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## **Nobody asks us!**

**- Muslim veiled women's experiences and perspectives of multiculturalism, the legal system and the debate on veil in Sweden**

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*Abstract*

Within the first decade of this millennium several Western European countries have prohibited Muslim veils in public spaces. Excluding the culture of Muslims or more specifically Islamic beliefs in a multicultural society, in which the hardest hit are Muslim veiled women, has resulted in the discourse of the 'rise and fall of multiculturalism'. Although Sweden has not prohibited hijab or any other veiling dresses, the veils have been subject to extensive debates in the political discourse with reference to different arguments but predominantly by claims that hijab is an oppression of women. Since these debates take place at the macro-level and/or by the majority, means that veiled women's own perspectives are not included. The purpose of this essay is therefore to explore Muslim veiled women's own perspectives and experiences regarding multiculturalism, the Swedish legal system, and the debate on veil in Sweden. I interviewed 17 Muslim veiled women and divided them into two groups: *Muslim veiled women with Iraqi origins* and *Muslim veiled women with other origins*. Although there might be some differences of perspectives and experiences on the topics there is one important finding that embrace all of them: to be heard, to tell their own side of story and above all to be recognized whether it is as individuals or as a group of Muslims or veiled women living in Sweden and elsewhere. By applying Habermas' theory of communicative action and his presupposition that the democratic debate should take place at the macro-level where the best argument would imply, their voices cannot be heard unless they have a representative with a high political influence or a representative at all. This essay has revealed that the lack of these women's voices have resulted in a distorted communication of Muslim veils and veiled women. In context of law and regulation not having the equal chance to participate in the political discourse, might result in devastating effects for their social life and their integration in the society since the democratic debate would reproduce the values of the majority that not always are in favour to all citizens. Moreover, this essay also reveals that despite anti-discrimination laws there is a distorted communication of racism. The new form of discrimination appears to have taken a silent form, such as staring, which based on findings from this essay have resulted in Muslim veiled women's isolation, hence a segregated society.

Keywords: *Multiculturalism; Legal system; Veil-ban; Habermas: Theory of Communicative Action; Distorted communication; Discrimination; Recognition.*

- “Even taking up a proposal or debating for a ban of burqa or hijab is against democracy, because a person's freedom to express herself or himself ends where the next person’s freedom begins”(Leyla).

- “People talk about us as oppressed and they want to ban the veil, but yet no one asks us, they rather avoid our opinions” (Farrah).

## **Preface**

First of all, I would like to thank my supervisor Reza Banakar for his support, commitment and valuable feedback on my work. As many students would identify with me, feeling lost from time to time is part of writing a thesis. Therefore, I want to thank him especially for his patience and encouraging me those times I felt lost.

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**Table of contents**

<i>Abstract</i> .....	2
Preface .....	4
<b>1. Introduction</b> .....	<b>7</b>
1.1 Research problem .....	7
1.2 Research aim & questions .....	8
1.3 Disposition .....	9
<b>2. Literature review</b> .....	<b>10</b>
2.1 Multiculturalism vs. discrimination .....	10
2.1.1 <i>Multiculturalism</i> .....	10
2.1.2 <i>Islamophobia, Racism &amp; Migration</i> .....	12
2.1.3 <i>The veil as a threat to public safety and 'living together'</i> .....	13
2.2 Gender and hijab .....	14
2.2.1 <i>Multiple meanings of hijab</i> .....	14
2.2.2 <i>Western view on hijab</i> .....	15
2.2.3 <i>Hijab as a threat to women liberty</i> .....	16
2.3 Law and regulation in a multicultural society .....	18
2.4 The history and culture of Iraq and Iraqi women .....	20
<b>3. Theoretical approach</b> .....	<b>23</b>
3.1 Communicative action .....	23
3.2 Public sphere .....	24
3.3 Habermas and law .....	25
<b>4. Research design</b> .....	<b>27</b>
4.1 Data collection .....	27
4.2 Sample .....	29
4.3 Data analysis .....	30
4.4 Methodological reflections – Validity & Reliability .....	31
4.5 Ethics .....	33
<b>5. Multiculturalism, legal system and the “oppressive” veil</b>	

- through veiled women’s eyes (Results).....33**
- 5.1 Islam, Quran and hijab –lifestyle, law-book and protection .....34
  - 5.1.1 *Muslim women with Iraqi origins* .....34
  - 5.1.2 *Muslim women with other origins* .....35
- 5.2 Swedish society: a multicultural or a segregated society .....35
  - 5.2.1 *Muslim women with Iraqi origins* .....35
  - 5.2.2 *Muslim women with other origins* .....37
- 5.3 Wearing hijab: An obstacle? Discriminated or accepted? .....38
  - 5.3.1 *Muslim women with Iraqi origins* .....38
  - 5.3.2 *Muslim women with other origins* .....40
- 5.4 Swedish legal system more just than Iraq’s legal system .....42
  - 5.4.1 *Muslim women with Iraqi origins* .....42
  - 5.4.2 *Muslim women with other origins* .....43
- 5.5 The issue of hijab in Sweden: liberation of women or a fear of terrorism?.....45
  - 5.5.1 *Muslim women with Iraqi origins* .....45
  - 5.5.2 *Muslim women with other origins* .....47
- 6. Analysis.....49**
- 7. Conclusion .....56**
- 8. References .....62**
- 9. Appendix .....68**

## 1. Introduction

When I moved back to Sweden after ten years living in my birth country, I was surprised that none of my cousins and apparently my friends with origins other than Sweden had Swedes-friends in their inner circle. A similar observation I did make even during my university studies, where students with Swedish background often did hold to each other while students with immigrant parents, although born and/or raised in Sweden, often did hold to each other, including Muslim veiled women. These two occasions were the starting points of my curiosity of the factors that might have caused these groupings in a multicultural society such as Sweden. My curiosity regarding Muslims and veiled women got even deeper as a result of my discussion several months ago with a Swedish diplomat, a former military of United Nation (UN) positioned in Baghdad, Iraq. According to her women in Iraq are forced to veil by their men and their community, and therefore it is the same enforcement even for overall Muslims both worldwide and living in Sweden, Iraqi or not. Furthermore, she was emphasizing that justifying the veil based on women's rights by supposing this is their own decision, or justifying it based on freedom of religion and/or culture, is a failure to recognize their oppression. She was also stating that most of these people [Muslims: men and women] do not know better or even if they do they ignore it, and therefore we (Western world, including Sweden) should teach them the right thing. Similar assumptions can be found in different research, political discourse, media articles, and also citizens' own assumptions. However, I decided to instead explore Muslim veiled women's own conception of Islam and headscarves (hereafter hijab) and above all their experiences of multiculturalism in Sweden.

### 1.1 Research problem

In order to foster for multiculturalism the Western European countries' overall goal these past several decades have been to create policies and programmes that promote tolerance and respect for group identities such as of immigrants, ethnic minorities, etc. However, within the first decade of this millennium and as a consequence of the terror attack of 9/11 in United States (US) in 2001, several Western European countries such as France, Netherlands and so on, have taken prohibitive measures that curtail the rights of specific minority groups living in these countries, such as the ban on Muslim veils (hijab and full-face veils) in public places. These newly taken political reforms and prohibitions curtail the rights of both Muslim-immigrants and Muslims that are born in Western Europe with one or two foreign-born

parents. Consequently, this has resulted in the discourse of ‘rise and fall of multiculturalism’ with claims that there are many limits to what law can achieve in a post – multicultural Europe on regulating a society that is still culturally and religiously very diverse.

Despite some controversy Muslim veil-ban have been overwhelmingly supported by political parties, the public and advocated by contrasting political ideologies. From the left, veil-bans have been justified by the concept of secularism or in order to exclude religion from the public sphere, and on the other hand that these bans would serve as a safeguard for women’s rights since veiled women are assumed to be victims and subjugated of a patriarchal culture or religious system (Bano, 2003; Gal -Or, 2011; Piatti-Crocker & Tasch, 2015). From the right wing, Muslim veils were regarded as a symbol of Islamic fundamentalism and therefore a threat to national/regional security. In addition, legal bans were justified on the basis of cultural integration or assimilation of minorities to Western values and traditions, which in its extreme form may be interpreted as Islamophobia (Piatti-Crocker & Tasch, 2015) or a ‘racism without race’, a concept that moves racism of biological race to focus on culture, religion and values (Balibar, 2002). Although Sweden has not prohibited hijab or any other veiling dresses, the veils have been subject to extensive debates in the political discourse and the media, predominantly with regard to gender equality and as a matter of protecting the rights of Muslim women, but also from the extreme - right - nativist point of view based on assumptions that Islamic beliefs have fundamentalist characteristics as well as Muslims incapability of integration in the Swedish society (Steen, 2004). These debates take place though at the macro-level without including the opinions of the individuals’ concerned - that is, Muslim veiled women’s opinions.

## **1.2 Research aim & questions**

There is extensive research on the discourse on multiculturalism, limits to what law can achieve in a post – multicultural Europe as well as the veil-ban both from an academic perspective and from the viewpoints of veiled women, for instance those living in France. There is also extensive research that evaluates the perception of hijab from the viewpoints of Muslim veiled women in Sweden and their experiences of the Swedish society as veiled women. There is however, a lack of research that simultaneously evaluates multiculturalism, the Swedish legal system and the Swedish debate on veil from the viewpoints of Muslim

veiled women living in Sweden. The aim of this essay is therefore to explore Muslim veiled (hijab-wearing) women's experiences and perspectives of multiculturalism in Sweden, the Swedish legal system and the debate on veil in Sweden. My aim with this study at the beginning was to solely focus on experiences and perspectives of Muslim veiled women with Iraqi origins, for the simple reason that they are a prominent group of Muslim women in Sweden who usually wear hijab. However, throughout my search for interviewees I meet two hijab-wearing women with origins other than Iraq who voluntarily wanted to participate by claiming that the Islamic/religious meaning of hijab should not be linked to a specific country and that the issue of being a hijab-wearing woman in Sweden is an issue to all of them and not only to those from a specific country. After I had done some considerations, I decided to create a second group consisted of veiled women with origins other than Iraq but still retained women with Iraqi origins as the primary group for this essay. Whatsoever, my aim with this study is not to draw generalizations across the large population of Muslim women, be it Iraqi or not, therefore the findings in this study should be considered as tentative and limited to the specific group of people involved within this study. With this said this essay intend to answer the following questions:

- *What are the Iraqi Muslim women's experiences of multiculturalism, the Swedish legal system and the debate on veil-ban in Sweden?*
- *How do the veiled Muslim women on the whole experience the above-mentioned issues in Sweden?*
- *Why nobody asks Muslim veiled women?*
- *Why is the discourse on multiculturalism often formed in such a way that it excludes Muslims?*
- *What can law and the legal system do to bring balance into this discourse?*

### **1.3 Disposition**

The next chapter provides with previous research on subjects for this essay and a historical background of Iraq and women in Iraq. The third chapter covers the theoretical point of departure for this essay. In the fourth chapter, the research design of this study, including methodological reflections is presented. The empirical data based on interviews with Muslim veiled women carried out in Malmo in March 2016 will be presented in chapter five and the analysis of the findings based on the theoretical approach chosen for the purpose will be

reflected in the subsequent chapter, chapter six. In the final chapter I reflect on the findings and draw conclusions by answering the questions created for this essay.

## **2. Literature review**

### **2.1 Multiculturalism vs. discrimination**

#### *2.1.1 Multiculturalism*

Sweden is one of five countries in the European Union (EU) receiving most immigrants in relation to its population. The composition of immigrants coming to Sweden has become more and more diversified over years and Islam is assumed to be the second largest religion in Sweden (Andersson & Sander 2009). Sweden has however, a long history of taking measures of multiculturalism. Although there is not a single definition of the concept of multiculturalism, according to the philosopher Charles Taylor (1994) societies can be seen as multicultural if more than a community that wants to survive culturally can accommodate within the same society. The author states that multicultural society's dilemma is whether it will admit its citizens as individuals or through their collective identities. He claims that recognition of identity is the most the most important factor in a multicultural society, as a person's identity is partly formed by others recognition of it. Otherwise, he asserts a miss-recognition or non-recognition can cause damage and be a form of oppression by being forced into a false, distorted and derogated existence of a person and/or a group of people. Taylor (1994) opposes the liberal assumptions of individualistic view by claiming that it threatens the collective identity of certain group and suggests that the individuals should be recognized through their collective identity in political level. Hence, since the mid-1990s, we have seen a backlash and retreat from multiculturalism, and a re-assertion of ideas of nation building, common values and identity, and unitary citizenship – even a return of assimilation (Kymlicka, 2010).

The Swedish policy model established in 1970s introduced reforms, containing among other things, mother tongue instruction in the public school system and financial support for ethnic organisations (SOU 1974:69). The latter came to be subject to critical re-evaluations and resulted in a government bill from 1986 declaring that immigrant policy should no longer aim to support immigrants as collective identities, but measures should solely target individuals in order to promote for their integration as full members of society and not as 'minorities'

(Government Bill 1985/86:98). The retreat of multiculturalism reflected amongst the centre-left political wings meaning that multiculturalism has failed to help minorities, because it has failed to address the underlying sources of their social, economic and political exclusion, and may indeed have unintentionally contributed to their social isolation. As a result the policies in Western Europe have shifted to a discourse that emphasizes ideas of integration, social cohesion, common values, and shared citizenship (Kymlicka, 2010). Thus in 1997, the principle of not directing specific measures at immigrants qua ethnic groups was again declared in a government bill proposing a re-evaluation of the immigrant policy into 'integration policy'. Policy measures targeting ethnic categories were this time criticised for working in a stigmatising manner, thereby reinforcing the notion of 'us' and 'them' (Government Bill 1997/98:16). Accordingly in 2001 (Government Bill 2001/02:129) Swedish government established that immigrants needed to be, just as the needs of others, considered within the framework of general policy. Consequently, integration policies focused on the conditions and mechanisms throughout society and not as previously, just on immigrants and community's relation to them. As a result the integration policy nowadays handles with matters concerning, among other things, the placement of refugees with residence permits and introduction of new arrivals to Sweden; more in work and more entrepreneurs; development of urban districts with extensive social exclusion; combating discrimination based on ethnicity, religion and xenophobia by strengthening anti-discrimination laws; and last but not least coordination of government work for integration in areas such as labour market and education system, follow-up and evaluation in the area of integration (Swedish Integration Policy, 2009).

However, according to Kymlicka (2010) and post-multiculturalist adherents the retreat of multiculturalism is also partly driven by fears amongst the majority group that the accommodation of diversity has gone too far and is threatening their way of life. Furthermore, in recent years 'multiculturalism' has been expanded with faith currently recognised as being a 'major fault line in multiculturalism' and multiculturalism is often synonymous with the accommodation of the tenets of religious—or more specifically Islamic—belief (Cumper, 2014). This fear often expresses itself in the rise of nativist and populist right-wing political movements in Western Europe (Kymlicka, 2010), such as Sweden Democrats (SD), the third largest political party in Sweden since 2014 that has Neo-Nazi roots, and gained a victory in

the polls after running an election campaign that was overtly xenophobic and islamophobic (Karr, 2011).

### *2.1.2 Islamophobia, Racism and Migration*

The conditions brought about by the concepts of new racism, islamophobia and alike emerging in Europe and the US in the 1970s owing mainly to the prejudices, appear as the negative outcomes of migration, which are considered overall to be a major problem in today's society (Cötök & Tasdelen, 2013). Historically, racism has been constructed as the practice of exclusion and discrimination of particular members of society because they are perceived as biologically different and assigned to a particular "race" (Karr, 2011). However, racism also manifests on the basis of cultural difference, which stratifies society with some cultures depicted as superior and others inferior. The belief that different cultures are incompatible with one another and the need to maintain homogenous societies implies that even cultural racism leads to inequality and exclusion and therefore requires to be understood as a unique form of racist behaviour, a form of which Islamophobia is one manifestation (ibid).

Islamophobia as a term was historically used due to religious or territorial challenges (Gardell, 2015). The growth of Islamophobia in present days is presented as new racism or 'racism without race', which moves racism of biological race to focus on culture, religion and values (Balibar, 2002). The current growth of islamophobia has been driven by various events and stereotyping through both media and political discourse (Karr, 2011), including increased immigration into Europe from predominantly Muslim territories inter alia, targeting the religion itself (Islam is violent, literalist, backward), individuals to whom all kinds of negative characteristics are attributed, Muslim culture (food, family law, lack of civility), or the collective identity through political representation (Islamic despotism, ISIS, etc) (Krondorfer, 2015). More importantly, islamophobia has been contemporaneous with an insidious rise in the popularity of right-wing political groups that portray Muslims and Islam as a threat to their societal values (Karr, 2011). SD's policy and new strategy that was presented in their 2006-electoral campaign with Jimmy Åkesson as party leader was zero tolerance against racism, as long as it is not socially acceptable to fix and rank people according to race. The campaign materials presented a picture of Sweden in change with Muslims as holy warriors,

indicated fundamentalist Islam as a big monolithic mass that commit acts of terrorism, gang rape, lying in court and oppression against women (SDkuriren, 2004). Although, SD's strategy nowadays seems to be about the 'newly arrived or upcoming' immigrants their primary target are still Muslims no matter which generation, as they state that the culture and values of Muslims are not compatible with Swedish values. The anti-Muslim sentiments in Sweden increased further following 11/9 (Kinvall & Nesbitt, 2010). Larsson (2007) in his book regarding islamophobia examines that the majority of (non-Muslim) Swedes think that Islam is incompatible with Swedish values since crime, violence and drug problems in immigrant areas are considered to arise as a result of Islam.

Fekete (2009) also asserts that Western societies perceive Muslims as a homogenous group and denies any diversity amongst Islamic communities whether racial, ethnic, theological, religious, or otherwise. Modood (2005) further asserts that classifying discrimination against Muslims on purely biological racial basis whilst ignoring that religion itself may be a catalyst for discrimination and a failure to recognize for instance white Muslims' experiences of discrimination. Similarly, Larsson (2007) in his book illustrates that the (non-Muslim) Swedes perceive secular Muslims and practicing Muslims in the same way, which has led to discrimination and victimization on the basis that they are Muslims (ibid). However, despite these essentialist views of Islam, there is great diversity among millions of people who claim to be Muslims in Europe (Modood, 2005) that one should keep in mind.

### *2.1.3. The veil as a threat to public safety and 'living together'*

The 'issue' of the veil, including full-face veils, has been a controversial issue, concerning the integration and emancipation of Muslim women in Europe. A justification to prohibitive measures against full-face veiling in public spaces is the principle of the defence of public order and/or for security reasons (Corella, 2013; Edwards, 2010; Gal-Or, 20011). Susan Edwards (2010) argues in her article, that in a world where the master signifier is considered by the super powers to be the events of 9/11 the West in its quest to protect its citizens from such random crime, responds by mounting its own jihad and confronting, what it perceives as the enemy in its midst. Consequently, it introduces counter-terrorism legislation and develops measures that, in particular, marginalise and criminalise Islamic communities and controls the way of life of those communities, as well as it tightens the border and immigration control.

The measures targets and attacks Muslim's cultural identity and religious faith, including an attack on dress forms, which is legitimated by ensuring that the observers' stereotypical interpretation of these forms of dress, seen as representing either subjugation or strident militancy (Parekh, 2000)

Several Muslim women have challenged the prohibition of the veil in France for violating their human and religious rights, and have appealed to domestic and EU courts to review the law and their alleged constitutional right to wear Muslim veils. In 2014, a French national Muslim woman with full-face veiling, made a complaint to European Convention on Human Rights (hereafter ECHR). ECHR (2014) upheld that there had been no violation of human rights and the court emphasized that respect for the conditions of "living together" was a legitimate aim for the measure at issue and that the ban imposed by the Law of 11 October 2010 did not breach the Convention. Piatti-Crocker & Tasch (2015) states that European governments may be legally entitled to limit women's rights to wear Muslim veils, but banning them altogether may be an infringement of such individual rights as privacy, expression, personal identity, and freedom to manifest one's religion, which are also European 'multicultural' traditions. Edwards (2010) argues that policies that demand unveiling are not about equality, they can be seen as yet another example of a strategy of destroying identity, faith, culture, ethnicity of the individual and of the group, in whole or in part, through humiliation and undressing, which is a state orchestrated and validated 'violence against women'. As it is the case in France, secularism targets religious Muslim women—more than religious men—in the name of stability of a modern state. Gurbuz and Gurbuz-Kucuksari (2009) argue that secularization has stigmatized hijab and enabled it as a symbol of identity reconstruction.

## **2.2 Gender and hijab**

### ***2.2.1 Multiple meanings of hijab***

Muslim veils are controversial even among European Muslims and Muslims overall. Most of them believe that Sharia, or Islamic law, mandates women to cover their bodies, but allows keeping their faces, hands and feet uncovered, so called hijab. Only few Muslim women wear full-face veils, and most Muslims and non-Muslims alike do not approve face-covering veiling (Piatti-Crocker & Tasch, 2015). Therefore, one must be aware that Islamic religious

authorities, depending on the specific school of thought they follow, have major differences on full- face veiling (Shirazi & Mishra, 2010).

Edwards (2010) asserts that these forms of dresses that are seen as representing subjugation or strident militancy, take precedence over the wearers' (women's) definitions. When viewed from their own standpoint, the author emphasizes that the veiling practices symbolize a multiplicity of meanings, some religious, some strident, some oppressive, some passive, some lost in translation, and so on (Edwards, 2010). Likewise, El Gundy (1999) emphasizes the multiplicity of meanings of veiling practices, depending on local culture and personal context, in which to oppression and control, she substitutes modesty, religiosity, and resistance to materialistic culture and to colonialism. For instance, an interviewee in Zimmerman's (2014) work stated that beside the religious purpose veiling for her is about self-respect and rebelling against that media tells women that "... you're more valued as a person if you take off more clothes; if you put on more clothes, you're obviously less valued'" (Zimmerman, 2014).

For Read (2007), the Muslim Diaspora in Western European countries displays a broad diversity in gender relations and the role of women. Some Muslim women wear the veil against the wishes of their husbands or fathers, as a means to handle the marginality they experience as minority members in their host country. Others use it as a means to avoid being judged as inappropriate by their own community when they access male-dominated activities and spaces (Read, 2007). However, as Furtré (2010) argues, Muslim women in Europe are pulled in all directions by contradictory forces, such as traditions which often dictate conservative dress codes and conduct, strong familial and cultural obligations, but also pressure from the larger community to be seen as visibly liberated, modern and empowered- in other words integrated (Furtré, 2010).

### *2.2.2 Western view on hijab*

History, time and the specificities of the cultural context are all relevant for understanding the fluidity of signification of dress form, and realisation that the cultural sign of the veil, or hijab is not fixed in its meaning. The western view of the veil as simply oppressive can according to many researchers be argued as part of a colonial heritage. Edwards (2010) for instance argues that how the West as observer constructs and stereotypes other cultures including their dress

forms is central to its imperialist colonialist project and the construction of the non-Western. In this case Arabic/Islamic, or 'Oriental', women have been central to both ancient and modern colonisation. Whilst today the projection of 'Oriental' women is seen as a subjugated group, one of the earlier and enduring projections of 'Women of the Orient,' (Said, 1978), constructed in and by the Western psyche, is their inherent eroticism which has been constructed by a masculinist, predatory and imperialist desire (Edwards, 2010). Additionally, Said (1978) argues that the veil's meaning and importance from the viewpoint of the Western eye, can be seen as a story of the West imposing and validating its own determination of what these dress forms mean that is informed by values that enabled empire, colonialism, post-colonialism and super power dominion, "especially those ideas that underdeveloped countries and the third world were something inferior" (ibid). Furthermore, Edwards (2010) asserts that these women's clothing are not under attack per se, but it is the cultural and social groups who wear these dresses that have become the primary targets for the aggression of Western governments and the populace. She further emphasizes that an indirect racism drives these attitudes, which is now "repackaged, reconfigured, and legitimated, supported by a justificatory rationale in the need to protect the community from terrorism, and, *reductio ad absurdum*, Muslims" (ibid).

### *2.2.3 Hijab as a threat to women liberty*

Justifications and/or arguments that take place regarding problematizing hijab or dresses alike, are in terms of protecting the liberty of women as it is assumed as a means of oppression for Muslim women and as victims of a patriarchal cultural/religious system (Bano, 2003; Gal-Or, 2011). The great attention surrounding the events of 11/9 as well as the scope of the ensuing debates constituted demonstrates the central position of Islam gender equality debate in recent years in several Western countries, and especially in Sweden as Islam is considered to have a greater impact on society's institutions than other religions, and most importantly is its oppression of women (Larsson, 2006). However, in the political debate the focus often lies on differences between the Western and the other (Islam), rather than concrete political positions on gender equality (Larsson, 2006).

Edwards (2010) argues that this feigned desire to protect Muslim women has spread throughout Western Europe, forcing a vulgarised version of very questionable sexual freedom

on Muslim women. She further argues that women, who do not regard pornography or G-strings as liberating, are according to Western European men, women who are deemed to be in need of rescue and liberalisation. Furthermore, Jack Straw and others in Latent orientalism claim that the intention to liberate the 'subordinated Islamic woman' is reminiscent of the French colonial masters' strategy in Algeria to forcibly 'Westernise' Algerian women (Said, 1978). In this sense, McClintock (1995) argues that such practices are 'colonial masquerade' when promoted by those who have eschewed the human rights of women from the subaltern.

Multiple studies have stressed how young Muslim women affirm agency as a minority in Western secular countries (Zimmerman, 2014). While one participant in Zimmerman's (2014) work emphasized that veiling is a religious achievement, several interviewees acknowledged that although some women may be forced to wear a hijab, in the end is their choice to keep it on or take it off. Amina (2004) stresses that, in France, the veil among young Muslim college students takes an intellectual meaning that embraces feminism and allows young Muslim women to affirm their identity vis-à-vis French society, the Muslim community, and their family. The author further states that succeeding at school becomes a means to affirm their legitimacy and once in college, where headscarf is allowed, wearing the headscarf completes their identity as both intellectual and religious young women with specific knowledge (Amina, 2004).

In 2004, SD began to push the issue of banning full-face veil through media and by various motions in the City Council in the name of immigrant women's rights. In an article on the proposal on *The plague of the burqa and the niqab* the party chairman Mikael Jansson motivates it by saying: "What should come first? The young immigrant girls who are violated and humiliated and who get their education impeded by having to wear a completely or almost completely opaque veiling. Or is it that the political idea of a "multicultural society" must be defended in the first place, regardless of the sacrifices thus harvested?" (Jansson, 2004). Furthermore, several other party members such as from Centerpartiet, Krisdemokraterna and also Folkpartiet share the idea that burqa should be banned especially in schools, but also because it is uncomfortable with full-faced women on the street and causes an interaction issue (Karlsson, 2009; Nyberg, 2014). For instance, Nyamko Sabuni a previous party-member of Folkpartiet and integration Minister between 2006 – 2014 was one

of them who actively debated for imposing a ban on veil of young Muslims as she besides arguing for women oppression, also justified it with children's right (Sabuni, 2006 a; Sabuni, 2006 b).

### **2.3 Law and regulation in a multicultural society**

A dilemma in Western Europe is to regulate the current multicultural society. Although Western European countries, in terms of law have produced anti-discrimination regulations making open racism punishable (Franco & Maass, 1999), legal actions often fall short in changing social behavior or prejudices for racism, islamophobia or other incitements to hatred (Franco & Maass, 1999; Banakar, 1994).

Banakar (1994) discusses both possibilities and limitations of the legal system in solving versus handling conflicts that arises due to ethnicity discrimination in Western Europe, including Sweden. The author specifically stresses that a rich and detailed legislation will combat discriminatory practices in all areas of society. Legal system such as courts, police and other authorities involved in the application of laws, possess important characteristics for the preservation of social order and citizen's rights and freedom. Therefore the author discusses, the possibilities of law in handling with discrimination in this sense has a normative impact in social relations, meaning that it produces and reproduces the main elements of society's normative structure (ibid). Furthermore, Hyden (1982) asserts that the function of the legal system should be to protect people from abuse of power and therefore the legal system should include legislations that can serve for the protection of the individual. In this context, Banakar (1994) asserts that the legal system can work as an instrument for the realization of the potentials in already existing norms and value systems to create a more humane and fairer social order, which accordingly are expressed in the Sweden's constitution where 'people as equals' are specifically expressed.

The Equality Ombudsman, so called Diskrimineringsombudsman (DO) is appointed by government to operate for combating discrimination as well as promoting equal rights for inter alia ethnicity, religion or other beliefs in everyday life, school, work and so on in Sweden (Government Bill, 2007/08:95). However, as the burden of proof falls to the subject the lack of evidence results in that individuals that have been discriminated have not had the

legal matter approved nor have they had reports made at all (Banakar, 1994). Moreover, the Discrimination Act also includes the responsibility for employers and employees to take active measurements in order to combat discrimination in the workplace (Government Bill, 2007/08:95). It is precisely this kind of measurements that Banakar (1994) mentions in his book *Rättens dilemma*, because according to the author a law without active measurements in preventing discrimination, especially in a workplace, is ineffective. Nowadays in Sweden, most of the workplaces, including all of the government authorities, have a policy that strive to take measurements in order to combat discrimination in the workplace, not least it also appears in their vacancy ads. However, a limit of this kind of legislation might be, as Hepple (1992) asserts in terms of England “ironically, employers that strive to live up to the ideal of ethnic equality [although according to the British legislation they are not required to that] often are the ones that are accused and convicted for racial discrimination, while the ones that claim to be ‘colorblind’ are rarely accused for discrimination” (Hepple, 1992:20-21). Hence, he therefor asserts that legislations or measurements do not always result in change in behavior (ibid). Banakar (1994) also argues that legislation does not work as conflict solving, but rather as a tool to handle with conflicts and the enforcement of the law should be monitored with accuracy (Banakar, 1994). In this context, the Swedish government tries to further intensify their efforts in order to prevent and combat xenophobia, racism, islamophobia, and so on (Government Bill, 2007/08:95) especially due to the new flow of immigration since 2015. An organization called *Forum för levande historia* has been commissioned to observe and monitor completed and ongoing government commissions concerning democracy, racism, islamophobia and so on during 2015-2017 (Government Bill. Ku2015/319/KA). Although, this kind of activities requires great economic and professional inputs, this will benefit the society in the long run (Banakar, 1994), which in my opinion it would only if the government would further intensify this kind of efforts.

What Swedish legislation lacks though, is outlawing racist associations. There is a strong refutation in Sweden according to which this kind of prohibition is interference against the liberty of thoughts and it may cause restraint of freedom of association. On the other hand, the adherents believe that the absence of legislations can be considered as a sign of society’s indifference on issues regarding racism, islamophobia or other incitements to hatred (Banakar, 1994). However, although there are several European countries that have forbidden by law to

create these kinds of associations, experiences reveal that it has not necessarily resulted in ceasing of racist feelings and neither in creating new associations. This, according to Banakar (1994) is because the legislative process has not occurred as a result of a societal discourse or through the public debate and the legal discourse. This leads us towards the second argumentation of the limitations of law as a tool of changing social behavior (ibid). Banakar (1994) argues based on Habermas communicative action that both racism and ethno cultural prejudices are products of a systematic distorted communication of ethno cultural issues in societies. As communicative action strives to find a consensus that can be reached through discourse where each individual has the possibility to define their needs (Månson, 2007), for legal system to combat racism, it has to conquer the communication disorders (Banakar, 1994). Although it is necessary to forbid racist associations, it will not solve social problems or conflicts. Accordingly, Banakar (1994) asserts that ethno cultural conflicts and ethno cultural prejudices can be countered only through an increase of free debate regarding the issue and a discussion of majority's relation to minorities in Sweden. This should be done with various parties involved that can freely express their needs or issues and free from power relationship (ibid). As Klaus Eder has expressed it, "Solely with communication there are possibilities for change...changes in society's symbolic order" (Carlsson, 1988:229).

#### **2.4 The history and culture of Iraq and Iraqi women**

Iraq fell under British occupation by 1917, and in 1921 Iraq received nominal independence, with Britain in effective control of the state until 1932. Britain's role in the creation of modern Iraq sought to reinforce and strengthen tribal- feudal organization in order to exercise control over Iraq through the tribal sheikhs by recognizing their suzerainty over the land that transformed them into large landowners (Ireland, 1937). Britain enshrined tribal customary law, where women's sexual purity was a matter of tribal honour, and tribal law not only held women responsible for any real or imagined transgression that might cause dis-honour, but also tightly controlled access to females through gender segregation and female isolation (Ismael & Ismael, 2007). In spite of Britain, the religious and the tribal opposition, female education in the cities rapidly expanded that had an effect on the emergence of a nascent urban-based women's movement against the British colonization, as well as movements in general (Ismael & Ismael, 2007). Due to the revolt of Brigadier-General Abdul-Karim Qasim in 1958 and under his regime until 1963, the monarchy (the power of the tribes, clans,

sectarian and feudal forces) was challenged by progressive policies and a republic was established. Land reforms and legal reforms of family law were founded, such as The Personal Status Law established the legal framework for women's rights, which guaranteed and ensured women their legal rights and family independence (ibid).

The Qasim regime was overthrown by a Ba'athist-led coup first in 1963, and again in 1968 and ruled Iraq for the next 35 years, largely under the dictatorship of Saddam Hussein. Ba'ath regime was authoritarian and repressed all political opposition and its ruling faction used the state as a vehicle for their penetration and control of all public institutions (Ismael & Ismael, 2007). As a result of women's struggle for social inclusion and the creation of the General Federation of Iraqi Women (GFIW), the regime co-opted women's movement into the state apparatus (Ismael, 1980). The regime's first decade witnessed an aggressive expansion of female education at all levels, female labour force across all economic sectors and female personnel in government. However, according to incidents reported to the UN Commission on Human rights, security personnel of the government would sometime rape women in order to later use her as an informant (United Nations Economic and Social Council, 1992). Furthermore, while Saddam insisted that he fully supported the women's cause, his uncle and mayor of Baghdad, Khairallah Tulfah, sent his vigilantes to paint women's legs black if they were showing too much skin (Brown & Romano, 2007). Women's situation in Iraq become even worse as a result of international sanctions against Iraq due to its invasion of Kuwait in 1990, which caused poverty in Iraq to soar and as is often the case, women were the hardest hit. Direct impacts on women were the regulations that exempted men from prosecution and punishment for 'honour killing' of a female relative, and the legalization of wife abuse (Ismael & Ismael, 2007). However, Al Ali & Pratt (2006) assert that it is important to acknowledge that different women and men experienced the previous regime differently depending on their ethnic and religious background, social class and political orientation.

In 2003, after thirteen years of devastating UN sanctions that pauperized Iraq's population and destroyed its socio-economic infrastructure, United States (US) occupied Iraq. The international community legitimated the occupation with United Nations Security Council Resolution, which gave the US mandatory power over Iraq by legitimating the role and authority of the Governing Council of Iraq (established by the US occupation), just like the

British occupation of Iraq (Ismael and Ismael 2004). According to Graham and Luke (2005), the US occupation of Iraq provides a case illustration of 'neo-feudal corporatism' – an emerging global system ruled by a super- power/corporate military complex (Al-Ali & Pratt, 2006). Similar to Britain, the US aligned itself with reactionary forces. The Bush administration perceived Iraqi society in terms of a collection of distinct communities: Sunnis, Shi'a, Kurds, Christians, Turkmen and so on (Alkadiri & Thoensing, 2003). Sectarianism is itself a barrier not only to the promotion of women's rights but also to the concept of universal citizenship and the political participation of all Iraqis. Communal political leaders (religious, ethnic or tribal) aim to consolidate political power by imposing conformity upon 'their' communities, while supporting exclusionary and discriminatory measures against those who are not perceived as 'one of us'. Family law would once again be the main arena in which contestation over the future identity of Iraqi nation-state occurs. In opposite of Ba'athist measures, the new constitution replaced state authority over women with authority of communal leaders of the different regions of Iraq, whether Shi'i, Sunni or Kurd. By decentralizing family law to the regions, the state accommodates social and religious differences, while encouraging the loyalty of communal leaders to the state. This realised the worst fears of many women's rights activists in that it opens the way for a system, where family law is governed according to religious sect, thereby legalizing discriminatory practices with regard to marriage, divorce, child custody and inheritance (Al-Ali & Pratt, 2006). Although the Kurdish region, had already refused laws rooted in more conservative interpretations of shari'a, many outlying villages in northern Iraq perform female circumcisions, local women are forced to cover themselves completely in black, stop attending school, and so on. Shiite women however have internalized and accepted the conservative interpretations of sharia laws (Brown & Romano, 2007).

Al-Ali and Pratt (2006) explores that the insecurity in the country due to the lack of a properly functioning police force, gender-specific threats and violence such as harassment and intimidation on the streets, rape and abduction into sex trafficking as well as being victims to honour crimes have made Iraqi women's lives even more vulnerable. More importantly these women are assaulted and harassed by both Islamist militias and American soldiers. Despite efforts by international aid agencies to support Iraqi women, it is necessary to highlight that the space for Iraqi women's empowerment is being eroded by the policies and realities of the

US-British occupation and the competition for power among different political actors inside Iraq. In the name of establishing the new Iraq, women's rights are being sacrificed—not supported (ibid).

### **3. Theoretical approach**

The theoretical point of departure for the purpose of this essay is Jürgen Habermas theory of communicative action and public sphere or debate. Habermas was a German social philosopher and the heir to the so-called Frankfurt School. Habermas counts as one of the most influential thinkers of the second half of the twentieth century. Since 1960s onwards Habermas work has essentially combined philosophical aspirations with sociological interests in developing or reconstructing a critical social theory in the modern and late-modern age while also retaining a critical attitude towards the problems these societies face (Deflem, 2013; Månson, 2007). Although Habermas' starting point as a scholar of a neo-Marxism was based on Marx social theory of historical materialism and economy, his endeavour has been to reconstruct a theory that provides a new direction to the concept of rationality by including moral, ethical and justice questions, which according to him are crucial factors in order to develop democratic forms in the modern society (ibid). Consequently, he developed the theory of 'communicative action', which also contains a worthwhile contribution to the study of law (Deflem, 2013).

#### **3.1 Communicative action**

Habermas thoughts about the theory of communicative action are based on the possibility of dialogue in which the opportunities of language are emphasized. The concept of 'communicative action' as a mean of interaction of social life presupposes language as the medium of reaching understanding, defining reciprocal behaviour expectations and evaluating different validity claims in order to achieve consensus on social issues (Deflem, 2013; Gjuraj et.al 2011). Rationality, he means, is not tied to an individual who will interpret an objective thing, but a subjective-subjective relationship communicated between individuals. This type of rationality is required for society to be developed and individuals to be able to exchange experiences (Månson, 2007).

Habermas focuses on the claims that are implied in the actual use of language or speech-acts

among actors as they are oriented towards reaching understanding. Even though consensus is not a necessary outcome of communicative action, Habermas suggests that speech-acts, which are sufficiently well-formed and comprehensible, inevitably imply claims on three levels: “(a) a claim that the speech-act is true [objectivity]; (b) that the speech-act is right with respect to a specified or implied normative context; and (c) that the speech-act is expressed truthfully by the speaker” (Deflem, 2013:76). However, he argues that for this to happen interference-free communication is required, which according to Habermas is a communication independent of *who* is speaking, but *how* and *what* is being communicated as it prevents for communication disorders and phases out the power relationship. The good and valid arguments would thus fit and be pondered, not power, money, elitism or expert rule, as it is the case in most of the modern societies (Månson, 2007). The validity of an argument is therefore examined in order to reach at political and ethical standpoints. The communicative rationality intends to relate to different arguments validity. A high degree of communicative rationality means that perceptions are based on arguments that are considered to be comprehensible, sincere and honest and that they conform to the existing norms (Månson, 2007; Alvesson & Sköldberg 2008).

### 3.2 Public sphere

Habermas also speaks of the bourgeois public sphere which he describes as the development of having started in ancient Greece that was done in line with the retail distribution and then also the progress of the news. The modern bourgeois public arises in the 1700s as a critique when a pressure established itself in the market and started selling news to the literate and educated citizens. It is during this period that the concept of "public opinion" was formed which summarizes various classes' opinions about society and the public, although unspecialized educated or uneducated were excluded from this public opinion. During the 1900s this changed, and so did the media at the end of the century. With the new mass media foray Habermas believes that the development has gone to a more market-driven advertising and media entertainment industry, which gives less room for rational discussion that he advocates. Journalists thus have a very important role as mediators of reality to the public through the news media. The problem is that only information that journalists think is newsworthy is elected and therefore controls the discussion in the public space (Månson, 2007).

### 3.3 Habermas and law

Habermas perspective of law in modern societies was first build on a distinction between two types of rationalities and two corresponding dimensions of society. Firstly, ‘communicative rationality’, which derives from communicative action and aims at mutual understanding where he conceives society as lifeworld, while law here retains a need for moral justification. Secondly, ‘cognitive instrumental rationality’ that aims to the realization of certain goals in which society can be analysed as a system. In this context, he argues that lifeworld rationalization has undergone a further differentiation and that certain systems have uncoupled from the lifeworld to function on basis of monetary profit (economy) and formation of government on the basis of power (politics), instead of on basis of communicative action. Thereby, he argued that law intervenes as medium into the lifeworld, and refers to it as a colonization of lifeworld. In other words, he was arguing that “modern-day social ills, such as a loss of meaning, anomie, and alienation, exist as a result of a colonization of the lifeworld by the economic and political systems” (Deflem, 2013:80). However, he corrected for his duality of modern societies for law as an institution and law as medium, and lately conceptualizes law entirely as an institution of lifeworld implying that law is intimately related to morality. He argues, that both moral norms and legal norms are oriented at resolving social integration, such as moral norms are deeply embedded in the lifeworld but miss the coercive power of enforceability of law, but legal norms with different sanctions instead have the coercive power (Deflem, 2013).

On the basis of Habermas’ new perspective of law, the regulation of money and power, such as business and administrative law, can then indeed be conceived as a normative anchoring in the lifeworld. More importantly, the earlier specified thesis on the internal colonization of the lifeworld can now be reconceptualised as a colonization of law itself. In addition, democracy as the form of governance that dominates in Western Europe influenced Habermas to analyse the interrelationship between law and politics, furthermore his theory of law and democracy in Western multicultural societies. Hence, in order to ensure that legal norms enable a peaceful co-existence of a plurality of ethical traditions, he claims that law has an important function on establishing the procedures. Thus he defends a deliberative concept of democracy that focuses on the procedures that exist or should exist, whereby the ideas and ideals that

inform democratic debate as well as the decisions that are brought about in democratic regimes should remain open to debate. Accordingly, modern law retains a need for moral justification, which through communication and debate allow only for the force of the better on the basis of procedural criteria. Hence, based on Habermas' arguments, the modern rationalization of law implies only a displacement, but not an elimination of moral questions (Deflem, 2013). Accordingly "it is not because something is legal that it is accepted as just" (Deflem, 2013:81).

A central problem in Habermas' work is, however, the relationship between law (norms) and culture (values), an especially poignant problem in view of an increasing drift towards multiculturalism (Deflem, 2013). Hence, in response to Taylor's position of a communitarian state, Habermas therefore argues that there is no need for a counter model or additional principals to correct individualistic design (Habermas, 1995), because he means that "as soon as we take this internal relation between the rule of law and democracy seriously, it becomes clear that the system is as small blind for the various social conditions of life facing cultural differences" (Taylor, 1994). Habermas argues that there is not any opposition between moral norms- being the common good before the individual- and individual rights and inviolability, because, according to him, the individuals ability of language and ability to act is incorporated only by members of a particular language community that grows in an intersubjectively shared lifeworld (Månson, 2007) and therefore the law should need to recognize this socio-cultural dimension of the 'legal person' (Habermas, 1995). However, he believes that what can be counted as equal rights whether it is for ethnic and cultural minorities or other vulnerable groups, can not really be understood until they through public discussion in advance articulate and provide the basis for what is typically equitable or inequitable. Through democratic discussions, he argues, citizens through a representative that is chosen from an intersubjectively shared lifeworld can also clarify which traditions they want to carry forward or break, how they want to treat each other and nature, etc. Consequently, Habermas suggests that democratic law is needed to guarantee that norms can coordinate social action and secure integration in view of the preservation of a diversity of values in a plurality of lifeworlds. In other words he argues that law, on the one hand, must rely on the coercive force of the state to be properly administered, but must, on the other hand, also be grounded in intersubjectively recognized claims of rights (Habermas, 1995). Nonetheless, Habermas

argues that through the public debate serving as a sensor on different societal problem areas, will crisis of consciousness in the lifeworld grow into the state mimics, such as the women's movement (Månson, 2007). Thus, the constitutional democracy according to Habermas will be strengthened by the conflict that occurs due to a societal issue, as has been with women rights due to women movements (Månsson, 2007; Taylor, 1994). However, Habermas perspective in this sense is directed at the macro-level with only collective actors/representatives of a certain group. Consequently, as today's pluralistic society is not a culturally homogeneous nation-state, in the absence of a representative of a certain minority/cultural group causes distortions in a multicultural society. This, because communication that is done at the macro-level, whether it's regarding law or social issues, lead to distortions as the discourse will be regarding the certain minority group and not with them and would therefore reproduce the values of the majority (Banakar, 1994).

## **4. Research design**

This study employed an explorative, i.e. introductory and illuminating qualitative approach. Qualitative research provides us with a systematic in-depth approach in understanding social phenomena that is little understood, is ambiguous or fuzzy. It is a research strategy that emphasizes words rather than quantification in the collection and analyses of data. A key feature of qualitative research is viewing the world from the perspectives of the people that are being studied (Bryman, 2008). This brings in the focus interpretation and describing the social settings in which the study takes place, placing yet another focus on context and contextualism. Qualitative research brings together concepts such as interpretation, understanding and meaning (Desai et al. 2006; Mikkelsen 2005). This study will be a part of a phenomenological study of interpretive stance, which is a framework that enables the researcher to explore specific experiences of participants and make sense of the meanings of their experiences (Smith & Osborn, 2003).

### **4.1 Data collection**

The empirical material focuses upon findings from semi-structured interviews with open-ended questions with 17 participants, mainly Muslim veiled women. Although my aim with this study at the beginning was to only focus upon experiences and perspectives of women with Iraqi origins, throughout my search for interviewees at the library of Malmo University I

meet two veiled women with other origins than Iraq who voluntarily wanted to participate. Atia, with origins from Palestine wanted to participate by claiming that the Islamic/religious meaning of hijab should not be linked to a specific country, while Anila, with origins from Bosnia claimed that the issue of being a hijab-wearing woman in Sweden is an issue to all of them and not only to those from a specific country. Although I interviewed them before I even decided if I was going to include their answers in this study, after doing some considerations and listened to their stories I decided to create a second group consisted of veiled women with origins other than Iraq. I interviewed almost as many interviewees as for the group of women with Iraqi origins but yet retained women with Iraqi origins as my primary group for this essay. Furthermore, I included a Muslim man with Iraqi origins in order to get a perspective from the viewpoint of a Muslim man as there is a worldwide perception that men are superior in the Muslim culture, especially in Iraq, and three unveiled Muslim women (two with Iraqi and one with Lebanese origins) in order to reveal if there is difference of experiences and perspectives as an unveiled Muslim woman. The interviewees were first and second generation immigrants aged 18 – 55, living in Malmo.

The interviews were conducted during March 2016 in Malmo, in two stages: a pilot study and the larger-scale study. According to Kvale and Brinkman (2009), a pilot study contributes to a better understanding of the interview guide's design and how questions can be understood and answered by the respondents. The pilot study was conducted with a small group of five interviewees, similar to those who were going to be recruited in the larger - scale study. This gave me an opportunity to test how well my questions were understood and what subjects could be difficult to reach. I experienced the pilot study to be worthwhile. The interviewing for the large-scale study was conducted two days after the pilot study.

I started the interviews with an overarching question to encourage narration: *Tell me about your self: age, occupation, birth country/how long have you been living in Sweden?* and *'What does Islam, the Quran and hijab signify for you?'* Thereafter, questions regarding multiculturalism in Sweden, the Swedish legal system and the debate on veil and veil-ban in Sweden were asked (the list of questions asked during the interviews is illustrated in the Appendix). Moreover, general probing techniques such as 'How do you mean?', 'Please tell me more' and 'Can you give me some examples', were also asked. Interviews lasted between

20 and 40 min and were conducted at time and place chosen by the interviewees. In order to put more focus on what was said during the interview, I felt that recording was necessary. Before starting the recording, I asked the informants for permission to record and informed them that these will be treated with confidentiality and deleted when they are no longer useful.

#### 4.2 Sample

The employed sampling technique was based on *quota sampling* wherein the sample is selected from a location convenient to the researcher and whenever a person with visible relevant characteristic is seen, that person is asked to participate in the study (Bryman, 2008). I started with an Iraqi association from which I found an unveiled Iraqi woman. Being Rosengård one of the most ethnic inhabited suburbs in Malmö, I walked around in ‘Rosengård Centrum’ and kinder gardens in the area. During my interviews in Rosengård area I also interviewed two unveiled Muslim women, one with Iraqi origins and one with Lebanese origins, and a man with Iraqi origins. Eleven interviewees were recruited in this area, eight with Iraqi origins and three with other origins than Iraq. In order to get a geographical spread among the interviewees I walked around at Malmö’s city-library ‘Stadsbiblioteket’ and at the library of Malmö University. At ‘Stadsbiblioteket’ I recruited two veiled women, one with Iraqi origins and one with Turkish origins. At the library of Malmö University I recruited five Muslim veiled women with different origins than Iraq. In total I recruited 17 interviewees for my sampling, nine of which were with Iraqi origins and eight were with other origins than Iraq. For further information about interviewees’ age, origins and other information of relevance see Appendix.

Although I tried to get a geographical spread among the interviewees, 12 of the 17 interviewees lived and/or worked in Rosengård while the rest were either from other ethnic suburbs or other areas in Malmö. I would like to emphasize that even though most of them were resided and/or worked in Rosengård it did not raise the question of homogeneity. Their ages, how much they are integrated in the society (beyond the ethnic suburbs), how long they have been living in Sweden and above all their experiences from their native country (if any) dominated their understanding of their social environment in Sweden. For instance, most of young women in this study that either were born in Sweden or moved to Sweden in their

childhood, as all women in my second group were, had a greater involvement with the issues studied in this essay and were more invested in defining their identities than the older age group and those who moved to Sweden in their adulthood especially with experiences of war in their native country. Consequently, I think that if I had had more variety in the second group I might have gained answers more similar to the older age group in the group with Iraqi origins. However, achieving a representative sample is not the aim of this study, focus have been on respondents' experiences and accounts. Therefore the findings in this study should be considered as tentative and limited to the specific group of people involved in this study.

#### **4.3 Data Analysis**

The semi-structured interviews will be analysed using qualitative content analysis, which is often described as a method to organize written or oral materials into identified categories of similar meanings (Moretti et al., 2011). According to Krippendorff (2004) as one of the leading experts of content analysis, content analysis is a research method for making replicable and valid inferences from data to their context, with the purpose of providing knowledge, new insights, a representation of facts and a practical guide to action. I chose this method since it best emphasizes an integrated view of speeches/texts and their specific contexts, and it goes beyond merely counting words to examine meanings, themes and patterns that may be visible or invisible in a particular text. It pays attention to unique themes that illustrate the range of the meanings of the phenomenon, which allowed me to understand the social reality of veiling women in Sweden, in a subjective but scientific manner (Moretti et al., 2011). My intention was to provide a comprehensive understanding of Muslim veiled women's viewpoints and experiences of multiculturalism and the Swedish legal system, and their opinions about the debates in Sweden on veil and veil-ban.

After each interview I immediately started a transcript of the audio recording. All interviews have been fully and accurately transcribed. The transcribed material has been structured and analysed using empirical data-driven thematic approach, which means that I have emanated from the empirical material to find themes to categorize, analyse and summarize the results (Moretti et al., 2011). The empirical results have also been theory driven, which means that the themes have made the applicable theory visible. The advantage with this approach was that the results were not significantly affected by my preconceived expectations based on a

theoretical approach. The aim when using inductive content analysis of interviews is to become immersed in the data by reading the material several times (Moretti et al., 2011). The material has thus been reviewed and coded, citations/ quotes have been sorted based on themes. These themes have been the headlines in the results section and summaries of each headline have been reviewed again to find the linkage to the theory and previous research. Moreover, besides the manifest content of the interviews I also included the latent content, which means laughter, posture, sighs etc.

#### **4. 4 Methodological reflections – Validity & Reliability**

As in all qualitative research it is important to make defensible inferences based on the collection of valid and reliable data (Bryman, 2008). Validity means according to Kvale and Brinkman (2009) the extent to which the method examines the concerned phenomenon. With respect to content analysis, the validity of the results falls back into the integrity of the researcher. To get a high validity in qualitative interview it is important that interview questions are well formulated to that extent that they follow the study's purpose. I feel that the keywords multiculturalism, the legal system and veil-ban, and then all three concepts oriented in Sweden gave me a good prerequisite to highlight the societal issues. However, as there are different approaches of these concepts, I as a researcher cannot guarantee that respondents interpret and understand these subjects in the same way as I do. Yet, this is a qualitative study aiming at exploring the studied individuals' experiences and own perceptions of their social environment, and each individual experience the environment in his/her own way (Bryman, 2008). I dare say though that I perceived a consistency among respondents regarding the subjects. The parts of interviews where all the interviewees had alike perceptions were about Islam and hijab, as well as about the debates on veil-ban. Although not all of them were completely versed with these debates, they were aware that the debate about the ban on full-face veils was based on the notion of 'living together', national/regional security and the assumptions of oppression of women, while regarding hijab the debate, especially in Sweden, was based predominantly on assumptions of oppression of women, which is more or less in accordance with my literature review. In this sense I assess the validity to be relatively high.

However, the parts of interviews that I got some various answers were questions regarding multiculturalism and how it works in Sweden and the Swedish legal system. The interviewees

from the first group (*Muslim women with Iraqi origins*) were a bit contradictory regarding multiculturalism in Sweden and the Swedish legal system. Especially regarding the legal system, most of them did not possess any or none relevant knowledge. However, I focused on the respondents' experience of 'being a Muslim veiled woman in Sweden' while setting aside my own knowledge of it as well as personal bias. I reflected on my relationship with the interviewees as an interviewer, as well as on the assumptions that may interfere with my data analysis in terms of staying true to the meaning of what participants expressed. I, as a researcher who pursued the research and conducted the interviews, was both an insider and an outsider. While as a non-Swedish and a woman I was an insider, I was at the same time an outsider as a female scholar who does not wear hijab and have different origins than all of the interviewees. Thus, with regard to the notion of the researcher being a "stranger" and to relations of power, authority and difference between the interviewer and the interviewees, it is important to determine if the interviewees' answers are mostly to impress me as a researcher and may deviate from the real answers (Hamzeh & Oliver, 2010). Based on their answers and mostly positive attitudes I couldn't tell if they were trying to impress me as an unveiled scholar, are living in denial or is it because they live and work in ethnic communities such as Rosengård, Möllevångstorget and so on (ethnic inhabited areas) and have no real connection to life beyond these areas. Although I got various answers in some questions, I realized that the interviewees were highly motivated and were taking my project seriously, and having a lot to communicate.

In terms of reliability it is necessary to demonstrate a link between the results and the data to increase the reliability of the study insofar that other researchers in a similar study can reproduce the same results. Reliability in qualitative research is about how empirical data is collected and how it is processed (Kvale and Brinkman, 2009). With an extensive field of research on the subjects, different results and analyzes might depend on the aim of a certain work. Since I used semi-structured interviews with open-ended questions, the results of this work will be unique and therefore it can be problematic to get the same results in the implementation of a similar study. However, I think that I have managed to fulfil this criterion by demonstrating all questions in an appendix as well as transcribing verbatim all interviews. Furthermore, to facilitate transferability, I have tried to give a clear description of the context, selection and characteristics of the participants, data collection and process of analysis

(Bryman, 2008). To increase the trustworthiness of research and to point out for readers from where or from what kinds of original data categories are formulated, I have used authentic citations in a, according to me, suitable amount. Consequently, taking into consideration all of these factors I believe that this work has relatively high accuracy and reliability.

#### **4.5 Ethics**

Ethical issues are applied in any kind of research. Qualitative researchers aim to focus on exploring, examining and describing people and their natural environments (Orb etl. 2001). It is important to adhere to ethical issues in qualitative research, as the researchers should take to avoid harm to the participants, vulnerable cultures and so on during their data collection and analysis (Klenke, 2008). Based on my choice of research design, one ethical consideration is the interpretation as well as reflexivity of the collected data. In this research project, my responsibilities were to interpret the interviews in a truthful and trustworthy manner and avoiding any misstatements, misinterpretation, or falsified analysis (Bryman, 2008; Doucet & Mauthner 2006). Given that the topic is very sensitive in terms of vulnerable cultures and the group of people, e.g. minority culture in Sweden, I have been particularly careful about operating with classifications that give grounds for unreasonable generalization and that can in actual practice lead to the stigmatization of these social group. Undertaking a normative analysis of such conditions, I was careful to make a distinction between participants' norms and practices and my own normative discussions of these conditions in the light of defined value standards (Guidelines – NESH, 2005). Furthermore, in order to avoid in harming the participants through identification, all of the participants have been anonymized and I have used made up names in order to have a flow in the text and to make it easier for the reader to follow.

### **5. Multiculturalism, legal system and the “oppressive” veil through veiled women’s eyes (Results)**

After overarching questions to get familiar with my interviewees, my aim was to firstly reveal what Islam, the Quran and hijab signify for them and afterwards to explore their experiences and perspectives of multiculturalism, the Swedish legal system and the debate about veil. An important observation I made was their endeavour to demonstrate the correct picture of Islam

and hijab. At the end of the interviewing, four of them expressed their gratitude that people, such as me, are interested in their opinions, as they thought that Swedish citizens should hear their side of story and not what it is said on media or the political discourse. Furthermore, most of the respondents claimed that they should not be treated as outsiders as they are Swedish [citizens] as much as the others. Fourteen of the interviewees across the sample wear hijab, three do not and a man whose wife and sister veil. Besides dividing their answers in five themes I also divided the interviewees into two groups, *Muslim women with Iraqi origins* and *Muslim women with other origins*.

## **5.1 Islam, Quran and hijab –lifestyle, law-book and protection**

### *5.1.1 Muslim women with Iraqi origins*

To my question on what Islam and Quran means, the answers where almost the same for all of the interviewees. Their conception of Islam was that it is “a lifestyle with high morals” while Quran is the guidance or law-book for how they should behave. Two of the respondents, Delal and Amal, also pointed out that Islam is a tradition, it is how they are born and that is what they have inherited from their parents. Many of them made the connection between Quran and the Swedish law-book by claiming that they follow the rules of Quran in similar way they follow the rules according to the Swedish law-book. Ali, further claimed that “[...] according to Quran, if you move to another country with a different religion you should follow the rules and the laws that are present in that country. If not, than by crossing that countries rules you will also cross the rules of Islam because you will do harm to the society that you are living in”. Similarly, Aisha sought to point out that Islam is a beautiful religion and those who break the rules of it as well as Sweden’s laws and rules, such as committing act of terror, violence and so on, are not real Muslims.

Regarding hijab most of the respondents believed that a woman should show her beauty only in front of their husbands. Hair being part of their beauty should according to them [based on their religion] therefor be covered and only men in their family are allowed to see it. Furthermore, Zainab perceives hijab as an identity and a protection against the society and men on the streets, because hijab sends a signal that she is a Muslim and is not to play with. On the other hand, Ali claimed that Quran does not exactly describe how a woman should dress and therefore he meant that veiling has been affected from different cultures and

traditions. Khadra (unveiled) further added that women veil because of the pressure from their men and their community. Azima who started to wear hijab when she was 16, in Iraq, because all of her friends were wearing it also thinks that hijab is not so important. However, she told me that she could not take it of now because of the pressure from her community, including her parents in-law.

### *5.1.2 Muslim women with other origins*

Similarly to the Iraqi group, Muslim women with other origins than Iraq perceive Islam as a lifestyle and identity, and Quran as a guidance or law-book. Moreover, women from this group also highlight that if Quran is understood right “[...] it just a way to become a better person ” (Intisar). All of the respondents claimed that although they are born as Muslims, it is their own choice to continue as Muslims as well as to veil. Likewise, these women perceive hijab as a symbol of Islam, a right thing to do as a religious Muslim woman and furthermore as a protection against their environment. In terms of protection five of them said that men on the streets could not disturb them since hijab sends a silent signal of their boundaries. In this context all of the respondents pointed out that the society is nowadays impacted of the fashion-world and the media that tell women how to dress, how to look and how to behave, and therefor hijab protect them form these pressures. Leyla for instance said “Hijab makes me feel free and independent since I get to show the parts of my self that I want to and not what the fashion-world or the standardised norms tells me to”. Furthermore, most of the respondents emphasized that since no one sees them as sex objects, people respect them and pay attention to their inner, their education and their achievements, and not to their looks.

## **5.2 Swedish society: a multicultural or a segregated society**

### *5.2.1 Muslim women with Iraqi origins*

Given that there is not a single definition of multiculturalism I firstly asked what the concept means for them. Secondly, in order to reveal their experiences of multiculturalism in Sweden I asked them if they think it works in Sweden. All of the respondents from this group apprehend multiculturalism as a society where different cultures, ethnicities, traditions and religions can live in harmony and under same conditions, which according to some Sweden is a good example. Aisha and Ali for instance linked multiculturalism to Sweden already in my first question by claiming that Sweden is a perfect example of multiculturalism since all

existing religions and ethnicities in Sweden live under same conditions. Moreover, some of them were claiming that as Sweden welcomes all people from around the world, those immigrants that have moved to Sweden these last years have different perceptions of Islam, which have also negatively impacted other Muslims who live in Sweden and accordingly have changed Swedes views for the “beautiful Islam” (Aisha). As Aisha did not speak very well Swedish but she understood perfectly what I was saying (her son was there to translate), and since she lived and worked in Rosengård I got the feeling that she does not go outside Rosengård very often. Hence, I wondered if she had any Swedish friends (a follow-up question that I asked many of them). She said neither ‘no’ nor ‘yes’, she only said, “I respect all Swedish people, they have a good heart”. In my observation of her behaviour when she answered, I got the impression that she was trying to defend herself for not having any Swedish friends. However, when I asked these three respondents, separately, if they had ever felt that they had been treated badly or discriminated, they said that as long as they do not do anything bad why should they be treated badly, otherwise it should only be right. Zainab further indicated that she felt that Swedish people are fleeing their own country or those who are neighbours with immigrants will not socialize with them, because most of Muslims are not able to take criticism but cause fights. Similar answers will appear in following sections as well where most of them for different reasons, justify or are forgiving and understanding for being badly treated, discriminated and/or for prejudices against Muslims.

Fahria thought on the other hand that multiculturalism works fairly well in Sweden and she took Rosengård as an example. She added though that background differences of people living in Rosengård in terms of education lead that the ones that have not studied in their own countries, do not bother to study here or to learn Swedish, which according to her not speaking Swedish is an obstacle in terms of socialization with others than their own. Hence, I asked her if this was the case with Swedish people as well, but she said that even though there are not many Swedes living there, those that are do not socialize because all have their own families and friends, and she adds, “But they are very nice and they have accepted many of our traditions and our religion”. Delal on the other hand told me that she grew up with that way of thinking [multiculturalism], because according to her it is stated in Quran that “Differences are beautiful, they help people to develop themselves”. She complains though that when she moved to Sweden no one taught them at school about the Swedish society,

norms, laws and rules, but only that they should find a job. “I had to learn it by experience”, she said, “... which has cost me a lot, has made me very tired as a single mother and a woman with hijab. I am afraid from this society”. She further added though that she does not think it is easier for Swedish people with Swedish background [as she calls it every time she mentions Swedish people] either, and she understands Swedes’ frustration and their complaining that immigrants take their jobs. But she says, “It is not our fault that Sweden has accepted us. Now this is our home as well, we study, we struggle and we work hard as anybody else, and we are also Swedish because we have same responsibilities to this society”. A different opinion came from Zara, an unveiled woman, stating that multiculturalism does not exist at all but it is something that is made up because it is in accordance with Western politics. She says, “It is not as free as it is claimed to be [...] Sure one can wear hijab, but not everyone accepts it!”.

### *5.2.2 Muslim women with other origins*

Similarly to the first group, most of the respondents in this group perceive multiculturalism as a society where different cultures, ethnicities, traditions and religions can live in harmony. Anila claims that in general Sweden it is not acceptable to be ‘different’ and although Malmo has been more open “we can see that it is changing”, she said. Some of them gave also examples of parts in Malmo, which they rather avoid to go, such as Limhamn [Swedish ‘high-class’ inhabited quarter] “...I don’t feel very welcoming there because of all the staring. I’ve just been there once and I do not think I will go again” (Farrah).

As Fahria from previous group, both Atia and Amina said that the first thing they think when they hear the word multiculturalism is Rosengård, because according to them that is what multiculturalism should be “[...] different cultures, ethnicities, traditions and cultures living all together”. They also added that although one might not feel welcomed or is treated badly in other parts of Malmo, one could still be herself or himself at least in their own comfort zone such as Rosengård. Atia also added “If you are strong enough you have the possibility to fight for a more accepted Sweden. That is why I like Sweden after all”. Most of them also stated that compared to other Western European countries multiculturalism works fairly well in Sweden. In this sense, Leyla added though that it is still not enough since there are immigrants that change their names in order to find a job or simply to be accepted by the

majority. This according to her is a sign that the society does not accept differences “...and this is not what democracy stands for” she said.

However, Batul, an unveiled woman, thought that multiculturalism has not worked and it is not working because the society is divided into groups and there are large gaps in the society “[...] it is a segregated society” she said. She stated that although it is good to have mother tongue and ethnic associations, this often leads to further alignment because they stick to their owns and do not socialize with the rest in the society. She further claimed that Sweden should be able to handle with people/immigrants they receive and not put them all in the same places or areas such as Rosengård because it hampers their integration, as they cannot move forward. This according to her results in further groupings, hate, further racism and even more groupings. Similarly Ashraf claimed that multiculturalism works among immigrants, but not between immigrants and the Swedes, as Swedes hold to each other and immigrants to each other. She told me that she has many friends with different origins, but none Swede that she has a near relationship with. Furthermore, most of the respondents said they do not have many or any Swedish friends because they did not think they have much in common. Atia for instance laughs and says “I am from Rosengård none of Swedes want to be friends with us, but the fact is we do not care because it is a clash of culture, I cannot laugh at their jokes, I do not understand their jokes”.

### **5.3 Wearing hijab: An obstacle? Discriminated or accepted?**

#### *5.3.1 Muslim women with Iraqi origins*

To my question if hijab is an obstacle in the society, most of them responded both from own perspectives, in terms of personal achievements or development, and from the perspective of the majority in society. Most of them emphasized that hijab is not an obstacle for them because they still can do the things they want to or are used to. However, in relation to the society it does not seem to be as easy. Delal for instance told me that she still does all the things she did before she started to wear hijab at age 30. But when I asked her to put it in relation to society she laughed ironically and said, “Uh yes, in society yes. Sweden is not the paradise we thought it was [...] when I moved from Rosengård to another part of Malmo, a Swedish and Danish inhabited suburb, it took my neighbours two years to respond to my ‘hello’”.

Azima who has been living in Sweden for only eight months, had experienced that people at restaurants look at her, which makes her uncomfortable. She said that at the beginning she did not know why, but her husband he had told her that this is normal because not everyone is open to hijab. She had also been questioned about her hijab by a man at the bus, which she thought was uncomfortable because he had kept saying to her “I still do not understand why do Muslim women wear headscarves”. Zara who does not veil thought also that wearing hijab is an obstacle especially when it comes to finding job in certain professions such as hairdresser, shop-assistant and so on. Ali whose wife and sister are veiled, and who in the first place said that Sweden is a perfect example of a working multiculturalism, seemed to have a different opinion when I asked him if hijab was an obstacle and if he thought veiled-women are badly treated because of their hijab. He told me that he had told his wife, who is a hairdresser that she could unveil if she wanted to because it is hard to find a job with a hijab. However since she did not want to take it of and since she could not find a job, she started her own business as a hairdresser in Rosengård that is mostly directed for veiled women. Furthermore, he told me that both he and his wife have in times felt that they were treated in a different way and that people stares at them, especially these scarcely times when they have had been in other places than Rosengård and Möllevångstorget (another ethnic suburb where he owns another restaurant) or outside Malmo. However, he said “I can’t prove it to be because we are Muslims as they do not put it in words”. Furthermore, he said that he does not know how to interpret this because it might be something else and it might just be a feeling and not reality. This kind of doubts were expressed by others as well, by claiming that they were being stared at but that staring does not prove anything.

Delal on the other hand told me that she had been discriminated and had been called names a lot of times, such as “damn Arabs, damn Muslims, damn your headscarf...” which had made her cry several times, especially her first years in Sweden. Furthermore, when she wanted to move from Rosengård, after having lived there for 2 years, she had contacted minimum 15 lease agencies that according to her as soon as they saw her hijab they just said “no we don’t have anything”. She had waited 4 years and at the end she saved some money and borrowed some to buy her own apartment, although it had not been easy to find a real-estate agency. In this sense she said “It feels like there is a secret hand that has put all immigrants in a same

place, so we should not develop and integrate in their 'perfect' society. How should we develop the Swedish language if we just meet each other, how should we develop our selves if we spin around the same circulation? Although there is a high criminality in Rosengård, I can see changes as there also is a youth that have actually goals and they study, consequently they will impact each other".

Most of the respondents thought that most of Swedes are ignorant and they think of Muslims as stupid and uneducated. Both Delal and Fahria told me that Swedes become surprised when they find out that they have university degrees from Iraq. However, most of the respondents expressed understanding and were forgiving by claiming that people do not care to read or ask them about Islam but instead they believe on claims made by media or in political debates. Furthermore, Fahria who constantly compared Sweden to Iraq said "I know that we cannot have all the jobs we want, not as veiled women, not as Muslims and not as immigrants, but I cannot complain because I had it worse in Iraq and it is also understandable that Swedes will hire Swedes instead of us, maybe we would also do the same in Iraq". Delal also made a comparison to Iraq, but contrary to Fahria she said that in Iraq they are exposed to a physical war but in Sweden they are exposed to a psychological war. She also highlighted that it has been worse since the 9/11 accident in US and she expressed her fear for her children's future who study at university, because she said that it felt like Sweden is about to go under. Khadra, unveiled and against all forms of veiling, on the other hand said that although she had heard stories about being discriminated, she thought that hijab does anyway not fit in the Swedish society.

### *5.3.2 Muslim women with other origins*

Similarly to the previous group, some of the respondents from this group also emphasized that they could still achieve their goals even with their hijab. However, they highlighted that it takes longer time and more energy than it does for an un-veiled Swedish women. Leyla for instance asserted that not everyone accepts and respects their choice of wearing hijab to the extent it is required, which therefor requires them to be prepared for the time and energy it would take. She told me that she had never directly been discriminated, but that she had been stared at and been treated badly by some of her teachers, shop assistants and so on. However, she said "I never give way for those people that treat you based on your look, on the contrary

I feel sorry for the fact that they need to treat you bad so they can feel they are more worth". In addition, Batul who does not veil meant, "It is a lot of oppression, a lot of hate and a lot of division". She said that although she does not wear hijab, some people take a step back when she tells them she is a Muslim.

Anila and Amina told that they had been harassed and taunted on the street and had been called names such as "Easter witch; damn Muslims; damn immigrants; terrorists; Jesus is God's son". Anila had also been treated badly and exposed to several discriminations, especially since she works with a non-profit organisation and organises different outdoor activities with children in order to gather money as for instance regarding child-cancer in South Africa. She had though made many reports for discrimination and she said "If nothing, it will be included in statistics, which hopefully will be identified as a social problem sooner or later". However, she said that it does not hinder her from doing what she wants to, but she highlighted that she knew many women who rather take of their hijab or stay isolated in their comfort zones. Likewise Intisar who had worked at the care for elder people, told me that she had been called names and treated badly by patients who would say to her "move back to your country; you are a terrorist...". In her opinion elder people, Swedish, are less open to hijab than younger people. She also emphasized that people that are against hijab, are actually in general against all immigrants. When I asked her if that was the reason for choosing to work in Rosengård, she said "I did not have much choice, that work was temporary and I searched for jobs for 2 two years... but you know they see my photo on my CV or when I personally left my CV, for instance in clothing stores. However, I'm happy here, I like my job". Ashraf did also a same claim that just being an immigrant takes longer time to find a job and wearing hijab is one step further, because she says, "people are both xenophobic and islamophobic". As for Amina and Atia, with dreams to become a nurse and a doctor for the later told me that they had to make other choices since these professions have dress codes that are not suitable for hijabists. Atia said "I want to become one, but it is the society that has put these rules". Moreover, both of them emphasized that the fact that people are 'afraid' to talk to them is another obstacle for them to integrate in the society. Hence, in terms of finding jobs all of them consider hijab to be an obstacle, but as Farrah puts it "[...] it is nothing we can prove, since they do not tell us it is because the hijab. So we have to live with it".

As most of respondents in this group had some sorts of experience of being treated badly or discriminated, I asked almost all of them if they had ever felt that they should unveil. Most of them said that no one could ever decide for them but that it just makes them stronger. Intisar for instance said, “On contrary, I want to show them that despite my hijab, I am an educated and successive woman and I can achieve and do precisely what I want to. If it is not working then I change the direction and I will still be a successive woman with hijab”. Moreover, most of them stated that when they were younger they had had doubts because of all questions, staring and bad treatments. However all of them emphasized that by realizing that people only focus at women’s look, it had made them stronger and made the stick tighter to their religious values.

## **5.4 The Swedish legal system more just than Iraq’s legal system**

### *5.4.1 Muslim women with Iraqi origins*

As in previous sections, the respondents from this group had a positive attitude about the Swedish legal system and asserted that it is just and treats equal all citizens, which it was not surprising based on their long history of war and injustice in Iraq. My questions regarding the Swedish legal system were formulated in terms of how they perceive the Swedish legal system, women’s versus men’s rights and lastly, veiled women’s rights. Most of them stated that they trusted the Swedish legal system to be just for all including veiled women, and aside from differences in salaries between overall women and men, it is quite equal. Zeinab further stated that those who claim or have experiences of “not having had a fair treatment” it is because they had not had enough with proofs.

Azima, such as Delal that pointed out previously (see section 5.2) on the other hand laughed and said “I do not really know something about the Swedish legal system, because no one have taught me at school, I just study the language and a bit history and maths” but she said “it feels like it is 50/50 for men and women, and also for veiled women”, and she adds “But I have all my rights at home anyway, although I have to wear this [points at her hijab] despite that I do not like it”. Delal also laughed and said “I have heard that it is equal” and she adds “I said to my Swedish colleague, with Swedish background, I’m happy that Sweden is equal, but she said to me: [...] if we wake up some day and all the laws are gone, trust me it will be worse than in your country”. She told me that she understood her colleague because even

Swedish men are quite conservative but that they are afraid to get in trouble with the laws. She said “I don’t need a law to tell me what is right or morally right, I have it inside me because of my religion”. Thus she said that she did not fully trust the legal system, and she was not sure that she would be treated fairly if she ended up in trial because of her hijab, but she added “I’m not familiar with laws, no one has taught us how it works. As I said I feel that Sweden is about to go under”. Fahria on the other hand thought that Swedish legal system works most of the times, but that there are laws that do not fit all people in society [could not remember any examples]. However, she said that compared to the legal systems in overall Middle Eastern countries, where women or people from different sects, religions or nationalities are unfairly treated depending on who governs the country, the Swedish legal system works perfectly. She added though, “Absolutely, Swedes come first if it falls between me and a Swede, but it is just normal and understandable that they like their own people better than us”. Khadra on the other hand said “I always hope and I say Yarrab [my god in Arabic language] I hope Sweden bans the veil as France have done, but Sweden is democratic they do not ban it” and she laughs.

#### *5.4.2 Muslim women with other origins*

I might say that the respondents from this group were more sceptical and critical to the Swedish legal system than the previous group. Atia for instance thought that it does not work at all. She asserted that there were many racist policemen that make it harder for them. She gave me an example about her uncle that had been held in jail without any reason for 10 hours on his way to Malmo from Copenhagen, and how they had humiliated him by making him undress and then laughed at him. Although he had reported this incident, they had not yet got any answer after 6 months. She further said that all of her veiled friends that had reported incidents due to discrimination or other incidents they had not been taken seriously. However, she claimed that Swedish women do not get treated better either, and she said, “Sweden cannot protect its women, I actually do not feel safe and that is why I turn to my religion. Islam gives me all my rights and hijab makes me feel safe”. Others thought that the Swedish legal system and laws do look good in books, but the reality might not be the same neither in equality terms between women and men nor not regarding veiled women, Muslims or immigrants overall. They did not perceive the legal system to be as neutral as one might think, since prejudices and racism exist among policemen and judges as well, which they claim

media to have a big impact on since it always shows immigrants and Muslims as “the bad guys”, and thus affects their judgments. Batul further added that Sweden is not as civilised as people might think as she claimed that there is yet much conservatism as well as class-differences and race-differences among men.

Intisar and Leyla on the other hand, thought that the legal system functions very well in Sweden, especially compared to other Western countries, and although there might be differences in the salary system this was not the fault of the laws. Intisar said that she has had veiled-friends that have had fair outcomes, but she said that it is a long and a tiresome one and requires knowledge of the laws or the system overall to make it through. Similarly, Anila that had been discriminated and treated badly several times said that it could differ from case to case. She said “[...] since the first step of your report is made to the police, which is the first stage of a well-functioned legal system, and since there are plenty of them who are racist or do not like hijab, which I personally have experienced, you have to get lucky to meet the right policemen”. She added though that most of the times she had been lucky to meet policemen that have taken seriously her report and above all their own jobs. Furthermore, similar to Intisar she also said that it takes time and energy, and above all have knowledge of laws and the system because one could always report it further. Thus, she told me that she had taken different courses and participated in different seminars about anti-discrimination laws in order to get knowledge of the system, the process and alternative ways. She also mentioned the issue of finding job as a veiled woman, where she said that although there is a law against discrimination, employers do not care, which according to her was partly because one can not prove it and partly because “they know/think that you do not have knowledge of the laws especially if you have an accent”. Furthermore, Atia pointed out that women’s position in society as sex-objects means that they do not have their rights as humans, and she said, “Islam gives me all my rights, by making me realize the weight of my inner and not what men or media wants me to”.

## **5.5 The issue of hijab in Sweden: liberation of women or a fear of terrorism?**

### *5.5.1 Muslim women with Iraqi origins*

This section aim to explore respondents’ experiences and their opinions regarding the debate

on veils and arguments used for banning these in public spaces. Worth pointing out is that respondents from this group were not completely versed with these debates, however, they were familiar with the fact that the debate on a burqa-ban was based on 'living together' notion and in terms of national security, and the debate regarding hijab especially in Sweden was based on the idea of oppression of women. I started with questions in order to explore their thoughts about the prohibition of full-face veils. All but one respondent from this group claimed that these dresses as nothing religious and Islamic, because according to Quran women should cover their beauties but leaving uncovered their hands and especially the face in order to make it easier to communicate with each other. They believed that full-face veils might either have occurred because of a misinterpretation of Quran or of traditions of a certain community, sect or country, and in some case even as an oppression of women. Most of them also highlighted that this kind of veiling was uncivilised and did not fit in the Swedish society. Furthermore, six of them also stated that they would support for a ban on these because of the issue of identification especially considering the last century's acts of terror. For instance, Aisha said "Given the last incidents of terrorism it is not comfortable either for us or Swedish people to not be able to see who the person behind the burqa is". In this sense Zeinab, who believed that burqa is religious, referred to punk rockers and their heavy make-up saying that they are neither identifiable and she said "I don't see anybody debate on that". However, other who although thought that burqa is not something religious said that a ban on these or hijab will not be in accordance with Swedish democratic values of freedom of beliefs, expression, personal identity and freedom of being "yourself". Delal said for instance "Western Europe always shout and brag about equal rights for all, about 'hen' (an in-between word of she and he in Swedish), they scream 'freedom for all'. So one wonders is not burqa a choice of freedom for these women?"

However, regarding banning the hijab Fahria tried to understand it from the standpoints of Swedes because of events of terror, but she said that it would still be against the human rights. Ali also tried to understand it and he refers back to Islam and Quran that says that a Muslim should adapt to the rules and laws that are present in the country ones lives in. Thus he said, "[...] if they ban it in Sweden I would have explained it to my family and either we follow the rules or we move to another country". Azima who wears hijab but does not like it, laughed and said "I hope that it will be banned so I can take it off as well". I therefor asked her what

her husband would do, which according to her he would be sad but he would have accept it. I wondered though if Azima thought that hijab is an oppression of women, and she said “No [...] yes I do not like it now and maybe I feel that I cannot take it of because my husband and my family will be sad, but it is still my own decision, for which even my parents have said they would respect my decision if I decided to take it of”.

I further asked the rest of the respondents why they thought that the veil had been subject for debates and how they related to the assumptions on Swedish debate that ‘hijab is an oppression of women’. Besides Khadra who thought that all women are forced to veil, all of them said that in general it is always women’s own decision, but they acknowledged that there might be women who are forced, which according to them may depend on certain traditions or culture but not on the religion itself. Zara added though that these assumptions are only made in politics, media and certain groups that want to label it that way, because, she said “ [...] today is everything about Islam, if not terrorism this is another way to blacken Muslims”. However, seven of nine respondents from this group thought that hijab and Muslims have been subject to debates because of last decades’ terror actions, but they tried to highlight that “terrorists are not real Muslims”. Delal for instance also claimed that she did not thought that terrorists and Isis are Muslims because she says “people in Iraq or almost overall Middle East countries do not have food to eat and even less to build and finance such a big group”, and she continued “It is all because of Western oil-interest in Islamic states. By blaming hijab to be an oppression of women is just another way to create chaos and occupy people with something else so they can easily achieve their political interests”. Hence, according to all respondents since hijab was a symbol of Islam it was easier to track and make subject of it. Furthermore, some of them also thought that the assumptions or prejudices that Muslim women are being forced to wear hijab was another reason that it had become subject for debates. However, all of them claimed media to have had a big impact on imposing these assumptions to citizens, but they wished that people would ask them instead and heard their side of the story or at least read about it from different sources than only newspapers.

### *5.5.2 Muslim women with other origins*

Likewise the previous group most of the respondents from this group considered that full-face

veils were not religious duties, but might be depended on miss-interpretations of Quran, or traditions of a certain community, sect or country. However, compared to the previous group there was one of eight respondents from this group, Batul, that thought that she would promote for a burqa-ban because it is uncomfortable meeting with a woman whose face you cannot see. As for the rest of them they said that a ban either on full-face veils or hijab is never a solution, and furthermore that it would be against the freedom of beliefs since it was their own choice and belief. For instance Leyla said “Even taking up a proposal or debating on a ban of burqa or hijab is against democracy, because a person's freedom to express himself or herself ends where the next person’s freedom begins”. Same argumentations were made about the debate for a ban of hijab. Amina also added that if a ban on burqa was supposed to liberate these women “ the policemen should not disrespect them and beat them because of their burqa, as they do in France”. Although she was against a ban, she said that it does not fit in the Swedish society and refers to Quran that a Muslim should adapt to the country he or she lives in “[...] because here it is all about interaction with colleagues, people and so on”. However, that is why she did not think that a ban on hijab was unnecessary since the face was visible to others.

The rest of the respondents gave also different examples of dresses that might be uncomfortable for the rest of the society. Furthermore they also touched upon the identification issue and gave examples of dresses that might be un-identifiable as well. I asked also them (besides Batul who does not veil) what would they or their parents do if Sweden prohibited hijab in public spaces. All of them said that they would have battled to prevent this to happen, if not they would rather move from Sweden than take it off because it was their identity, as well as it was their own choice to wear it and it should be their own choice to take it off. Thus, they did not think that their parents would have said anything. Furthermore, Atia also claimed that if they had moved from Sweden as a result of a prohibition of hijab “Sweden will also lose... lose educated, successful hard-working women and Muslim men for that matter”.

In terms of why hijab has been subject to debates in Sweden all of them had different opinions. Four of them thought it might be because of media and propagandas trying to blacken all Muslims by connecting them to terrorism, Isis and other violence’s, making people think of Muslims in that way and therefore people might have gotten scared of all

Muslims. Most of them said however, that despite all propaganda they did not understand how people could be ignorant and not critical to their sources, and could be so much against a simple cloth that meant so much for them (participants) without distorting the society. Ashraf, similar to Delal from previous group, connected it to Western political oil-interests in Middle Eastern countries, and claimed it was a way to distract citizens and to change their focus. Farrah on the other hand, blamed international corporations such as banks (interest rates), alcohol companies and so on, that control the whole society and economy and given that Islam was one of the fastest growing religions that forbids these corporations would harm these corporations. She further added that these corporations control even media as a tool to blacken Islam and since hijab was a clear sign of Islam it was easier to make subject of it.

I further asked them why they thought that the veil had been subject for debates and how did they relate to the assumptions on Swedish debate that ‘hijab is an oppression of women’, which all of them were aware of these assumptions. All of them emphasized that wearing hijab had been their own choice, but they acknowledged that there were women that were being forced to, which they claimed is not because of religion but it may depend on their specific traditions. However, most of them complained but also laughed ironically that no one asks them. For instance, they said, “Have they asked us! [...] Why do they not ask these veiled women instead of inventing these kind of statements”(Atia), “People talk about us as oppressed and they want to ban the veil, but yet no one asks us, they rather avoid our opinions” (Farrah). Moreover, once again all of them blamed media for this denigration, but yet frustrated that people could be so ignorant and believe all what media tells. For instance, Leyla stated, “This is a denigration and vindication of non tolerant people. Instead of asking these women, they think of themselves as intellectually very developed that can think instead of you [...] This is rather a sign that these people force others to accept their views and opinions, in order to get their way, whatever it is”

Lastly, three of the respondents claimed that contrary to oppression hijab is a power they had against men’s lusts “[...] that is the biggest oppression against women” (Farrah). Furthermore, Farrah also added that trying to make them to unveil whether by law or social pressure was another way of oppression against Muslim women. Intisar on the other hand stated that if people looked around they would see many independent veiled women who have

succeeded in their life and that was why she felt more strongly about wearing hijab in Sweden.

## 6. Analysis

This thesis addresses three subjects, namely multiculturalism, the Swedish legal system and the debate on veil in Sweden from the standpoint of Muslim veiled women and their experiences. Habermas' theory of communicative action will be my theoretical point of departure in my reflections on the findings in the light of the previous section. In some contexts however, I will have a critical approach to his assertion that the democratic debates should take place at the macro-level.

Habermas emphasizes that language is a medium in communicative action in order to reach understanding and achieve consensus on social issues and the legal system. Rationality in this sense is not based on an objective-subjective interpretation of an issue but a subjective-subjective relationship communicated between individuals. Therefore, according to Habermas interference-free communication is the most important part of rationality in order to prevent for a distorted communication. Although I divided the interviewees into two groups and the findings revealed various experiences in some contexts, hence perceptions of their social life, there is one important finding that embrace all of the interviewees: to be heard and to tell their own story. In other words, the analysis of data indicate that there is a great need among all participants to be recognized whether as individuals or as a group of Muslims or veiled-women living in Sweden or elsewhere. Besides being incredibly motivated of my research, this emerged already in my first questions regarding their conception of Islam, the Quran and hijab where all of them were making sure to thoroughly describe what these mean to them individually but also as a group [Muslims] in order to correct for the denigrated image of Islam as a result of terrorism, propagandas and the majority's prejudices against them. Both groups emphasized that their religion is their lifestyle and their identity, while the Quran is the guidance and/or the law-book similar to the Swedish law-book, which according to them is tightly linked to morality and not doing harm to others nor the society. By indicating to the acts of terrorism, violence and so on, most of them emphasized that real Muslims who not break the rules of the Quran would also be those that do not break the rules of the Swedish law-book, otherwise they can not count as real Muslims. 15 of 17 participants perceive hijab

as a symbol of Islam while the rest two respondents either claim that it might depend on certain traditions or that it is just an oppression of women. Furthermore, one respondent with Iraqi origins and almost all of the respondents from my second group emphasized that veiling was about protection, self-respect and independence against men's lust and against the image of women as sex-objects in the contemporary society that is impacted of fashion media.

Dividing the interviewees into two groups resulted in various answers regarding their perspectives of multiculturalism in Sweden and the Swedish legal system. A prominent distinction was that while most of the respondents from the first group considered that multiculturalism and the legal system functions quite well in Sweden, the second group was a little critical. Most of the respondents from the first group claimed that Sweden was an example of multiculturalism, because all cultures, ethnicities, religions and so on live in harmony in Sweden. However, as it appeared in the later stages of the interviewing what they were actually referring was Malmö and especially Rosengård, in which almost all of them live and/or work. Recognition of a collective identity is according to Taylor (1994) an important factor in a multicultural society. Otherwise he states that a misrecognition or un-recognition can cause damage and be a form of oppression by being forced into a false, distorted and derogated existence of a person and/or a group of people (ibid). When I asked the respondents from this group if they had many Swedish friends, some of them were taking a position of defence by saying for instance "I respect them all; they have welcomed us (Aisha); they have accepted our traditions (Fahria)". Others such as Zainab would on the other hand blame the immigrants and especially Muslim's attitudes and unwillingness to integrate to have caused to Swedes unwillingness to socialize with them. The respondents also claimed that they may have been stared at and maybe treated badly in times, but that it does not necessarily mean is because of their hijab. Moreover, in either case they expressed understanding as they claimed it depends on the last decade's incidents of terrorism and violence, which according to them have resulted in a fear among the majority against all Muslims. Hence, they also stated that as long as they do not do anything bad/wrong there was no reason to be treated badly, otherwise it is only right to be treated that way. Connecting this outcome of misrecognition with Habermas' interference-free communication in which he advocates that all parts should be included in order to prevent for a distorted communication, the absence of their participation

seem to not only have resulted in a distorted communication of majority's prejudices against them but also in their own perception of themselves.

On the other hand, given the historical background of Iraq of hundred years of on-going war and inequality among different ethnicities, religions, sects, as well as between men and women, it is rather expected that Muslims with Iraqi origins experience that multiculturalism and the legal system in Sweden functions well as they both directly and subconsciously compared it to Iraq. For instance, a respondent compared to Iraq both in regard to the overall Swedish legal system and also their discrimination at the labour market by claiming that they have had it worse in Iraq especially as women, and stated understanding that Swedes would be treated better than them as these are their own people. The same respondent also claimed that there were laws that she did not think would fit to everyone living in Sweden, but she meant that Sweden is the Swedes country and they can implement whatever law they want. From this there were three of nine participants who did not think that multiculturalism existed in neither Sweden nor overall Western European countries by giving examples of experiences of their own or someone they knew that had been badly treated or even discriminated and stared at. For instance, Delal who had been exposed to discrimination and bad treatment several times, claimed that Sweden is not the paradise she thought it to be, but yet showed understanding that Swedes are not happy with immigrants taking their jobs. However, she stated that Sweden was their home as well and that they study and work as hard as anybody else and therefore should not be treated as outsiders.

Regarding the legal system however, it was clear that almost none of the respondents from this group had any experience or knowledge about it, but they believed that it was fair and equal for all citizens. In this sense however, Delal and Azima who had recently moved to Sweden, complained that no one had taught them how the system or the society works. Furthermore, in regard to both multiculturalism and the legal system, Delal made a comparison to the war in Iraq, but compared to the respondent with Iraqi origins, she implied that with all actions of hatred they are exposed to in Sweden especially after the 9/11 incident, was yet another war but this time a psychological war and therefore made her doubtful for the future of the Swedish legal system.

As for the second group of respondents, three of them also stated that multiculturalism works well in Malmo, but that they had seen changings and segregation in the society. In this context some of them took examples of certain areas in Malmo that are predominantly inhabited by Swedes, such as Limhamn where they do not feel welcomed because they get stared at. However, one of them also claimed that compared to other Western European countries Sweden can be taken as an example of 'living' multiculturalism and a working legal system, but she meant that it was not enough as most of the immigrants would change their names in order to find a job or simply to be accepted by the majority, which according to her was a sign that the society does not accept differences, "this is not what democracy stands for" she said. On the other hand, most of them also stated that 'multiculturalism' for them meant 'Rosengård' as it was there where all different ethnicities, religions, cultures and so on live all together in 'harmony'. Hence, they claimed that this was also why they did not care much of being treated badly or stared at as they have their own zone where they could be themselves and feel welcomed and accepted with their differences. In this context, some of them such as Batul and Ashraf claimed that multiculturalism has not and it is not working as the society is divided into groups and it is rather a segregated society filled with hate and racism, rather than an integrated society. Batul further blamed the politics for putting all immigrants in the same place, which according to her had led to further segregation as they tend to stick to each other and their own cultures and made it harder for them to integrate in the Swedish society. Hence, none of the respondents had many or any Swedish friends since accordingly immigrants to each other and Swedes hold to each other. Ironically though, Atia for instance made a joke of it by stating "I'm from Rosengård none of Swedes want to be friends with us, but the fact is we do not care because it is a clash of culture anyway...". Taylor's theory about the damage caused by the un-recognition of groups or identities actually applies here as well, since people living in these suburbs seem to have a distorted view of themselves and the way they are perceived by the majority as inhabitants of ethnic suburbs. Moreover, based on these findings it seems to me that the integration policy or measurements taken in order to foster for multiculturalism have not been very successful, as it appears that it has contributed to their social isolation and a division of 'we' and 'them' and an unambiguous segregation.

Regarding the Swedish legal system, some of them (respondents from the second group) stated that it does look good in books but it might not always work in reality, neither in

equality terms between men and women nor regarding veiled women, Muslims or immigrants overall. Atia for instance stated that Sweden cannot protect the women, neither Muslim nor Swedish women, and that was why she had turned to her religion in which wearing hijab made her feel safer. On the other hand, some of them stated that it might work even in reality but that it takes energy, mood and requires knowledge of the laws or the overall system in order to get justice. Furthermore, they also emphasized that the first stage of a working legal system is the police and since even those might be racist or with prejudices against immigrants and Muslims, which they claimed media to have had a big impact on, made it even harder for them to have a fair treatment. However, they emphasized that they believed that most of policemen are good policemen, but they claimed that one might just have to be lucky to not encounter the ones that are not. Nonetheless, they all had stories of their own or someone they knew that had been discriminated or unfairly treated by both policemen and the overall Swedish population. Especially the most occurring happenings were the fact that they all, from both groups, were being stared at or being treated badly and most of the times without a direct indication to their veil. This had made them doubtful whether it was because of their hijab, which prevented them of taking legal actions or making reports, as they could not prove it to be because of it. A same dilemma was also regarding indirect discrimination at the labour market. In this context, Anila who had been exposed to several discriminations and also have raised charges against them emphasized that most of the veiled women may rather take of their hijab because they are not strong enough to fight for their rights or they would just stay (live and work) in their own 'comfort zone' such as Rosengård. Furthermore, Batul stated that although she did not veil people would take a step back when she tells them she is a Muslim.

Consequently, we have two issues in the context of being treated badly and furthermore being stared at: the issue of burden of proof and a distorted communication of racism and incitements of hatred. As previous research has shown since the burden of proof falls to the subject, the lack of evidence has always been a dilemma as it leads to either none of them raises charges for being discriminated or those who do would not have their legal matter approved. As for the second issue the analysis indicate that legislations of anti-discrimination in terms of ethnicity, religion or other beliefs, have not ceased the feelings of racism, prejudices or incitements of hatred, it has only given the discrimination another form, mostly

a silent one. This however, is partly explained by Habermas as well, as he states that the modern rationalization of law implies only a displacement, but not an elimination of moral questions. Banakar (1994) for instance argues that the legislations that are created at the political sphere as a result of a debate at the macro-level do not change social behaviour. Given that anti-discrimination laws have occurred as a result of Sweden's convention with the European Union (Government Bill, 2007/08:95) and not as a result of a societal discourse, this has caused a distorted communication of racism. As it has not been able to change social behaviour, in this context eliminate racism, incitements for hater, prejudices and so on, it has only oppressed these feelings, which therefor come to the surface in different forms.

As mentioned at the beginning of this section and as it got revealed so far in the analysis there is a great need among all respondents to be heard and to be recognized. This need seemed to have become even deeper because of media's illustration of Islam, which according to respondents has resulted in prejudices against Muslims and veiling women. Habermas argues that public debate, and in this case media and journalists, have a very important role as mediators of reality to the public through news media. However, he criticizes that only information that journalists think is newsworthy is elected and therefore control the discussion in the public space. Consequently, most of the respondents also highlighted that the only news media presents about and relates with Muslims is either terrorism or Islam as a violent religion, or that Islam oppresses the women where hijab was a symbol for that, and so on. For instance regarding the allegations in the debate that veil is an oppression of women, some would also state that this was just another way for politics and/or media to blacken Muslims or to create chaos, distract citizens and change their focus in order to easily achieve their political oil-interests. Hence, almost all of the respondents from both groups apprehended the extensive debate on veil and veil-ban to have occurred because of the media.

However, even in the context of media and the debate of different forms of veiling, there was a distinction of perceptions between two groups. Most of the respondents from the second group believed that whatever media illustrated, people should not need to be ignorant but they should instead do further readings. Moreover, although regarding full-face veils most of the respondents from both groups did not thought it was a religious duty for Muslim women, but that these may have been developed as a result of traditions, misinterpretations of the Quran

and in some cases even as an oppression of women, six of nine interviewees with Iraqi origins believed that these veils should be banned. They believed that similar to the discourse and justifications/arguments for public safety, due to terrorism, and the concept of 'living together', the full-face veils arise issues of identification. According to Fraser (2003), social justice requires cultural recognition because cultural un-justice due to misrecognition of it, would induce that inferior groups will be deferred to interpretation patterns which are associated with the group of more status or another culture that is foreign to or hostile to the inferior group's interpretation. Hence, one might wonder if these respondents have been impacted of media as everyone else? Moreover one might also wonder if it is because they did not see full-face veiling as a religious duty in which expressing same opinions with the majority might be another way to be accepted by them? In either way, we have yet another issue of un-recognition either from the standpoint of those women who wear full-face veil or because they are willing to un-recognize the other in order to be recognized themselves. The rest of the respondents believed however, that after all it was these women's own decision to wear it or not. These respondents, even those who thought that full-face veiling was not a religious duty and it did not fit in the Swedish society, still thought that banning them altogether, including hijab, was not in accordance with democratic values, such as freedom of religion, freedom of speech and freedom of being themselves, and therefore it would be a violation of their rights as women and as human beings. As regarding the ban on hijab the respondents from the first group had also similar opinions. Most of the respondents from both groups also stated that even debating on this was hilarious and not what democracy stands for. In this context even Azima who did not like hijab even if she continued to wear it, emphasized that neither Islam as a religion nor hijab per se is an oppression of women.

Regarding the supposition that dominates in the Swedish debate that veil or hijab is a subjugation of women, although all of the respondents acknowledge that there are and might be women that are forced to veil might, they strictly refused was because of the religion. Therefore all of them were making sure to stress that wearing hijab had been their own decision. This topic seemed to be a very sensitive one and I could tell that it made them frustrated. Respondents from the second group either ironically or not, asked if people that made these kinds of statements have ever asked for their opinions. Some of them would also state that trying to make them unveil whether by law or social pressure was just another way

to oppress Muslim women. They further argued that the fashion-media, consequently the contemporary society, have turned women to sex-objects and those who veil were therefor were presented as unintelligent and ignorant women, and incompatible to integrate in society while in fact it is the society that repels. Therefore some of them also stated that wearing hijab had become even more important to them, especially as they get higher education, succeed in their carriers and so on. Respondents from the second group further claimed that those who believe in such propagandas, as well as those that are debating about it without asking veiled women themselves are instead those that are ignorant and non-tolerant people that "...think of themselves as intellectually very developed that can think instead of you...This is rather a sign that these people force others to accept their views and opinions"(Leyla). Based on Habermas' argument that democratic debates should take place at the macro-level meaning that representatives should represent the interests of a certain group, implicates that voices of a certain collective identity cannot be heard unless they organize themselves in forms of movements to be able to take part in the public debate. Hence, the absence of their participation in the public debate seems to have resulted in a distorted communication that might result in devastating outcomes in legal sense.

## 7. Conclusion

The aim of this essay was to reveal Muslim veiled women's experiences and perspectives of multiculturalism, the Swedish legal system and the Swedish debate on veil. Although my primary group of interviewees were Muslim veiled women with Iraqi origins, I included a second group of Muslim veiled women with other origins than Iraq, as these women voluntarily wanted to participate by claiming that the issue of being a hijab-wearing woman in Sweden was an issue to all of them. This study was guided by the following research questions:

- *What are the Iraqi Muslim women's experiences of multiculturalism, legal system and the debate on veil-ban in Sweden?*
- *How do the veiled Muslim women on the whole experience the above-mentioned issues in Sweden?*
- *Why nobody asks Muslim veiled women?*
- *Why is the discourse on multiculturalism often formed in such a way that it excludes Muslims?*

- *What can law and the legal system do to bring balance into this discourse?*

An important finding with this essay was that including Muslim veiled women with other origins than Iraq, a man and unveiled women, and listening to their stories of being badly treated, stared at or else, confirmed in a way arguments from previous research that Muslims, being men or women, veiled or not, from Middle Eastern or from elsewhere, are perceived as a homogenous group in Western world and are treated in the same way. Moreover, dividing participants into two groups has given me noteworthy findings on how people with previous experiences of war and injustice often perceive and experience their social life in Sweden different to those who do not have similar experiences. An important observation was that Muslim veiled women with Iraqi origins compared directly or subconsciously their experiences and their social life in Sweden to what they had in Iraq. This resulted in that most of the respondents from this group despite their experiences of obstacles, being stared at and badly treated, had a positive view of both multiculturalism in Sweden and the Swedish legal system. Moreover, they either would take a position of defence for not being more integrated or socialized with Swedes and/or expressed understanding for being treated badly which according to them was either because of them doing something wrong, the last decades' incidents of terrorism, the Western perception that Islam and hijab is an oppression of women, the image that Muslims have caused because of their negative attitudes and violence or because immigrants are taking their jobs. These reasons according to them were also why hijab as a symbol of Islam has been subject to extensive debates in Sweden and elsewhere in Western Europe. There were only two of them who thought that multiculturalism does not exist in either Sweden or any other European country. As regarding to the Swedish legal system, although the interviewees from this group did not have much knowledge, most of them believed that it treats fairly all citizens in Sweden. In cases that it did not work some of them also stated it might have been either because there was a lack of evidences or as one of them also claimed that it is simply normal if they treat the Swedes better than them because Swedes are their own people.

In contrary, the respondents from the second group although most of them believed that compared to other countries Sweden actually was a good example of working multiculturalism and just legal system, they were still a bit critical. They thought that the idea

of multiculturalism did not hold enough and they had started to see changes in the society as all of them had experienced of being stared at and/or treated badly. They claimed that multiculturalism might work in Malmo and especially in ethnic suburbs, but not in general Sweden as there was far too much prejudice and stereotyping. Moreover, they did not believe that their veil or even being immigrants are neither accepted by all Swedes who live in Malmo and especially those who were residents of Swedish inhabited suburbs. Accordingly this had caused further segregation and groupings between Muslims and Swedes, since Muslims did hold to each other, they lived and worked in their own suburbs, and Swedish people did hold to each other. Therefore, as none of them had any Swedish friend, they meant that multiculturalism might be working among immigrants or Muslims, but not between immigrants and the Swedish people. As regarding the Swedish legal system all of them thought that it does look good in the books, but the reality might be different especially in terms of discrimination. Most of them claimed that one must be lucky to meet the right policeman or judge as they too may have prejudices and be racists. However, they claimed that there were different ways to have a fair outcome but that it would require energy and mood, and above knowledge of the laws and the legal system. Hence, some of them claimed that since not all Muslim veiled women had knowledge or even mood to take it further led to that some of them would unveil, but more importantly most of them had simply isolated themselves in their own suburbs where they felt welcomed. The statement of choosing to stay in their own suburbs or 'comfort zone' was actually also directly expressed by some of the respondents from this group. Most importantly though, I might say, that I had already observed this to be the case for the interviewees from the first group as they seemed happy to be living and working in their own suburbs and therefore were a bit distant when answering questions about multiculturalism and the legal system.

Regarding the debate in Sweden in which the veil, including hijab is stated to be an oppression of women, although all of the respondents acknowledge that there are some women that have been forced to veil, 16 of 17 participants refused these statements to be true for every veiled woman and were making sure to stress that wearing hijab had been their own choice and decision. In this context, while some of them would blame media and politics to have impacted and resulted in these prejudices and stereotyping of Muslims, veiled women and overall Islam, some of the respondents from the second group argued that the fashion-

media, consequently the contemporary society had turned women to sex-objects and those who veil are therefor against this stereotyping and therefor are illustrated and perceived as oppressed, unintelligent and ignorant women that can not think for themselves. Hence, they claimed that taking for granted veiled women's opinions and trying to decide what was best for them, was instead an act of ignorance and non-tolerance as well as that this was another oppression of Muslim women. Consequently, a conclusion is that although there might be differences of experiences regarding multiculturalism and the legal system in Sweden between two groups, or all respondents for that matter, there is one important finding that embraces all of them: to be heard, to tell their own side of story and to be recognized whether as individuals or as a group of Muslims or veiled-women living in Sweden or elsewhere.

By applying Habermas' theory of communicative action where he emphasizes the interference-free communication to be the most important part of a subjective-subjective communication and interpretation of an issue, this essay reveals that the absence of veiling women's participation have resulted in a distorted communication, which according to most of the respondents, this have caused for prejudices against them. Moreover, this essay also reveals that the misrecognition of these women has actually resulted into a distorted and derogated existence of themselves as Muslims, immigrants as well as inhabitants of suburbs. However, most of the respondents from the second group and some from the first group either directly or indirectly blamed politics or 'certain groups' to have their own interests in denigration of Muslims in order to change the focus of the citizens so they can easily achieve their goals and therefor not willing to include these women's opinions in the public debate.

Given these arguments as well as their need to be heard, my question is: *Why nobody asks Muslim veiled women?* Trying to answer this question based on Habermas' argument that public debates in a democratic society should take place at the macro-level, various ethnic minority groups do not get the equal chance to participate in the public political discourse because they either do not have representatives or even if they do, their representatives do not have political influence and access to the media and political institutions which dominate the public political discourse. It is very much a question of power. Based on this theory these women's voices can therefor not be heard unless they have a representative, and one with high political influence for that matter. In context of law and regulation this might result in

devastating effects for their social life and their integration in the society, as the public debate would reproduce the values of the majority that not always are in favour to all citizens, such is the emergence of the veil-ban in France or other Western European countries. In addition, this essay reveals that the anti-discrimination laws in terms of ethnicity and religion that have been produced at the political sphere are yet another distorted communication. This, because these laws do not seem to have eliminated racism, incitements of hatred, prejudices and so on, but have only changed the form of discrimination to a more silent form such as staring or as in labour market by simply not hiring veiled women. Ironically enough is though that even in this context some respondents, especially those with Iraqi origins, tend to have a distorted perception of themselves by assuming that maybe they are just being sceptical and it is not because of their hijab.

In my attempt to answer the fourth question *Why is the discourse on multiculturalism often formed in such a way that it excludes Muslims?*, the literature review indicate that in general Western Europe, religious beliefs and more specifically Islamic beliefs have been the main reasons for merits and demerits of multiculturalism. The adherents presuppose exclusion of Islamic beliefs, hence excluding the culture of Muslims, in a liberal state of law as Islamic beliefs are supposed to have fundamentalist characteristics and therefor are not in accordance with the liberal values, such as respect for the individual rights. These arguments are further justified either with the acts of terror and/or violence or Islam being a subjugation of women. However, the findings of this study as well as previous research reveal that since hijab is the easiest identification of Islam, Muslim veiled women are actually the hardest hit by this exclusion both in terms of their absence in the public debate and also their discrimination in the society, including the labour market.

Answering my last question *What can law and the legal system do to bring balance into this discourse?* by applying Habermas' theory of the democratic state of law who favours human rights as a general framework of a multicultural society and claims that law should be 'neutral', asserts that the preservation or reproduction of cultural values should be legally enabled, but not granted (Habermas, 1995). He argues that individuals should have the freedom to either refuse or to choose what values they want to carry on, by which if there would be legal guarantees of survival of cultures it would deprive members of this freedom.

However, Habermas conception of liberalism is not in the abstract sense and he realizes that individuals must be understood in intersubjective terms, and that law must recognize that the 'legal person' is individuated through socialization processes (ibid). In this context the Swedish government and the general Western Europe have implemented anti-discrimination laws which will enable 'the legal persona' (in Habermas' words) to have a fair treatment in a court. However, since the burden of proof falls to the subject this study has revealed that the lack of evidence appears to be a dilemma among Muslim veiled women especially since discrimination often has a silent form. Therefore, I believe that in order to make it possible for different cultures, ethnicities or else to live in harmony, the anti-discrimination laws should be more comprehensive and explicit of what kind of behaviour or words can be counted as racist, islamophobic, xenophobic, offensive and as incitement to hatred. For instance statements that indicate that Muslims are incapable of adaptation and integration because of their radical and fundamental values made by SD's representatives or propagandas especially these on media and networks, should be better regulated or more restricted. This emerges especially to be essential since these people [Muslims or Muslim veiled women] do not get the opportunity to participate in the public debate and neither to defend themselves. Moreover, as one of the respondents stated:

[...] In a democratic society, a person's freedom to express herself or himself ends where the next person's freedom begins" (Leyla).

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## 9. Appendix

### List of participants:

*Muslims with Iraqi origins:*

1. Aisha: 55 year-old, moved to Sweden in 1997, self-employed, works and lives in Rosengård.
2. Ali: 32 year-old (male), moved to Sweden in 2001, self-employed of 3 different small stores in Rosengård and Möllevångstorget, lives in Rosengård.
3. Amal: 29 year-old, born in Iraq, moved to Sweden at age five, works in a preschool in Rosengård.
4. Delal: 48 year-old, moved to Sweden in 2002, have studied and worked with agronomy in Iraq, have studied assistant nurse and preschool teacher in Sweden, works in a preschool in Rosengård.
5. Fahria: 54 year-old, moved to Sweden in 1999, have studied and worked as statistician in Iraq, have studied preschool teacher in Sweden, works in a preschool in Rosengård.
6. Zainab: 19 year-old, born in Sweden, father from Iraq and mother from Bosnia, lives and works in Rosengård.
7. Zara: 27 year-old, moved to Sweden before she turned 1, pharmacist, unemployed, lives in Rosengård.
8. Azima: 19 year-old, moved to Sweden 8 months ago, studies SFI (Swedish for Immigrants).
9. Khadra: 58 year-old, moved to Sweden 21 years ago, economist from Iraq, works in an Iraqi culture association.

*Muslims with other origins:*

1. Anila: 22 year-old, born and raised in Denmark, moved to Sweden nine years ago, parents from Bosnia, works as a preschool teacher.
2. Amina: 18 year-old, born in Sweden, parents from Bosnia, high-school student, lives in Rosengård.
3. Ashraf: 25 year-old, born in Sweden, parents from Lebanon, economist, unemployed, lives in Rosengård.
4. Atia: 20 year-old, born in Sweden, parents from Palestine, works in a refuge camp, student at Malmo University, lives in Rosengård.
5. Batul: 26 year-old, born in Sweden, parents from Lebanon, an aesthetician.
6. Farrah, 22 year-old, born in Sweden, parents from Syria, student at Malmo University, works extra in a foreign-supermarket, lives in Rosengård.

7. Intisar: Age 26, born in Sweden, parents from Lebanon, studied nursing aid but works as a shop assistant in Rosengård, lives in Rosengård.
8. Leyla: Age 23, born in Germany, moved to Sweden at age 5, parents from Turkey, student at Malmo University.

### Interview questions:

1. Tell me about yourself: age, civil status, employment, education, country of birth and so on. (How long have you lived in Sweden?)
2. What does Islam, the Koran and hijab signify for you?
3. What factors have influenced your choice to wear hijab?
4. What does multiculturalism mean to you?
5. What do you think about multiculturalism in Sweden? (Do you think it works?)
6. Has the Swedish society ever made you feel that you should not wear hijab or that you should take it off?
7. Do you think the veil is an obstacle in the Swedish society?
8. What do you think about Swedish legal system?
9. What do you think about women's rights respectively men's rights in Sweden?
10. What do you think about the veiling women's rights in Sweden?
11. Have you ever felt to be badly treated or discriminated because of your hijab / religious belief?
12. What do you think about the Swedish debate about a national ban on the burqa, niqab etc., and / or a ban in elementary school and high school?
13. What do you think about banning hijab in elementary school as some European states have implemented?
14. Why do you think Muslims and the veil has become subject to debates in Sweden and Western European countries?
15. What do you think regarding the statement / assumption that the veil is an act of women's oppression?