

# IN DEFENSE OF THE RIGHTS OF MUSLIM WOMEN

## AGAINST DISCRIMINATION, RELIGIOUS PERSECUTION, AND SEXUAL HARASSMENT AND ASSAULT AT THE UNIVERSITY OF MICHIGAN

### I. PREAMBLE TO THE PETITION

In the aftermath of the attacks of September 11, 2001, the United States embarked upon the longest war in the history of the nation. Riding upon a massive wave of national hysteria, the U.S. military campaign encompassed a broad spectrum of both official and unofficial purposes, as well as multiple national targets and potential targets. Whether the purpose was to fight terrorism, to disarm weapons of mass destruction, to reduce the influence of radical Islamist leadership, or to conquer oil reserves—and whether the targets included Afghanistan, Iraq, Iran, or Syria—the single clear intent was to wage war, and the single clear “enemy” was the Arab and Muslim world at large. Those conditions provoked a vast and rapid escalation of generalized paranoia and hatred against Middle Eastern people, and resulted in a long series of domestic, discriminatory abuses against Arab and Muslim Americans.

The University of Michigan has been a frequent scene for such abuses. Its campuses are located both in and near the city of Dearborn, home to the largest Arab population outside the Middle East. Since 2001, Muslim students at the University of Michigan—and particularly Muslim women who cover with a *hijab*, or head scarf—have been subjected to a wide range of verbal and physical attacks. The attacks have manifested in the form of racial slurs, in the forced removal of head scarves, and in sexual harassment and assault. The attacks have involved such a tangled convergence of racism, sexism, religious bigotry, and national chauvinism that it is virtually impossible to delineate where one form of oppression ends and another begins. Underneath that tangled web of discrimination, numerous basic rights have also converged as the objects of attack—equal justice under law, freedom of religion, and liberty from all forms of tyranny.

It is urgently necessary to declare and to defend the rights of Muslim women at the University of Michigan. It is necessary to expose and challenge the abuses, and to provide measures in policy and in practice to confront the issue explicitly. This petition is dedicated towards achieving those aims.

### II. THE *HIJAB*, AND THE RIGHTS OF WOMEN

The head scarf is one of the most visible symbols of Islamic religion, of Middle Eastern culture, and of specific rules pertaining to sexuality. It has a long history and it carries different significance for different people. It has been a political target both for the persecution of women who do not cover and for the persecution of women who do cover.

In a democratic society, women have the right to choose whether or not to cover, and to be equally free from persecution in making either decision. Women have the right to wear a head scarf as a convention of religious practice. Women have the right to wear a head scarf as an expression of cultural heritage. Women have the right to wear a head scarf in order to define boundaries to sexual behavior. Women have the right to wear a head scarf for any reason, and have the right not to give any reason at all for doing so.

At the University of Michigan, or at any institution that is obligated to respect certain basic and equal rights, no person has any authority or justification to impose upon women any requirements regarding the wearing of headscarves. No person has the authority or justification to demand a reason for covering as a condition for allowing women to cover. There is no justification for discriminating against women who choose to cover, for harassing women who choose to cover, for assaulting women who choose to cover, or for otherwise degrading and abusing women who choose

to cover. And there is no justification for the University of Michigan to ignore, to condone, or to otherwise tolerate such discriminatory conduct on the part of any member of the institution.

### III. SEXUAL HARASSMENT AND ASSAULT

The most debated and controversial aspect of the *hijab* is the regulation of sexual boundaries that its tradition represents. In the abuses imposed upon Muslim women around the world, the object is often either the enforcement or the violation of those sexual boundaries. The violation of those boundaries generally takes the form of sexual harassment and assault.

Women have the right to define sexual boundaries regarding with whom sexual contact is appropriate, regarding what kind of contact is appropriate, and regarding what degree of exposure is appropriate. Women have the right to define those boundaries on a religious basis, or on a secular basis, or on any basis imaginable, and all men are equally obligated to respect that right and those boundaries regardless of the reasoning behind them. No man has the prerogative to decide which boundaries are valid and which are not: a woman’s boundaries are always valid, because her body is her own, and it is the woman’s prerogative to decide what is and is not permissible regarding her own body. The deliberate violations of those boundaries—sexual harassment, assault and rape—are equally impermissible against anyone and against any boundary.

Furthermore, it is not the prerogative of the University of Michigan, or any other institution that is obligated to respect certain basic and equal rights, to define a woman’s sexual boundaries for her. It is not the prerogative of the University of Michigan to define for Muslim women what kinds of contact are appropriate or inappropriate. It is not the prerogative of the University of Michigan to define for Muslim women what kinds of contact are sexual or not sexual. Whether the contact was “only” a hug, or “only” a shoulder rub, Muslim women have the same right as all other women to reject such contact as being inappropriate. Every woman has the right to define what men can or cannot do with her body, regardless of whether it is overtly sexual or “only” a hug; neither form of contact is appropriate if it is imposed against her will, and *both* can constitute harassment. The University of Michigan knows very well this definition of harassment, and is equally obligated to uphold the rights of Muslim women against imposed and unwanted behavior as it is to uphold the rights of all other women. The appropriateness of behavior towards a woman is not merely defined by the content of the behavior—it is defined by the *woman*.

### IV. FREEDOM OF RELIGION

As the result of decades of military campaigns waged by the powers of Europe and the United States against Middle Eastern nations, Islam has acquired the status that once belonged to Judaism for much of the history of Europe: Islam has become the single most demonized and vilified religion in the Western world. The practitioners of Islam today face the same fundamental calamities that plagued the Jews of Europe for centuries—social degradation, government repression, death. If history does not actually repeat, then at least it must be said that political power has not greatly changed its methods.

Of all the arguments that Western authorities have propagated to justify the repression of Islamic religion, perhaps the most hypocritical is the argument regarding the status of Muslim women. But in every instance of such anti-Islamic attacks, Muslim women have only been subjected to degrading mistreatment and the denial

of basic rights. In France, the most egregious perpetrator of this trend in Europe, Muslim girls and women have been banned from wearing headscarves in schools, and women who wear a full veil have been banned from doing so anywhere in public. This is not liberation—it is an attack on the ability of Muslim women to attend school, to hold a job, and, in the case of fully covered women, an attack on their ability even to leave the house. The false liberators are merely colonial conquerors in disguise.

No authority in the United States or Europe would dare propose the same repression against Christian women, stripping the engagement and wedding rings from their fingers and tearing the crosses from their necks. While engagement and wedding rings represent essentially the same sexual exclusivity and property symbols in Christianity as does the *hijab* in Islam, the repression of wearing rings would not improve the status of Christian women—such repression would only add a new assault upon their freedom and dignity. Even unmarried Christian women often wear rings simply with the hope of warding off unwanted male advances, showing that they are less concerned about the symbolic constraints of the religious practice than they are about the impositions of actual men. The denial of religious freedom of expression is not the same thing as the improvement of women’s status—whether being persecuted for covering or being persecuted for not covering, the real effect upon Muslim women has been the denial of rights and the denial of power.

V. RACIAL DISCRIMINATION AND NATIONAL CHAUVINISM

The United States is on the verge of becoming a “majority-minority” nation, and the national birth rate has been majority non-white for several years. Europe is experiencing a similar trend. The globalized economy, free trade measures, global warming, and the foreign policies of stronger powers exploiting poorer nations—these factors have combined to create one of the most massive relocations of humanity across national borders in all of world history. This worldwide mass migration is ongoing, and is profoundly transforming the appearance of many nations.

And yet in spite of this trend of growing minority populations, there has not been a corresponding increase in the rights and status of racial and ethnic minorities. Quite the opposite: in the United States, racial inequality and segregation have grown much worse. At the University of Michigan and other elite college campuses, minority student enrollment has plummeted to levels not seen in forty years, moving in the exact opposite direction as the overall population trend. In every place in which minority students have become more isolated and vulnerable, acts of hostility and discrimination have increased. This product of University policy, combined with the abysmal policies in handling sexual assault, and further combined with the general unwillingness to defend the right to practice Islamic religion, have all contributed to a thoroughly dis-

crimatory and hostile environment against Muslim women.

The University of Michigan is liable for the harm that is caused by its own policies. In implementing policies to deflate minority enrollment, the University has contributed to the rise in racial discrimination on the campus and the decline in opportunities for minority youth. For the Muslim students from Dearborn, University recruiters actively discourage enrollment to the flagship Ann Arbor campus, often by claiming that the Dearborn campus can “offer more support” for Muslim students. Notwithstanding the dubious claim of such “support” in Dearborn, even this common advice is an admission of discriminatory practices and the willful absence of support in Ann Arbor. For the past fifteen years, the University of Michigan has implemented policies to reserve the flagship Ann Arbor campus overwhelmingly for white students while segregating minority students to the campuses in Dearborn and Flint. These discriminatory policies must end.

VI. WE, THE UNDERSIGNED

In an expression of our commitment to freedom, equality, and justice, and in our sincere effort to realize the meaning of these ideals in practice, we, the undersigned, declare the following:

*We unequivocally defend the right of Muslim women to freedom of religion and religious expression. We defend the right to wear a hijab. We defend the right of Muslim women to define sexual boundaries that others must obey, and we deplore all incidents of sexual harassment and assault. We defend the right of Muslim women to be free from discrimination and anti-Islamic bigotry, to participate fully and equally in all aspects of society—to learn, to work, and to enjoy life on equal terms with all others.*

*We demand that the University of Michigan make explicit in its written policies—and genuine in daily practice—that the right of religious expression includes the right of Muslim women to wear a hijab, in class, at work, and in all aspects of campus life, and to be free from persecution and mistreatment related to the hijab. We demand that the University of Michigan make explicit in its written policies—and genuine in daily practice—that Muslim women have the right to be free from unwanted sexual behavior according to how the women define unwanted sexual behavior, and that this power of defining unwanted sexual behavior belongs equally to Muslim women as it does to all women. We demand that the University of Michigan address these needs specifically, explicitly, and publicly. We demand that the University of Michigan cease and desist all activities of its representatives which function to discourage Muslim women from enrolling to the Ann Arbor campus, and to cease and desist all practices of reducing minority enrollment generally. We demand that the University of Michigan uphold the principles of equal rights, equal opportunities, and equal justice for Muslim women and for all members of the University community.*

2014.11.07

NAME (print)	PHONE	EMAIL	More info? Y/N