Constraining choices (necessary 'invisibility'; no customer contact, alternative professional choices, drop-out, etc.) are often a source of frustration and suffering. Some women turn to their religious or ethnic community to find at least some professional fulfilment and acceptance or create their own business, and others resort to removing their headscarf, which represents a difficult personal decision.

The **legislative framework related to discrimination in the labour market** is theoretically quite solid. However, it is not consistently applied, in particular because of national and regional regulations (which are sometimes general bans) and practices of some EU countries that tend to exclude Muslim women from employment due to an increasingly narrow interpretation of 'secularism' or 'neutrality' in the public sector. These regulations are increasingly used by some domestic courts to support the prohibition of religious signs in the private sector as well, especially with the arguments of commercial imperative and neutrality requirement, which might amount to indirect discrimination and might not be considered as an occupational requirement under European and international laws.

- » In the **Netherlands**, 11% of Afghani-Dutch Muslim women not wearing a headscarf said they had experienced discrimination on the basis of religion compared to 73% of Afghani-Dutch who do wear a headscarf; for Moroccan-Dutch these figures are 15% versus 39%.
- » In **Germany**, 18% of the companies invited applicants with German sounding names to an interview, while only 13 % invited applicants with Turkish sounding names. For applications from Muslim women with a headscarf in the CV photo, only 3 % of the companies invited them to an interview.
- » In the **United Kingdom**, 50% of female respondents wearing the hijab felt they had "missed out on progression opportunities because of religious discrimination and that the wearing of the hijab had been a factor".
- » In **Belgium**, 44% of employers agree that wearing a headscarf can negatively influence the selection of candidates.
- » In **France**, a testing shows that the difference in positive responses for an interview can go up to 10 points between female applicants with a French sounding name and female applicants with an Arabic sounding name, and is further multiplied by 7 with 71 points' difference for female candidates with an Arabic sounding name wearing the headscarf.

“ My employer asked me why I started to wear the headscarf, and I replied that it would not influence my ability to work. ‘I am still the same Sahar, and I will work in the same way I did before.’ She then said that people, customers, would now see that I am Muslim. ‘Yes; I told her, ‘but I have always been Muslim.’ ”
Her employer terminated her contract.

22 year-old Afghani-Dutch woman in the Netherlands

Violence against women, hate crime and hate speech: Muslim women at the intersection of violence

Muslim women are the main targets of Islamophobic violence, especially if they wear a headscarf.

In most countries, Muslim women are more likely to be victims of hate crime and speech than Muslim men. Muslim women are targeted by threats and hate speech, violence and assault, and online hate. Verbal and physical violence often mix, as well as racist and sexist insults or gestures. Violence against Muslim women mainly happens in public spaces such as public transport, streets, markets and shops, or in the workplace. The most common crimes include insults, spitting at women who wear the hijab or pulling their clothing off. Perpetrators tend to be men that are not known by the victims.

CASES

In 2011, a man on the bus verbally abused Suad Omar, an Italian-Somali activist and cultural mediator in Turin, **Italy**, with insults that ranged from the colour of her skin, to her body, to the clothes she was wearing. He then physically assaulted her in front of unresponsive passengers until two men intervened.

One of the most shocking racist attacks in Germany was the murder of Marwa El-Sherbini, an Egyptian woman living in **Germany**, in July 2009. This incident highlights how hate speech and hate crime can be connected. Marwa, pregnant at the time of the aggression, was stabbed to death at the Dresden courtroom

Online hate attacks are increasing and a significant concern on social media platforms, particularly Facebook and Twitter, with verbal abuse and hate speech being the most common incidents. Individual Facebook and Twitter users make direct attacks on Muslim users as well, often singling out Muslim women.

Hate crime legislation generally offers solid protection from being attacked, harassed or assaulted on the basis of one's religion or ethnicity. Nevertheless gender is not always included as a possible bias in hate crimes incidents, since violence against women is usually not included in hate crime legislation and not always considered in its public manifestations.

where she was pressing charges against her assailant for insulting her for wearing a headscarf at a playground. Security personnel and policemen arrived too late and her husband, who ran to save her, was also attacked by the murderer and later shot by a police officer, who was assuming he was the attacker. **Islamophobia.**

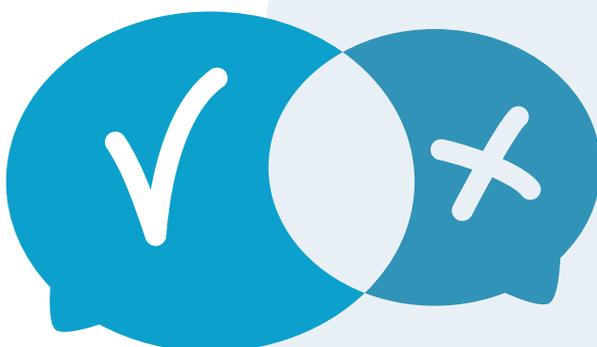


- » In the **Netherlands**, over 90% of the victims of Islamophobic incidents reported to *Meld Islamofobie* in 2015 were Muslim women.
- » In **France**, 81.5% of Islamophobic violence recorded by the Collective Against Islamophobia in France in 2014 targeted women, most of them wearing a visible religious symbol.
- » In **Belgium**, 63.6% of Islamophobic hate crimes and offences between January 2012 and September 2015 concerned women, according to the Collective Against Islamophobia in Belgium.
- » In **Germany**, a survey found that 59% of Muslim women respondents were insulted, verbally abused or accosted.
- » In the **United Kingdom**, Tell MAMA reports that 54% of the off-line victims of threats and verbal abuse were women.

64% of the British public get their information about Islam through the media (YouGov poll)

In France, **79%** stated that the headscarf was a problem for 'vivre-ensemble' ('living together')

In Sweden, **64.4%** of the Swedish population believes Muslim women are oppressed



COURT CASE

A pending French case at the Court of Justice of the European Union *Bouguinaoui v Micropole Unvers SA 78* concerns a design engineer about which a customer complained, stating that the headscarf she wore “embarrassed” a number of its employees, and demanded that this should not recur. The employer discussed this with Mrs Bouguinaoui and asked her to observe a principle of “neutrality” as regards her dress when dealing with clients. When she refused, she was dismissed.

GOOD PRACTICE

The Collective Against Islamophobia in **France** (CCIF) is an NGO combating all forms of islamophobia with a specific gender focus. In their data collection methodology, they ensure the disaggregation of data by gender and pay specific attention and dedicate analysis and activities to the gendered aspects of Islamophobia.

In **Sweden**, the Hijab Petition “Hijabupropet” was organised by five Muslim women following a highly publicised hate crime against a heavily pregnant woman. Prominent Swedish politicians, activists and citizens wore the hijab for a day, in support of the right to safety for Muslim women who wear the veil.

In Ghent, **Belgium**, a network of feminist organisations campaigned against the prohibition on the wearing of headscarves in municipality offices, collecting 10,000 signatures. The municipality decided in 2013 to cancel the prohibition and let Muslim women wear the headscarf at work.

Research centre KVINFO’s mentor network in **Denmark** matches women with refugee and immigrant backgrounds with women who are active in Danish society. The concept is very successful: more than 7,500 women have participated in the network since its inception in 2002, and more than 3,200 mentors were matched.

MAIN RECOMMENDATIONS

- 1 The European Commission should initiate infringement proceedings on the basis of the EU Employment Directive where there is systematic discrimination in employment on the ground of religion and belief. Consider launching infringement proceedings on the ground of the Race Equality Directive where such systemic discrimination is related to strict ‘racialised’ victimisation of Muslim women rather than their actual religious expression, and under the Gender Equality Directives, when systemic discrimination targets only women.
- 2 The European Commission should launch infringement proceedings against Member States where there is evidence of failure to transpose or implement the Framework Decision on combating certain forms and expressions of racism and xenophobia (2008/913/JHA) including on failure to investigate the racist motivation of Islamophobic crimes against Muslim women and incitement to hatred against Muslim women.
- 3 Policy measures to promote equality between women and men and to combat discrimination should include multiple discrimination provisions and have an intersectional approach, acknowledging the combined effects of discrimination on the grounds of gender, ethnicity and religion, among others. Obstacles faced by Muslim women not only within their cultural group but also in relation to the majority population, should be addressed.
- 4 Employers should refrain from adopting general internal regulations prohibiting wearing religious symbols if these are not limited to well-defined and narrow circumstances or pursue a legitimate goal. In the private sector, enforcing the concept of neutrality, promoting a specific corporate image or pleasing clients responding to customers’ requests are not objective and reasonable justifications under international human rights law.
- 5 Member States should ensure comparable and reliable collection and analysis of equality data, and record and publish data disaggregated by ethnicity, gender and religion. Intersectionality should be taken into account in equality data collection and analysis.
- 6 Member States should adopt national strategies to combat islamophobia covering discrimination in employment and other fields of life, and addressing hate crime. Such strategies should include specific objectives and targets on Muslim women’s inclusion and protection from violence.
- 7 Lawyers and litigators should consider cases of discrimination or violence against Muslim women not only as cases of religious discrimination/violence, but also on another or combined ground(s) of discrimination.



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