



House of Lords

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Greetings to all who are attending this important meeting convened by MARIAS.

I greatly regret that I am unable to be with you in person as I was taken ill and briefly admitted to hospital while abroad last Wednesday. Although I am much better, I am still not well and I have been strongly advised not to drive to Peterborough to speak today. I am so sorry. I am therefore sending this statement to indicate why I support so much of what is being undertaken by Toni and her vision for MARIAS. I share many deep concerns.

1. The growth of Sharia Courts/Councils in the UK and Gender Discrimination

Sharia Law inherently promotes gender discrimination, inflicting suffering on many Muslim women in ways which would make our Suffragettes turn in their graves; and threatens liberal democracy's fundamental principle of One Law For All. Sharia Courts/Councils' gender discrimination against women includes:

Unilateral divorce: a husband can just divorce his wife by saying 'I divorce you' three times; but women have to obtain permission from a religious authority, often a Sharia Council or Court; they may have to pay money and also fulfil other conditions. Sometimes, their husbands will not give them the money, so they are trapped in the marriage. One lady described to me how, in theory, she could obtain a divorce, but as she could not obtain the money, she felt as though she was in a room with an open door to freedom, but tied to a chair so she could not walk out to enjoy that freedom. Usually, the husband does not have to pay anything to obtain his divorce. When I asked an Imam why a man does not have to pay any money, indicating that it takes two people to divorce, I never received a reply.

Polygamy: under Sharia Law, a husband is entitled to up to 4 wives, provided he takes responsibility for making appropriate provision for them all. In many Muslim communities in this country, polygamy is commonplace – although, as a nation, bigamy is legally forbidden. A report written by a courageous Muslim woman, Habiba Jaan, entitled '*Equal and free? 50 Muslim Women's Experience of Marriage in Britain Today*' describes the marital situation of 50 Muslim women in the West Midlands.

Many were married in polygamous marriages and said their husbands fail to provide financial support – in contravention of Islamic teaching. Some were not even aware they were being married into a polygamous relationship; many are desperately unhappy.

Discriminatory inheritance provisions: a girl or woman is usually receives only half of any amount left to a boy or man.

Physical violence: some forms allowed by sharia law and women who seek help from Imams and/or sharia courts/councils often fail to receive the help they desperately need.

Custody of children following divorce: Sharia law may require children to be given into the custody of their fathers once they reach a certain age. This is in contravention of UK policy which requires decisions on custody to be made according to the principle of 'the best interests of the child'.

2. **Many Muslim women do not know their legal rights in this country.**

In Habiba Jaan's study, many Muslim women said they wished they had known that an Islamic marriage is not recognised as a legal marriage according to British law and that therefore, for example, they have no rights if they are subsequently divorced by their husband. This leaves them – and their children - without any rights in law if they are divorced. Many say that they are not told that the religious marriage does not simultaneously provide for a legal marriage; others say that their husbands-to-be and/or the families discourage them from obtaining a legal marriage.

This, of course, leaves the husband free to practice polygamy without breaking the law against bigamy.

A related aspect of these practices of polygamy and unequal access to divorce is the number of children which one man may have. Several Muslim women have told me that men in their communities may each have up to 20 children. This clearly paves the way for children growing up in dysfunctional families who may become very vulnerable to marginalisation and potential radicalisation.

3. **Pressure on Muslim women who live in closed communities not to seek 'outside' professional help which could be deemed to bring 'shame' or 'dishonour' for their families or communities.**

4. **The reluctance of many police, social workers and other statutory authorities to intervene to protect women who are suffering abuse, apparently for fear of upsetting 'cultural sensitivities'.** This may not only prevent adequate protection for vulnerable Muslim women and girls but may also inhibit effective intervention regarding the predominantly Muslim 'Grooming Gangs' and the barbaric suffering

inflicted on British girls and women, such as the horrific situation discovered in Rotherham.

There is cause to believe that other similar horrific situations continue elsewhere in the UK which have not been appropriately addressed. At a recent Conference to establish a Day of Memory for victims of so-called 'Honour'-Based Killings, survivors repeatedly spoke of the failure of police to provide protection for victims of violence because of reluctance to upset cultural sensitivities. The next day, I asked a question in the House of Lords asking the Government what measures they are taking to ensure that such concerns do not inhibit the police and other statutory authorities from ensuring adequate protection for vulnerable citizens or the fulfilment of the law of our land.

5. Response to these Problems.

To raise awareness of the seriousness of these problems, I have introduced a Private Member's Bill in the House of Lords which had a previous excellent Second Reading Debate on October 19th 2012 with support from all sides of the House, but was opposed by the Government on the grounds that every citizen has full and free access to the laws of the land.

As I have already said, this is manifestly untrue as many Muslim women are ignorant of their legal rights and live in very closed communities with tremendous pressure from families not to seek 'outside' professional help which would bring 'Shame' on the community.

The Bill seeks to address some of these problems by trying to ensure that all women know their rights under law in this country, as well as providing more protection for victims of domestic violence and outlawing the operation of quasi-legal courts.

6. The Evidence.

All my concerns are based on first-hand testimonies from Muslim women and those committed to trying to help them. Time does not allow me to tell the harrowing accounts which I have heard from women which have compelled me to use the privilege of being in the House of Lords of the British parliament to try to raise awareness of suffering which should never be allowed in our country today. One woman told me: *"I feel betrayed by Britain. I came here to get away from this and the situation is worse here than in the country I escaped from"*.

I will be pleased to provide further evidence, including some of the horrific situations which have been described to me or are on the record in other places – as well as to receive further evidence in order to challenge our Government to take appropriate measures to ensure protection for all citizens of our country, promotion of the human rights of all people, especially vulnerable girls and women, and the punishment of all who break our laws.

7. Fundamental Freedoms.

Before concluding, I must I emphasise my fundamental commitment to the essential Freedom of Religion and Belief, as enshrined in Article 18 of the Universal Declaration of Human Rights. If women are genuinely happy to accept these provisions of Sharia Law, then they have every right to do so.

However, where women and girls involuntarily suffer as a result of the policies and practices of Sharia Law either because of family or community pressure or because they are not aware of their rights in this country, this should be a matter of concern in a country committed to the eradication of unacceptable gender discrimination and the promotion of gender equality.

While respecting freedom of religion and cultural diversity, I do not believe we should allow these to override the law of our land or to deny women the knowledge of their rights and the freedom to access them. I believe we cannot just look the other way while they suffer in our country where we have responsibility to protect and promote fundamental freedoms and gender equality.

8. In conclusion: given the suffering of literally countless Muslim women in our country today, I respect the commitment of MARIAS to try to raise awareness of this totally unacceptable situation and to provide a lifeline for these women.

Also, I respect the need to raise awareness of the threat to our democracy of allowing a parallel quasi-legal system which threatens the fundamental principle of One Law For All, especially in this year of 800th anniversary of the signing of the Magna Carta.

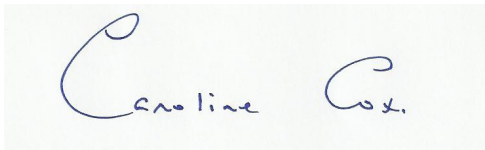
And I respect Toni's genuine commitment to create a forum which will make it acceptable to discuss these threats to the fundamental values of our society – a forum which is not associated with extremist elements such as those of the EDL and BNP. This is why I have also put on record my dissociation from Sharia Watch: I was pleased to host the launch in the House of Lords, as I have a passionate commitment to freedom of speech. However, subsequent developments have caused me to withdraw my support as I believe it is essential to maintain a moderate, balanced and non-confrontational discussion regarding these sensitive issues.

There is a growing concern in many areas over the problems which MARIAS seeks to address but an anxiety over a lack of public space in which to do so, without being labelled as Islamophobic, racist, extremist, etc. I therefore hope that MARIAS can provide an arena where people who share these concerns, including courageous Muslim women, can come together to identify problems; put concerns and experiences on the record; work to enable citizens of this country to live together in harmony; promote the rights of all citizens; protect those who are vulnerable and enable all to live in safety according to the laws of this land.

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This is why I have introduced my Private Member's Bill in the House of Lords which would introduce measures to address some of these concerns, which is widely supported by several Muslim women's organisations and by many Muslim women. And this is why I support the fundamental objectives of MARIAS, as I understand them, as they reflect these concerns and proposed solutions.

I am pleased to send my best wishes to all who gather here to promote these endeavours and I passionately hope we can work together to ensure we pass on the fundamental freedoms which we have inherited, undiminished, to our children and children's children.

A handwritten signature in blue ink on a light green background. The signature consists of the name 'Caroline Cox' written in a cursive style. The first 'C' is large and loops around the name. The second 'C' is smaller and also loops around the name.