

Discrimination By Any Other Name

Only Human

By Kathleen Peratis

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In a speech early last month, Reverend Rowan Williams, the archbishop of Canterbury and spiritual leader of the world's 80 million Anglicans, was just a bit too Muslim-friendly. He spoke of the "inevitability" of some "constructive accommodation" between British law and Sharia.

Williams's use of the terms "accommodation" and "Sharia" in the same sentence freaked out his co-religionists and many others. Tabloid headlines suggested, inaccurately, that the archbishop was ready to advocate the stoning of unchaste women in Trafalgar Square, or that at the least that's where we are headed if Sharia gains a toehold. A Christian religious official assured the British tabloid *The Daily Mail*, "The idea that you can have the moderate bits without the nasty bits coming along at a later time is naïve."

If nothing else, the brouhaha over Williams's words has once again shown that for all the lip service paid on both sides of the Atlantic to fighting discrimination, anti-Muslim discrimination — often masquerading as a defense of Western culture and values — is all too commonplace.

There are few religions that we "accuse" others of practicing. Witchcraft is one, Islam is another. Fact is, Islam scares us.

It is not surprising, therefore, that complaints of anti-Muslim discrimination have increased sharply since the September 11 attacks, doubling to more than 2,000 a year, according to the federal Equal Employment Opportunity Commission — and this does not include all of the complaints made to state and local anti-discrimination agencies, much less complaints that even don't get even that far. Hundreds of these complaints are labeled "9/11 backlash" complaints — that is, discrimination that has come about as a direct result of September 11.

These numbers do not prove, of course, that discrimination against Muslims in America has actually increased. Increased reporting may be attributed to other factors, such as increased confidence that a complaint might actually be taken seriously. But with fear and loathing of Islam now palpable, discrimination is all but inevitable.

Many of the reported anti-Muslim discrimination complaints and news stories describe ugly harassment and even persecution. In those cases, the facts are often hotly disputed.

But the facts are usually not in dispute when it is Muslim practice that is thwarted, and those claims reveal a lot of unvarnished prejudice.

Take, for example, the spate of complaints by Muslim men that their employers will not let them wear to work their kufis, a head-covering similar to a yarmulke. By contrast, there have not been any reported cases involving yarmulkes at work for years.

(The last significant case was in 1988, when the Supreme Court upheld, against the claim of an observant Jew, an Air Force ban on non-regulation head covering.)

Or this: In several reported cases, female Muslim employees who wore hijabs, or head scarves, without incident before the September 11 attacks have been told they can't do so any more. A judge in Tacoma ejected a woman spectator from his courtroom for refusing to remove her headscarf. In a variation on a theme, the New York City Transit Authority has told Muslim women who drive busses that they can wear a hijab but only if they wear a baseball cap over it so as not to alarm the riding public. (The discrimination claim of the bus drivers is pending.)

Or this: There have been a number of news stories about neighborhoods across the country that have complained about undue noise being generated by muezzins' calls to prayer in mosques. No such complaints, from what I've heard, have been made about church bells.

Maybe this is because the muezzins call five times a day, while most church bells toll only once a week. (On my block, however, the church bells ring three times a day; still, as far as I know, no one has ever objected.) Anyway, we like the sound of church bells.

I do not mean to imply that there is unfettered accommodation of everyone else's religious practice. That is far from the case.

A state court judge in Houston, for example, refused to permit an expert witness to testify in a jury trial unless he removed his yarmulke. A state court judge in New York would not let a lawyer-priest represent a criminal defendant unless the lawyer removed his clerical collar. And employers routinely resist accommodating Saturday Sabbath observers, both Jewish and Christian.

It's not that every demand for accommodation of religious practice is entitled to be honored. In fact, I am hard pressed to sympathize with some, such as the factory worker who wants paid time off three times a day to pray, or the healthcare technician who wants to work with her face covered.

I want to see the face of the person who is sticking a needle in my vein. But maybe I am being irrational. Why do I have to see her face for her to do her job?

Religious discrimination, like all discrimination, is irrational and wrong-headed. We should face the fact that anti-Muslim discrimination is no exception — even when it comes disguised as high-minded protection of secular democracy.

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