

2014/15: Should those wearing burkas and niqabs be segregated within the Australian Parliament?

What they said...

'A lack of limits placed on wearing face veils poses significant security risks at a time when violent crime and religious extremism is on the rise globally'

Rise Up Australia Party

'This measure absolutely targets a group and that is women and it's Muslim women'

Elizabeth Broderick, Sex Discrimination Commissioner

The issue at a glance

On October 2, 2014, it was reported that the Speaker of the House of Representatives, Bronwyn Bishop, and the Senate President, Stephen Parry, had issued a security control for the management of Australia's federal Parliament. The security control stated, 'Persons with facial coverings entering the galleries of the House of Representatives and Senate will be seated in the enclosed galleries. This will ensure that persons with facial coverings can continue to enter the Chamber galleries, without needing to be identifiable.'

The immediate implications of this control are that Muslim women wearing either burkas or niqabs will not be able to sit in the downstairs public galleries should they wish to come and observe the operation of the Australian Parliament.

They only place they will be able to be seated is in glassed in upstairs galleries typically used for groups of schoolchildren visiting the federal Parliament.

This interim ruling followed sporadic discussion regarding whether these traditional Muslim facial coverings should be banned in Australia or merely banned from certain key locations, such as Parliament House. The push to have these garments banned had come from Liberal Senator Corey Bernardi and Palmer United Senator Jacqui Lambie.

The decision effectively to segregate Muslim women wearing burkas or niqabs who visited the federal Parliament immediately met with opposition. It has been condemned by many, including Muslim groups, the Opposition, the Greens and the Sex Discrimination Commissioner.

The Prime Minister, Tony Abbott, has requested that the Speaker and the Senate President rethink their ruling. He has suggested that it will no longer be in operation when Parliament resumes on October 20, 2014. Some commentators are less sure as the Prime Minister's request may be seen as a challenge to the independence of the two presiding officers of the Parliament.

Background

(The information on the different types of traditional Muslim attire for women is taken from a BBC information piece. It can be accessed at <http://www.bbc.co.uk/newsround/24118241>

The information on the wearing of niqabs and burkas around the world has been abbreviated from a Wikipedia entry titled 'Burka'. The full text of this entry can be found at <http://en.wikipedia.org/wiki/Burqa>)

Nijabs, burkas and hijabs

There are two forms of traditional Muslim dress which obscure the face. One is the nijab. The niqab is a veil for the face that leaves the area around the eyes clear. However, it may be worn with a separate eye veil. It is worn with an accompanying headscarf. The burka is the most concealing of all Islamic veils. It is a one-piece veil that covers the face and body, often leaving just a mesh screen to see through.

In addition to these there is the hijab. The word hijab describes the act of covering up generally but is often used to describe the headscarves worn by Muslim women. These scarves come in many styles and colours. The type most commonly worn in the West covers the head and neck but leaves the face clear.

The wearing of burkas and niqabs around the world

Afghanistan

The full Afghan burka covers the wearer's entire face except for a small region about the eyes, which is covered by a concealing net or grille.

Before the Taliban took power in Afghanistan, the burka was infrequently worn in cities. While they were in power, the Taliban required the wearing of a burka in public. Officially, it is not required under the present Afghan regime, but local warlords still enforce it in southern Afghanistan. Burka use in the remainder of Afghanistan is variable and is observed to be gradually declining in Kabul. Due to political instability in these areas, women who might not otherwise be inclined to wear the burka must do so as a matter of personal safety.

India

Among the Muslim population in India, the burka is common in many areas. The obligation for a woman to wear a burka is dependent on her age: young, unmarried women or young, married women in their first years of marriage are

required to wear the burka. However, after this the husband usually decides if his wife should continue to wear a burka.

Pakistan

In Pakistan, the use of the burka is primarily in Pashtun territories along the border areas, especially in FATA and to a great extent in Khyber Pakhtunkhwa and Balochistan. However, in much of the rest of the country, its use has greatly declined over time.

Israel

Some years ago, a group of Haredi (ultra-Orthodox) Jewish women in Israel began donning the Burka as a symbol of piety. Following its adoption by Bruria Keren, an estimated 600 Jewish women have taken to wearing the veil. According to The Jerusalem Post, a Member of the Knesset is intending to put forward a bill to 'prohibit the wearing of a full-body and face covering for women. [The] bill would not differentiate between Muslims and Jews'.

Syria

Syria is a constitutionally secular state and discourages the wearing of traditional hijab. Ghiyath Barakat, Syria's minister of higher education, announced that the government would ban students, teachers or staff from covering faces at universities, stating that the veils ran counter to secular and academic principles of the country.

United Kingdom

This outfit is causing debate in the United Kingdom. A senior member of the previous government, Jack Straw, asked Muslim women from his constituency to remove any veils covering their faces during face-to-face meetings with him. He explained to the media that this was a request, not a demand, and that he made sure that a woman staffer remained in the room during the meeting. A media outcry followed. Some Muslim groups said that they understood his concerns, but others rejected them as prejudicial.

A poll in 2011 indicated that 66 percent of British people supported banning the burka in all public places. However, a ban on burkas has been ruled out by the current Conservative-Liberal Democrat government and previous Labour government.

France

Wearing the burka has not been allowed in French public schools since 2004 when it was judged to be a religious symbol like the Christian cross. This ruling was the application of an established 1905 law that prohibits students and staff from wearing any clearly visible religious symbols. The law relates to the time where the secular French state took over control of most schools from the Catholic Church. It does not apply to private or religious schools.

This was followed on 22 June 2009, when the president of France, Nicolas Sarkozy, said that burqas are 'not welcome' in France, commenting that 'In our country, we cannot accept that women be prisoners behind a screen, cut off from all social life, deprived of all identity'. The French National Assembly appointed 32 lawmakers from right- and left-wing parties to a six-month fact-finding mission to look at ways of restricting its use. On 26 January 2010, the commission reported that access to public services and public transport should be barred to those wearing the burka. On Tuesday 13 July 2010 the Assembly overwhelmingly approved a bill banning burkas and niqabs.

On 14 September 2010, the French Senate overwhelmingly approved a ban on burkas in public, with the law becoming effective beginning on 11 April 2011. When the measure was sent in May to the parliament they said "Given the damage it produces on those rules which allow the life in community, ensure the dignity of the person and equality between sexes, this practice, even if it is voluntary, cannot be tolerated in any public place".

The ban is officially called, 'the bill to forbid concealing one's face in public.' It refers neither to Islam nor to veils. Officials insist the law against face-covering is not discriminatory because it would apply to everyone, not just Muslims. They cite a host of exceptions, including motorcycle helmets, or masks for health reasons, fencing, skiing or carnivals.

Belgium

On 29 April 2010, the lower house of parliament in Belgium passed a bill banning any clothing that would obscure the identity of the wearer in places like parks and in the street. The proposal was passed without dissent and now goes to the Senate. BBC News estimates that 'Only around 30 women wear this kind of veil in Belgium, out of a Muslim population of around half a million.'

Italy

In Italy, by an anti-terrorism Law passed in 1975, it is forbidden to wear any dress that hides the face of a person. In May 2010, it was reported that a Tunisian woman was fined ?500 for this offence.

Netherlands

On 27 January 2012, a law was accepted by the Dutch cabinet, banning any clothing that would hide the wearer's identity. Fines for wearing a burka in public could go up to 380 euros. In October 2012, this law was mitigated by the succeeding cabinet to pertain only to public transport, health care, education and government buildings, rather than all public spaces.

Australia

In 2010, Australian Liberal Senator Cory Bernardi called for the burka to be banned in Australia, branding it 'un-Australian'. The ban did not go ahead but debate about the burka continues.

In 2011, Carnita Matthews of Sydney was sentenced to six months jail for making a statement accusing a police officer of attempting to forcibly lift her niqab, which news sources initially referred to incorrectly as a burka.

The officer had pulled her over for a random breath test and then ticketed her for a licence infringement. Matthews allegedly then submitted a signed complaint to a police station while wearing a niqab.

Judge Clive Jeffreys overturned the conviction in June 2011, citing what he thought there were differences between the signature on her license and that on the complaint. She then proceeded to seek legal costs.

On 4 July 2011, New South Wales became the first Australian state to pass laws allowing police to demand that burkas (and other head gear such as motorcycle helmets) be removed when asking for identification.

In October 2014, the Speaker of the House and President of the Senate at Parliament House in Canberra decreed that female visitors wearing a face covering would have to sit in separated glassed-in areas of the public gallery. Prime Minister Tony Abbott stated that he opposed this restriction.

Internet information

On October 5, 2014, The Daily Mail published a report titled "'I'm offended by the burqa. Women are known to have hidden bombs underneath them": Pauline Hanson's outrageous comments further fuel conflict over Muslim headscarves".

The full text of this report can be found at http://www.dailymail.co.uk/news/article-2780609/I-m-offended-burqa-Women-known-hidden-bombs-underneath-Pauline-Hanson-s-outrageous-comments-fuel-conflict-Muslim-headscarves.html?ITO=1490&ns_mchannel=rss&ns_campaign=1490

On October 4, 2014, The Tasmanian Times published a comment by Danny Carney, an anthropologist whose research focuses on power and decision-making in multicultural settings. The comment is titled 'Bitter harvest...ignorance in Tasmania'. The comment suggests the negative consequences of intolerance regarding the religious observances of others.

It can be accessed at <http://tasmaniantimes.com/index.php?/weblog/article/bitter-harvest-...-ignorance-in-tasmania/>

On October 3, 2014, Liberal National backbencher George Christensen was interviewed on News Breakfast about why he supports the push for a ban of the burka in Parliament House.

This interview can be heard at <http://www.abc.net.au/news/2014-10-03/burkas-george-christensen/5787414>

On October 3, 2014, the ABC broadcast an interview with Race Discrimination Commissioner Tim Soutphommasane in which he argues that forcing women wearing a burka to sit in separate glass-enclosed galleries when viewing Parliament would be treating them as 'second-class citizens'.

This interview can be heard at <http://www.abc.net.au/news/2014-10-02/burka-restrictions-a-dangerous-precedent-says-anti/5787116>

On October 3, 2014, SBS published a comment by Greg Jericho titled 'Let's face it - the Parliament House burqa ban is nothing more than political persecution dressed up as security concerns'

The full text can be accessed at <http://www.sbs.com.au/news/article/2014/10/03/comment-veil-ignorance-masks-australias-peak-political-absurdity>

On October 3, 2014, The Canberra Times published a comment by Peter Hartcher titled 'Let's fight barbarism overseas but let's keep it civilised here too'

The full text can be accessed at <http://www.canberratimes.com.au/comment/lets-fight-barbarism-overseas-but-lets-keep-it-civilised-here-too-20141003-10q0fa.html>

On October 2, 2015, The Sydney Morning Herald published a report on the decision of the Speaker and the Senate President to restrict those wearing facial coverings to the glassed in upper galleries of the federal Parliament.

This report can be accessed at <http://www.smh.com.au/federal-politics/political-news/burqa-crackdown-facial-coverings-restricted-in-parliament-house-public-galleries-20141002-10p8pl.html>

On October 2, 2014, The Sydney Morning Herald published a report titled 'Burqa debate: Jacqui Lambie goes head-to-head with female Islamic leader on Sunrise'. The report details Jacqui Lambie's debate with Maha Abdo from the Muslim Women's Association.

The full report can be accessed at <http://www.smh.com.au/federal-politics/political-news/burqa-debate-jacqui-lambie-goes-headtohead-with-female-islamic-leader-on-sunrise-20141002-10ozui.html>

On October 2, 2014, ABC News published a series of interviews with Muslim women commenting on the extent to which they were feeling isolated within the Australian community. These interviews can be accessed at <http://www.abc.net.au/news/2014-10-02/australian-muslim-women-talk-about-how-their-lives-have-changed/5786374>

On September 22, 2014, The Conversation published a comment by Renae Barker, a lecturer in Law at the University of Western Australia. The comment is titled 'Banning the burqa is not the answer to fears about public safety'

The full text can be accessed at <http://theconversation.com/banning-the-burqa-is-not-the-answer-to-fears-about-public-safety-31628>

Arguments in favour of segregating those wearing burkas and niqabs

1. Obscured facial identity represents a heightened security risk

It has been claimed that people's faces need to be readily recognisable for a number of reasons. Firstly, if they are already on a register of criminal or terrorist suspects, facial recognition technology would allow this to be noted and their entry to Parliament or other places considered a security risk could be prevented. Secondly, if anyone behaves inappropriately in a secure area their photograph can be taken and they can then be denied entry in future, or, if necessary, pursued by law enforcement officers.

Palmer United Party Senator, Jacqui Lambie, has stated that no one with their faces covered should be allowed into any public place in Australia. Ms Lambie has claimed, 'I believe it's a national security issue and it's a security issue and it's just like anything else. It's like a motorbike helmet or it's like a balaclava. You cannot wear one. I will not allow you to wear that into my office because it's a security risk.'

The Rise Up Australia Party(RUAP), which also proposes the banning of burkas in all public places in Australia, claims on its Internet site, 'Some unscrupulous people in the UK have used face veils to disguise their identities during a department store robbery so that witnesses could not tell police if they were men or women. The BBC reported in June this year that six men wielding axes and wearing burkas raided Selfridges Department Store in a smash-and-grab attack.'

Also on their Internet site RUAP has stated, 'In countries such as Afghanistan, terrorists have used this as a disguise to evade the authorities and to get dangerously close to security checkpoints. The Telegraph reported in June last year that four French soldiers were killed, and five wounded when a male suicide bomber dressed in a woman's burka blew himself up in an attack initiated by the Taliban.'

Referring to potential threats in Australia, the RUAP has stated, 'A lack of limits placed on wearing face veils poses significant security risks at a time when violent crime and religious extremism is on the rise globally. If there are people who are misusing the face veil for their own purposes overseas, then the potential exists for it to occur in Australia.'

The Senate President, Stephen Parry, has referred specifically to the need to bar anyone with facial covering from the Parliament's public galleries. Senator Parry has stated, "'If there is an incident or someone is interjecting from the gallery, which as senators would know happens from time to time, they need to be identified quickly and easily so they can be removed from [sic] that interjection.

Or if they are asked to be removed from the gallery - and we need to know who that person is so they cannot return to the gallery, disguised or otherwise.'

2. Long, loose, voluminous garments represent a heightened security risk

It has been suggested by some critics of garments such as burkas and niqabs that they represent a security threat because being long and loose it is possible for people to carry weapons or explosive devices beneath them.

This claim was made by former federal parliamentarian, Pauline Hansen, on October 4, 2014, in a report published in The Courier Mail in which she stated, 'People wearing full face coverings, including women, are known to have hidden bombs underneath them which they've detonated in acts of terror.'

Ms Hansen has also suggested that this long, loose clothing, together with a facial covering, makes it possible for people to disguise their gender. This means that a man carrying weapons or explosives could present himself as a woman.

Ms Hansen has stated, 'I like to see a person's face and know who they are. How do I know it's not a man under there?'

Palmer United Party Senator, Jacqui Lambie has called for a total ban on the wearing of burkas in public places in Australia on the grounds that they are a threat to national security. She too has suggested that they could be used to conceal weapons. Her Facebook page formerly showed a photograph of a burka-clad woman holding a gun, beside a call for burkas to be prohibited in Australia. The image has since been taken down. Perhaps because it was later criticised for being of an Afghan police woman who was killed by the Taliban.

Referring to the policewoman whose photograph had been posted on her Facebook page, Ms Lambie stated, 'Far from desecrating her memory, my Facebook post honours her and the deadly struggle against brutal thugs and extremists.

As a police officer she would have known how easy it was to conceal weapons or bombs capable of killing large numbers of innocents under a burka. She would have known how much safer it would be in public if the burka was banned.'

3. There are those who claim that wearing the burka and the niqab is not a Muslim religious obligation for women.

There are those who maintain that the Quran does not require Muslim women to wear the burka or the niqab.

The Quran does not specifically mention the burqa or tell women to wear such extremely confining clothes. Instead, it instructs men and women to dress and behave modestly in society (24:31).

Haset Sali, a former president for the Australian Federation of Islamic Councils, has claimed that the wearing of the burka has nothing to do with Islam.

Sali has stated, 'Get rid of them (burkas and veils), they're primitive and have nothing to do with Islam. If you read the Koran it is very clear both women and men shall dress modestly and women shall cover their breasts.'
 Contemporary Muslims base their authority regarding the burka on the hadith or collected traditions of life in the days of the prophet Muhammad. Many doubt the validity of these traditions and suggest that they do not reflect the will of Muhammad.

Critics of the burka and the niqab therefore maintain that they are not challenging anyone's religious freedom as the garment whose wear they wish to restrict is only culturally proscribed. In support of this claim it has been noted that there are parts of the Muslim world where the wearing of the niqab is actually prohibited.

In Malaysia, for example, the headscarf is known as a tudung, which simply means 'cover'. Muslim women may freely choose whether or not to wear the headscarf, except when visiting a mosque where the tudung must be worn; this requirement also includes non-Muslims.

Although headscarves are permitted in government institutions, public servants are forbidden from wearing the full-face niqab. A judgment from the then-Supreme Court of Malaysia cites that the niqab, or purdah, 'has nothing to do with (a woman's) constitutional right to profess and practise her Muslim religion', because Islam does not make it obligatory to cover the face.

Some proponents in Australia of restrictions being placed on where women can wear the burka or niqab similarly claim that Moslem women are not being forced to chose between religious obligation and involvement in Australian civic life. These garments, they claim, are culturally imposed. They are not a religious obligation.

4. Those wearing these garments have been segregated not banned

The new interim regulations do not represent an attempt to ban those wearing burkas or niqabs from the federal Parliament.

What these regulations require is that those who are wearing facial coverings while sitting in the public galleries be seated in the upper galleries behind a glass partition. Such segregation is not prohibition. People wearing these coverings are not being barred from the Parliament of their nation; they are simply being seated in a more secure area. The Prime Minister made it plain that Parliament House is a 'secure building' and as such people could be required to identify themselves. However, he has not proposed that those wearing burkas or niqabs be banned from the public areas of Parliament House.

Mr Abbott has stated, 'In public areas in [Parliament House] people ought to be able to wear what they want.

In secure areas of this building, people need to be identifiable and that normally includes having your face visible.'

Mr Abbott appears to be making a distinction between the public and the private areas of the Parliament and to be arguing that in the public areas all Australians, irrespective of how they are attired, should be able to be present.

It also appears that banning those wearing facial coverings from the public areas of Parliament is not a priority for the federal police who have recently been given exclusive authority for security implementation in Parliament House.

New police commissioner, Andrew Colvin, has stated, 'We need to look at the circumstances [regarding the wearing of face coverings in Parliament House]. Where it is appropriate for us to make certain identification, we should do that. I am not going to buy into whether it should be banned or not [in Parliament House].'

5. People wearing any type of facial covering will be given segregated seating

It has been pointed out that the recent directions relating to access to the public galleries in Parliament House do not discriminate against Muslim women as they makes no reference to the forms of clothing which some traditionally wear. The focus of the interim regulation is on 'facial coverings'. No specific reference is made to either niqabs or burkas. The 'security controls' issued on October 2, 2014, included the following provision: 'Persons with facial coverings entering the galleries of the House of Representatives and Senate will be seated in the enclosed galleries. This will ensure that persons with facial coverings can continue to enter the Chamber galleries, without needing to be identifiable.'

A spokeswoman for Parliament House told BuzzFeed News that women wearing burkas and niqabs would likely be targeted by the new rules, but 'it's not religious, it's about any veil'

It was reported on October 1, 2014, in The Sydney Morning Herald, that the Prime Minister's principal adviser, Peta Credlin, supported burkas and niqabs being prohibited from federal Parliament.

However, Ms Credlin is reported to have expressed support for the burka to be banned for the same reason that motorbike helmets and balaclavas are banned from Parliament. The concern centres on facial coverings, of whatever type, as a threat to security. Such a preference is clearly not singling out burkas and niqabs as cultural or religious markers and discriminating against them. It is the need to remove any form of face covering so that a person who represents a potential threat can be identified which seems to have preoccupied Ms Credlin. She was also said to have indicated that she supported people's right to wear the burka in public.

Arguments against segregating those wearing burkas and niqabs

1. Other security procedures make the proposed segregation provisions unnecessary

It has been claimed that existing security procedures make the proposed segregation provisions unnecessary with regard to concerns about dangerous items possibly concealed in clothing.

Race Discrimination Commissioner, Tim Soutphommasane, has noted, 'Those who have visited Parliament will know that entry requires a person to pass through a security check.'

Mr Soutphommasane further explained, 'People must pass through a metal detector and subject their personal items to

an X-ray examination.'

Critics of the segregation provision claim that these standard procedures should allay any fears regarding concealed weapons being carried by anyone entering Parliament House.

With regard to concerns over identity, the new security controls stipulate that anyone receiving a pass to enter the private areas of Parliament House would have to show photo ID.

A Department of Parliamentary Security (DPS) spokesperson has noted, with regard to the ID checks that are stipulated for access to private areas by those wearing burkas or niqabs, 'Procedures are in place to ensure that DPS Security manage any cultural or religious issues relating to this in a sensitive and appropriate manner.'

The leader of the Greens, Senator Christine Milne, has stated, 'Security screening already applies to everyone entering Parliament House.'

In airports and courts culturally appropriate screening protocols already exist which only require women to temporarily remove the burqa for identification purposes.'

In other new security arrangements, adult visitors being signed in by passholders, including journalists, staffers and bureaucrats, will also have to show ID, including those wearing burkas. Currently, they can be signed in without showing any proof of who they are.

If it is judged necessary to need to have identified all visitors in the public galleries, including those not behind glass barriers, all that is required is that women wearing niqabs or burkas be asked to show photo ID and reveal their faces.

If need be, this can be done in a private area by appropriate staff.

2. If seen as a real threat, the women should not be put in an area used by children

It has been claimed that placing women wearing burkas and niqabs in an area usually reserved for schoolchildren reveals the inappropriateness of this measure as any sort of counter-terrorist action.

In an opinion piece published in *The Conversation* on October 3, 2014,

Nick O'Brien, former head of International Counter Terrorism in Special Branch at New Scotland Yard and now Associate Professor of Counter Terrorism at Charles Sturt University stated, 'There is ... [an] obvious anomaly. These women who are a security concern are being made to sit with ... schoolchildren!'

Professor O'Brien went on to state, 'But there are more problems. The glass boxes were apparently designed to cut out the noise from chattering youngsters as they watch our parliamentarians debating the issues of the day. So presumably the glass isn't resistant to explosives.'

So take the worst-case scenario. A burqa-wearing suicide bomber concealing explosives round her neck and head takes her place in the glass box and at the appropriate moment detonates her device. The resulting explosion would likely kill the schoolchildren in the box. It would also turn the glass into deadly shrapnel, sending shards into the parliamentary chamber and endangering the lives of the parliamentarians and the Speaker ... who introduced the segregation rule.'

Professor O'Brien's comments seem designed to highlight the apparent absurdity of the current segregation policy on any genuine counter-terrorism grounds.

3. The measure discriminates against women on the basis of their gender and religious belief

Sex Discrimination Commissioner Elizabeth Broderick has suggested that the interim rule could be open to a legal challenge and is likely to be in breach of the 'trifecta' of human rights - on the basis of sex, race and religious grounds.

In an interview given to the ABC morning program, *News Breakfast*, on October 3, 2014, Elizabeth Broderick stated, 'It's discriminatory to treat women less favourably based on their gender, of course based on race, and also it's about their religious beliefs. That is a form of freedom of expression... This measure absolutely targets a group and that is women and it's Muslim women, because it is Muslim women who predominantly and disproportionately will be affected by this measure.'

Ms Broderick has gone on to suggest that 'It could be in breach of our federal law [prohibiting discrimination]; ultimately it's for a court to decide that, but it could be.'

Ms Broderick has further noted that it is inappropriate to compare women wearing burkas or niqabs with others wearing either motorbike helmets or balaclavas.

Ms Broderick has stated, 'A woman who chooses to wear the hijab, the burka, the niqab, is a woman who has a strong religious faith and it's about her freedom to practice a religious belief and also its about the fact that she should be free to choose what it is that she wears so it is quite different to people coming in with motorcycle helmets, with balaclavas...It is no business of government to tell women what they should wear.'

Ms Broderick went on to explain that such measures had the capacity to exacerbate anti-Muslim feeling within the general community and to further impinge on the rights of Muslim women.

Ms Broderick stated, 'This is at a time when Muslim women, many of them, are fearful about travelling. They are suffering increased verbal abuse, being spat on; many of them are not even leaving their houses. Why would we elevate that to a national level?...There is no question that many of them have an increased anxiety and fear and that is another reason I think we should be doing everything to ensure everyone is included.'

4. The measure is likely to feed prejudice against Muslims

Concern has been expressed that by focusing on the 'facial covering' that is worn for a religious purpose by only Muslim women, the action of the Speaker and Senate President appears to sanction others to treat Muslims with prejudice.

Dr Jamal Rifi, a founder of Australian Muslim Doctors Against Violence, has stated in regard to the segregation of women wearing burkas and niqabs, 'You have given a voice to the extremists and the radicals and the racists.' It was reported in The Canberra Times on October 3 that The Rise Up Australia Party (RUAP) had circulated an email promising to confront Muslim women wearing face cover.

Daniel Nalliah of RUAP stated, 'We welcome the media to join us sometime next week as we take to the streets of Victoria to check this out...RUAP [will meet] up with the general public to ask the question, "Do you support the burqa Ban??" and also speak to Muslim woman with the Burqa and ask them to show their face?'

It was also reported in the Canberra Times on October 3 that the day before a female leader in the Muslim community had received a phone call from a man who threatened, 'I know where you live, and I'm coming around to cut your head off.'

Some social commentators have expressed the view that actions such as the segregation proposed for Muslim women threaten social cohesion. This segregation implies that Muslims are dangerous. At a time when community fears have been provoked by the actions of the extremist ISIL group, it has been suggested that the parliamentary segregations tells the broader Australian community that there is reason to fear Muslims, all Muslims, including Muslim women, in this case simply because they are wearing traditional dress.

The leader of the Greens, Christine Milne, has warned of risks to the 'social fabric' of Australia, urging people to consider the racial tensions that led to the Cronulla riots in Sydney in 2005.

Senator Milne has stated, 'This decision gives a signal to the whole country that it's OK to treat Muslim women as second-class citizens, and it is not. It is wrong.'

In a speech given on October 2, 2014, the leader of the Opposition, Bill Shorten, stated, 'Wrapping a call to "ban the burqa" around national security is an attempt to make ignorance sound truthful and intolerance respectable - an attempt to give an appearance of solidity to hot air.'

Diminishing the real and important security debate to a conversation about an article of clothing diminishes us all. And it makes Muslim women a target for bullying and intimidation.'

5. The measure is likely to promote a sense of exclusion within the Muslim community

It has been suggested that measures such as the segregation of Muslim women within the federal Parliament will cause the whole Muslim community to feel as though they have been excluded from mainstream Australian society. The chief executive of the Arab Council of Australia, Randa Kattan, stated on the day the burka segregation decision was announced, 'The prime minister says on one hand that he wants everyone on "Team Australia", but at the same time, we see something like today's decision. It isolates women ever further. It's a clear message that women in society are targeted and Muslim women more so.'

Hayfa Bakour, a 17-year-old student living in Greenacre New South Wales, who wears a hijab, was reported in an ABC News report on October 2, 2014, as saying, '[The reported targeting of Muslim women] is a bit scary. It actually makes me more scared to walk around. Nothing has happened to me directly. Now my mum always says make sure you're never alone, always leave the library with someone, with one of my girlfriends. When I was younger I thought I was lucky to live in Australia. But now hearing all these terrible stories of woman being abused is really confronting.'

This sense of fear, isolation and exclusion was expressed by Anisa Khan, a fifth generation Australian, but also a devout Muslim who has been wearing the niqab since 2001.

In response to the segregation provision recently imposed on those wearing facial coverings in federal Parliament, Anisa Khan stated, 'I think if this continues in such a way, it's going to come to a point where it's going to be hard to call Australia home. And it's very hard to be put in that situation when you're a fifth generation Australian, you're born and raised here, and you don't see anything outside as home apart from Australia.'

It has been noted that this feeling of being excluded from Australian public life is likely to be felt by many, if not all, Muslims, despite the fact that only a small number of Muslims wear the niqab or the burka.

In an article published in The Guardian on October 3, 2014, Gabrielle Chan stated, 'The Muslim community were left feeling more marginalised, even though only a tiny percentage wear the niqab.'

Further implications

It now appears that the immediate impetus for the decision to have those wearing facial coverings segregated in one of the glass-walled upper viewing galleries of federal Parliament was the belief that a group of burka-clad protestors was about to descend on the Parliament during question time.

The measure appears to have been put in place to avoid the embarrassment of heckling from the public gallery from those opposed to banning women in burkas from the Australian Parliament. The segregation measure seems to have been a public-relations-inspired containment exercise. This would help to explain the repeated assurance that it is an 'interim' measure, only in place until a more comprehensive policy has been developed.

Judged on these terms, it has been a disaster. The protestors, with or without burkas, have yet to arrive, but the issue has now assumed centre stage via the decision of the speaker of the lower house and the president of the Senate to institute this policy.

It clearly fails as a security measure both because it does not allow for genuine security against a terrorist attack and because there are other far more effective ways to ensure that anyone carrying weapons or explosive devices does not even enter the Parliament.

As a public relations exercise it has created only anger and distress. It clearly does not go far enough to satisfy those who would actually like to see all women wearing burkas or niqabs barred from the Parliament; while for those who

consider that an inappropriate, if not offensive, idea, it has simply fuelled the perception that the Australian Parliament has many within it who are bigots and Islamophobes.

Nor is the issue likely to go away any time soon. It has been reported that the Prime Minister has requested that the Speaker and the President of the Senate reconsider their decision to have those wearing facial coverings seated in an upper gallery behind a glass barrier. A day after this report appeared; however, the Speaker, Bronwyn Bishop, indicated that no such request had been made of her. The difficulty would appear to be that the Prime Minister does not want to be seen undermining the independence of the two chief parliamentary officers, nor would they wish to be seen merely to be following orders. So it seems that if the decision is in fact made to rescind the direction regarding segregation, it will be presented as though it were the independent action of the Speaker and Senate President. All that is likely to be achieved is further confusion for no public relations gain. In the meantime, two separate broader reviews into who can be issued passes and whether the burka should be banned outright in the building are still taking place. What is particularly regrettable is that the whole matter has descended into farce when it has real-world consequences. Islamic women on Australian streets, wearing nothing more 'confronting' than the hijab have been and are being verbally abused. Offence has been given to many within the Australian Muslim community by the differential treatment they are receiving in their nation's Parliament. Those who are prejudiced against Muslims have had their prejudices apparently vindicated by that Parliament and any serious security issue clothing or facial covering might represent has not been addressed.

Newspaper items used in the compilation of this issue outline

The Australian: September 26, 2014, page 11, background (photos) by Natasha Robinson, 'Looking beneath the veil'.
<http://www.theaustralian.com.au/news/features/reasons-behind-the-veil-as-calls-grow-for-ban-on-burkas/story-e6frg6z6-1227070756949?login=1>

The Age: September 24, 2014, page 8, news item by Aston and Bourke, 'Burqa ban calls reveal split in Coalition ranks'.
<http://www.smh.com.au/federal-politics/political-news/coalition-splits-on-muslim-relations-as-national-mp-george-christensen-adds-voice-to-calls-for-burqa-ban-20140923-10kzna.html>

The Age: September 23, 2014, page 18, letters incl, 'People judged based on what they wear / We communicate by facial expressions'.
<http://www.theage.com.au/comment/the-age-letters/people-judged-based-on-what-they-wear-20140922-3gcfl.html>

The Age: September 22, 2014, page 11, news item by Heath Aston, 'Palmer refuses to back Lambie Muslim stance'.
<http://www.smh.com.au/federal-politics/political-news/palmer-refuses-to-back-lambies-muslim-stance-20140921-10k1yq.html>

The Age: September 21, 2014, page 5, news item (photo) by Lisa Visentin, '(Jacqui) Lambie's anti-burqa post "desecrates" image'.
http://newsstore.fairfax.com.au/apps/viewDocument.ac;jsessionid=B25EC123BB2114B1280DB01275DE88B5?sy=afr&pb=all_ffx&dt=selectRange&dr=1month&so=relevance&sf=text&sf=headline&rc=10&rm=200&sp=brs&cls=3474&clsPage=1&docID=SAG140921BI3CH5FNTMH