

Miller Fellow: Clara Dorfman

Faculty Sponsor: Professor David Oppenheimer

Project: Hijab in Europe



Clara Dorfman is a 2L at Berkeley Law interested in appellate advocacy, international human rights, and equal protection litigation. During her time at Berkeley she has been involved in the Workers Rights Clinic with Legal Aid At Work, the Berkeley Journal of African-American Law and Policy, Ecology Law Quarterly, and the Native American Law Students Association Repatriation Committee. She spent the summer after her first year in law school working in the civil appeals section of the Alaska attorney general's office, focusing on issues regarding federal Indian law and environmental policy. Prior to law school Clara worked in the House of Representatives and for the 2016 Clinton campaign. She attended the University of Pittsburgh, where she studied moral philosophy and Italian literature.

Over the past two decades, beginning in France and spreading across Europe, laws have been enacted and policies adopted restricting Muslim girls and women from covering their heads and faces in various public places. These laws are sometimes justified as neutral promotions of secularism, or alternatively as necessary to promote equality and community, but the intent is usually clear -- to restrict religious expression by a small intersectionality identified group. The two pan-European courts (the CJEU and ECtHR) have enabled these discriminatory policies when applied to Muslims, while restricting them when applied to Christians. This paper will examine the growth of these restrictions over the past few years, and whether the COVID-19 pandemic has had any impact on their enforcement.

Clara Dorfman will work with Professor David Oppenheimer at the Berkeley Center on Comparative Equality & Anti-Discrimination Law on a report on legal restrictions imposed on Muslim women who wear the Hijab and/or cover their faces in Europe, and how these restrictions have been affected by the COVID-19 pandemic.