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Perspectives: Legalizing Discrimination: Rising Tide of Islamophobia

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Perspectives: Legalizing Discrimination: Rising Tide of Islamophobia

February 10, 2015



Zakia Afrin is an **Adjunct Professor of Law at Golden Gate University**, where she teaches **Introduction to Islamic Law, Comparative Legal Systems**. She is also the **Legal Program Manager at Maitri, San Francisco, CA**.

It has been weeks since the killings of the Charlie Hedbo journalists in France. It was a horrific act of violence, and no words can describe the sheer absurdity of the event and surreal feeling it spread among people. It is a shame that the aftermath of the events became more gruesome and utterly insane for any civilized society. There were renewed calls for **all Muslims to take responsibility**, revival of the **clash of civilization** debates and **anti-Muslim activities soared in France**. This was in addition to the already existing pseudo scholarship available on the web explaining the true violent nature of Islam. I sat shocked and hurt all over again perhaps finding myself again in a state of defending my faith.

This defensive position is not new for me and the millions of Muslims living in the United States. In a 2014 poll, the Pew Research Center found **Americans to feel the coldest towards Muslims**. The systematic demonization of an entire faith had started in 2001 soon after the Twin Tower attacks. Draconian laws led the way; the Patriot Act passed within weeks without any critical review in the name of national security. Civil liberties were denied mostly for people of Islamic faith. Guantanamo Bay became a living hell for so many unknown young Muslim men. Scholars and amateurs alike portrayed Muslims as a homogenous community. Muslims from all different parts of the world, speaking different languages, bearing different ethnic and national identities were all part of the same "terrorist" narrative.. What could be further from the truth? The myth of a singular identity became the dominant mindset. **Noble Laureate Amartya Sen described** it perfectly, "The illusion of singularity draws on the presumption that a person not be seen as an individual with many affiliations, nor as someone who belongs to many different groups, but just as a member of one particular collectivity, which gives him or her a uniquely important identity". A terrorist becomes a Muslim terrorist just as every Muslim becomes responsible for a terrorist's criminal acts. Fifteen years later, the United States is still dealing with the illusion. **Between 2011-2013, Anti-Islamic bills have been introduced in 32 states**. Under the guise of banning foreign laws in the U.S. courts, these bills have directly or indirectly implied inconsistency of US laws with private religious practices of Muslims including marriage, divorce, and inheritance, when no such conflict existed, giving the impression that Muslims are incompatible with US society.

Outside of the U.S., the consequences are far more severe. Every day in Asia; Afghanistan, Pakistan, Yemen, Syria (feel free to add other countries that America declared safehavens for terrorists) mostly men and young boys (women, elderly and girls are not to be forgotten!) die without any warnings or reasons; no one raises legal or moral justifications for such. Children fear blue skies because **the drones do not fly when the skies are grey**. The legal justification for such attacks are explained as self defense or combat against enemy combatants. Alas, there are no proofs against most of the casualties, and the dead cannot speak for themselves. **More often than not, the dead are not even identified by the U.S. Administration**. It can be argued that Islamophobia in the United States has become a cultural phenomenon only after being facilitated through the legal system.

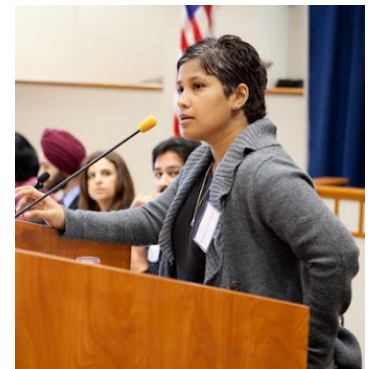
What's next for Europe? In the beginning of 2014, **72% of the French population had favorable views of Muslims** ; a surprising find given the hostility over women's veils. Muslim women, the ones we identify because of their head coverings, have been the center of French attention for some time. The ban on full face veil in public had the reverse impact of forcing women into the home instead of "rescuing them". An eye opening report by the **Open Society Foundation** revealed a more nuanced portrayal of Muslim women's lives. Will the already immigrant intolerant climate in France worsen in the near future? In the United States, **anti-Muslim feelings have led to hate crimes** against South Asian, Arab, and Middle Eastern citizens in general notwithstanding their faiths. Will French politicians cultivate this moment of hate to further their anti-immigrant agenda?

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ABOUT EDITOR & CURATOR



Chaumtoli Huq is a Senior Researcher with the American Institute for Bangladesh Studies (AIBS) based in Dhaka, Bangladesh. Her expertise lies in labor and employment, immigrant workers, and human rights. Professor Huq was an Associate Professor of Law at New York Law School where she taught Legal Practice and an adjunct professor at City College of New York and Rutgers University, where she taught Immigrant Workers Rights, Employment Law, and Asian Americans and the Law. For more than 10 years, Chaumtoli devoted her career to the public interest, serving as Director of the first South Asian Workers' Rights Project in the country at the Asian American Legal Defense and Education Fund and as the first staff attorney to the New York Taxi Workers Alliance, a multi-ethnic, immigrant, worker-led labor organization of taxi-drivers. She is a contributor to the anthology *Voices of Resistance: Muslim Women on War, Faith and Sexuality* (Sarah Husain, Editor; Seal Press 2006) and co-author of "Laying the Groundwork for Post 9-11 Alliances: Reflections Ten Years Later on Desis Organizing," (*Asian American Literary Review*, Volume 2, Issue 1.5, Fall 2011).

How does one deal with this rising Islamophobia? It's not one's personal struggle; neither an abstract community's burden. Recognizing that there is no one community of Muslims, no one singular characteristic to identify them by are necessary in this moment. Islam is not a culture. People from diverse ethnic and linguistic backgrounds embraced this religion and practice it with mix of cultural conditionings. Apart from the basic tenants, there may not be a lot in common culturally between an Arab Muslim and a Bangladeshi Muslim. Negative stereotyping of Muslims is just as dangerous as trying to portray them as moral superiors. Tying all of these contradictory forces together as a unified front is a challenge to combat Islamophobia. Muslims and non-Muslims together must stand up against Islamophobia. We, the citizens of the world, need to take a stand against stereotyping, humiliating anyone based on only one aspect of our lives. Muslims need to stop apologizing for criminals as if they represent the Muslim faith, and also look into our own shortcomings and stand by reform agendas. If history taught us anything, it's that the manifestation that discrimination against a group of people breeds hatred which in turn harvests violence. Islamophobia in all shapes and forms must be challenged.

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