

Freedom, Norms, and the Ban of the Muslim Veil in France: 1830-Present

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Abstract: This paper investigates the 2004 headscarf ban in French schools and the 2011 veil ban in French public spaces in order to understand them from both a historical and a human-rights perspective. It seeks to answer two questions. First, how do the French policy of secularism and the bans on the headscarf and veil limit the rights of Muslim women? Second, how did assumptions about gender and religion shape the formulation of the bans? Research methods include an examination of both secondary and primary sources, with primary sources drawing from news articles and reactions of Muslim women. My research shows that with perceptions of the veil tracing back to colonial Algeria, the French state perceives an incompatibility between Islam and the nation. I conclude that the bans impose normative gender roles and constructs of personal identity on Muslim women based on a French assumption that the veil negatively impacts women's rights. Furthermore, with these bans, the French state places Islam in opposition to French national identity and implies that the two cannot co-exist. My conclusions elucidate the ways in which conflicting systems of norms can lead to legislation that limits rights based on false assumptions.

Introduction

On April 11, 2011, Kenza Drider stood outside Notre Dame in her *niqab*—her Muslim veil that revealed only her eyes.¹ In front of this symbol of Paris, she became a symbol of defiance in defense of what she referred to as her “civil liberties as a French citizen.”² Drider wore her *niqab* in protest of a law that went into effect that same day: a ban that prevented Muslim women from publicly wearing face veils in France.³

Public displays of religion in France have consistently proven problematic. The French state abides by the policy of *laïcité*, or secularism.⁴ This policy traces back to the Enlightenment, when revered minds such as Voltaire, Diderot, and Montesquieu deemed religion “divisive, benighted and intolerant.”⁵ In 1905, the Third Republic declared a separation of church and state and prohibited proselytizing in public, specifically in schools. The French republic recognizes individuals over groups; French citizens owe allegiance to the nation, and the nation does not have an officially sanctioned religious affiliation. As early as 1937, the French education minister ordered head teachers to keep religious signs out of schools.⁶

Secularism and Islam clashed in three distinct conflicts, which occurred in 1989, 1994, and 2003.⁷ These three waves of controversy concerned the *hijab*, or the headscarf that covers the hair and neck.⁸ In 1989, three Muslim girls refused to remove their headscarves in school, and the school’s principal Eugène Chénier expelled them.⁹ The *Conseil d’État*, or Council of State, ruled that wearing a headscarf alone did not constitute grounds for expulsion; however, the ruling allowed individual school administrators to determine which religious signs were “ostentations or polemical” enough to warrant expelling children from school.¹⁰ In 1994, Minister of Education, François Bayrou, issued a declaration that prohibited “ostentatious” signs of religion in schools, but the Council of State overturned Bayrou’s decree and reaffirmed its 1989 ruling.¹¹

President Jacques Chirac appointed a commission to investigate the problem of religious signs in schools in 2003; former government minister and deputy Bernard Stasi served as its leader.¹² The Stasi commission acknowledged religious diversity in France, but it also recommended a law that would prohibit children from going to school wearing “*les signes ostensibles*,” or conspicuous signs of

1 ¹Angelique Chrisafis, “Muslim women protest on first day of France’s face veil ban,” *The Guardian*, April 11, 2011, <http://www.guardian.co.uk/world/2011/apr/11/france-bans-burqa-and-niqab>.

2 *Ibid.*

3 *Ibid.*

4 Joan Wallach Scott, *The Politics of the Veil* (Princeton: Princeton University Press, 2007), 15.

5 Henri Astier, “The deep roots of French secularism,” *BBC News Online*, September 1, 2004, <http://news.bbc.co.uk/2/hi/europe/3325285.stm>.

6 *Ibid.*

7 Scott, *The Politics of the Veil*, 21.

8 *Ibid.*; Bronwyn Winter, “Secularism aboard the Titanic: Feminists and the Debate over the Hijab in France,” *Feminist Studies* 32, no. 2 (Summer 2006): 280, <http://www.jstor.org/stable/20459087> defines the term *hijab*.

9 Scott, *The Politics of the Veil*, 22.

10 *Ibid.*, 24-5.

11 *Ibid.*, 27, 28.

12 Commission de Réflexion sur l’Application du Principe de Laïcité dans la République, “Rapport au Président de la République,” Bernard Stasi, in the French Library of Public Reports (December 11, 2003), <http://www.ladocumentationfrancaise.fr/rapports-publics/034000725/index.shtml>

religion.¹³ In March 2004, that law passed, thereby banning headscarves, Yarmulkes, and Sikh turbans in schools. In practice, the law primarily applied to headscarves.¹⁴

As of April 11, 2011, anyone who wears a *niqab* or *burqa* in public faces a fine of 150 Euros and may be forced to take “lessons on French citizenship.”¹⁵ Amnesty International condemned the ban as a violation of freedom of expression and religion.¹⁶ While the ban of the headscarf in schools and the ban of the *niqab* and *burqa* in all public spaces constitute two separate events in France, I will discuss both bans as indicative of similar larger trends. Because the term “veil” can encompass the headscarf, *niqab*, and *burqa*, I will use this more general term in my discussion of these trends.¹⁷ Furthermore, while the terms “*niqab*” and “*burqa*” appear frequently in the Western literature on this subject, “headscarf” seems to be more common than “*hijab*,” so I will use the former term when discussing this form of the veil in particular.

This paper seeks to answer two questions. First, how do the French policy of secularism and the bans on the veil limit the rights of Muslim women? Second, how did assumptions about gender and religion shape the formulation of the bans? I argue that the bans impose normative gender roles and constructs of personal identity on French women who wear the veil. The bans assume that the veil oppresses women, but simultaneously force normative French gender identities on them, thereby denying them the autonomy and self-realization that free expression of their religion actually awards them. Furthermore, with these bans, the French state places Islam in opposition to French national identity and implies that the two cannot co-exist.

Roots in Colonialism

The normative gender roles underlying the bans trace back to French colonialism in Algeria (1830-1962), where the veil threatened colonial male fantasies of sexual dominance. As Joan Wallach Scott notes, early French “fantasies of conquest—the lure of wealth and exploration—were figured as sexual conquests.”¹⁸ French colonists substituted the image of the female body for the larger image of imperial conquest.¹⁹ Often, prostitutes dominated female imagery in the desires of French male colonists, but the veil blocked the visibility of women.²⁰ Scott’s analysis of sexual desire and frustration in colonial Algeria elucidates French impressions of the veil. To colonists, the veil led to sexual frustration and, ultimately, a denial of their imperial goal of sexual conquest. While a French gender assumption considered Algerian women sites of domination for colonizers, veiling practices interfered with this assumption. The French perception of the veil in colonial Algeria establishes the

13 *Ibid.*, 68. Translation is mine.

14 Scott, *The Politics of the Veil*, 35.

15 Reuters, “France begins ban on niqab and burqa,” *The Guardian*, April 11, 2011, <http://www.guardian.co.uk/world/2011/apr/11/france-begins-burqa-niqab-ban?INTCMP=ILCNETTXT3487>. According to the BBC, “the *niqab* is a veil for the face that leaves the area around the eyes clear.” Women wear it with a headscarf. The *burqa* is a veil that covers the face and the body with a mesh screen over the eyes. BBC News, “In graphics: Muslim veils,” *BBC*, http://news.bbc.co.uk/2/shared/spl/hi/pop_ups/05/europe_muslim_veils/html/2.stm.

16 Amnesty International, “France votes to ban full-face veils,” Amnesty International, July 13, 2010, <http://www.amnesty.org/en/news-and-updates/france-votes-ban-full-face-veils-2010-07-13>.

17 According to Winter, “Secularism aboard the Titanic,” 280, the term “veil” technically only denotes a *niqab* or *burqa*; however, in the West it has become synonymous with the *hijab* as well.

18 Scott, *The Politics of the Veil*, 54.

19 *Ibid.*, 55.

20 *Ibid.*, 56, 58.

historical context for current biases against the veil in France.

The presence of the veil in Algeria also violated a broader French norm—that of cultural assimilation. During the French Revolution, the Jacobins hailed cultural assimilation by envisioning a nation-state that would promote the equal rights of all citizens to such an extent that it would do away with the need for smaller group identities.²¹ According to Ellen Wiles, “since the time of the Revolution, all hyphenated or localized identities have been associated with subversion and disloyalty to the Republic.”²² In fact, the *Declaration of the Rights of Man* of 1789 allows for the expression of religious views “provided their manifestation does not disturb the public order established by law.”²³ In other words, French law takes precedence over identification with a religious group.

The French brought this belief with them to Algeria. In colonizing, the French sought to turn Algerians “into model French citizens,” a goal that they implemented by infusing Algerian towns with French architecture and language.²⁴ Forced veil removal became a tool for imposing French identity on Algerians. The French believed that if women removed their veils to cast off their culture, men would loosen their ties to Algerian tradition as well.²⁵ Since, for the French, loyalty to cultural identity embodies the antithesis of loyalty to the Republic, Algerian Islam violated a key component of an ideal French society. As long as Islamic identity persisted in Algeria, Algerian loyalty to the French Republic remained unstable and incomplete. In order to rectify this problem, French colonizers targeted the veil as their gateway to assimilating Algerian Muslims into a larger French identity. An incompatibility between Islam and French national ideals emerged in colonial Algeria.

French perceptions of the veil in colonial Algeria culminated in the war for Algerian independence (1954-1962). During this war, the French saw the veil as what Scott calls “a sign of backwardness.”²⁶ In her study of the work of Algerian novelist and filmmaker Assia Djebar, Mary Ellen Wolf finds that women during the war served as icons of an emerging Algerian national identity, which resisted Western intrusion. In response, French colonists “targeted the veil as a symbol to be dismantled.”²⁷ The veil had symbolic undertones of backwardness, but it also posed a practical threat: it allowed for the smuggling of arms.²⁸ Biases associated with the veil did not disappear at the end of the war. According to Scott, the French maintained a fear that Muslim immigrants would “colonize” France, and the veil became “an ominous sign of a threatened takeover of France by Islamists.”²⁹ From French colonization through to the war for independence and Algerian migration to France, the veil symbolized an identity contrary and alarming to the French. By denying sexual access, highlighting differences, and signaling backwardness and Islamism, the veil in the time of colonialism laid the foundation for assumptions about the veil in France today.

The danger of the veil during the Algerian war for independence clarifies current perceptions

21 Ellen Wiles, “Headscarves, Human Rights, and Harmonious Multicultural Society: Implications of the French Ban for Interpretations of Equality,” *Law & Society Review* 41, no. 3 (September 2007): 704, <http://www.jstor.org/stable/4623399>.

22 *Ibid.*

23 National Assembly of France, “Declaration of the Rights of Man – 1789,” Yale Law School Lillian Goldman Law Library: The Avalon Project, http://avalon.law.yale.edu/18th_century/rightsof.asp (accessed December 13, 2011).

24 Wiles, “Headscarves, Human Rights,” 704.

25 *Ibid.*

26 Scott, *The Politics of the Veil*, 62.

27 Mary Ellen Wolf, “After-Images of Muslim Women: Vision, Voice, and Resistance in the Work of Assia Djebar,” in *Francophone Women: Between Visibility and Invisibility*, ed. Cybelle H. McFadden and Sandrine F. Teixidor (New York: Peter Lang Publishing, Inc., 2010), 26.

28 Scott, *The Politics of the Veil*, 63.

29 *Ibid.*, 69, 71.

of the veil in France. The practical threat of the veil as a means to smuggle arms was perhaps prescient of post-9/11 national security concerns related to the veil's ability to hide weapons or identity.³⁰ The French perception of the veil as backward also persists today. President Sarkozy alluded to Africa's failure to modernize since colonialism in a 2007 speech that sparked outrage in Senegal.³¹ A president who still associates France's former colonies with backwardness might be inclined to include the veil in this association. During the Algerian war and post-war migrations to France, the veil represented a threat. The French state broadened its interpretation of the veil to include Islamism and the infusion of foreign ideals. The perception of the veil as harmful to "French-ness" informs the bans today, as it creates an opposition between French and Muslim identities.

Oppression and the Veil

Sarkozy expressed his support for the 2011 ban in terms of women's rights. "The burqa is not welcome in France," he said, "because it is contrary to our values and contrary to the ideals we have of a woman's dignity."³² The vision of the veil as detrimental to women's rights imposes French gender norms on Muslim women. According to Scott, the headscarf in schools marks "girls' refusal to engage in what were taken to be the 'normal' protocols of interaction with members of the opposite sex."³³ Essentially, the veil deprives men of visual sexual pleasure.³⁴ The veil, however, does not actually prevent Muslim women from expressing their sexuality; rather, it restricts that expression to the private space of the home.³⁵ According to Naomi Wolf in *The Sydney Morning Herald*, veiling limits sexuality to marriage, strengthens the bonds of family life, and protects women from the "sexualizing Western gaze."³⁶ This discrepancy between the French definition of femininity—as dependent on visibility to men—and Islamic interpretations of sexuality clash in the bans. Scott notes that banning the headscarf "was to bring Muslim women up to the standard of their French sisters... free to display their bodies and experience the joys of sex—as French society (women and men) understood them."³⁷ The bans, then, consider French norms of gender difference and identity and impose them on women who wear the veil.

Embedded in the bans of the veil and their roots in French gender norms is an assumption that the veil oppresses Muslim women. This assumption also has roots in colonialism, as French colonizers believed that if women lacked visibility by wearing veils, they were "imprisoned" and "confined

30 Ariel Zirulnick, "France's burqa ban: 5 ways Europe is targeting Islam," *The Christian Science Monitor*, April 12, 2011, <http://www.lexisnexis.com/lncui2api/api/version1/getDocCui?oc=00240&hl=t&hns=t&hnsd=f&perma=true&lni=52M2-N3K1-DYRK-B4RR&hv=t&csi=7945&hgn=t&secondRedirectIndicator=true> discusses these concerns.

31 Diadie Ba, "Africans still seething over Sarkozy speech," Reuters, September 5, 2007, U.K. edition, <http://uk.reuters.com/article/2007/09/05/uk-africa-sarkozy-idUKL0513034620070905>.

32 Steven Erlanger, "Parliament Moves France Closer to a Ban on Face Veils," *New York Times*, July 14, 2010, Section A, Page 6, Late edition, <http://www.lexisnexis.com/lncui2api/api/version1/getDocCui?oc=00240&hl=t&hns=t&hnsd=f&perma=true&lni=7YXW-XJC0-Y8TC-S37S&hv=t&csi=6742&hgn=t&secondRedirectIndicator=true>.

33 Scott, *The Politics of the Veil*, 154.

34 *Ibid.*, 159.

35 Naomi Wolf, "Behind the veil lives a thriving Muslim sexuality," *The Sydney Morning Herald*, August 30, 2008, <http://www.smh.com.au/news/opinion/behind-the-veil-lives-a-thriving-muslim-sexuality/2008/08/29/1219516734637.html>.

36 *Ibid.*

37 Scott, *The Politics of the Veil*, 162.

by tyrannical men.”³⁸ In the current French republic, that belief still exists. Rather than referring to the official French policy of *laïcité*, Cécile Laborde discusses *laïcisme* as “anti-religious, anti-traditionalist,” and “perfectionist.”³⁹ According to Laborde, French *laïcistes* endorse a feminist interpretation of fundamentalism “as a patriarchal movement” that re-asserts traditionalism.⁴⁰ *Laïcistes* interpret the headscarf as a symbol “both of female and religious oppression,” from which they believe the state “should emancipate Muslim girls.”⁴¹ The specific components of the 2011 bill that proposed the ban reflect the assumption that the veil represents patriarchal oppression: while a woman who wears a *niqab* or *burqa* in public faces a fine of 150 Euros, a man who forces a woman to veil must pay 30,000 Euros.⁴²

In discussions of the veil as oppressive, the term “feminism” becomes important. Cultural differences surround definitions of feminism, as Nancy J. Hirschmann notes. Western nations value free agency, and Westerners’ evaluations of non-Western practices—specifically with reference to women—becomes complicated by their generalized interpretation of feminism.⁴³ Determining whether the veil oppresses women from a Western feminist perspective proves difficult because even when women choose to wear the veil, they may do so in a framework that men have established.⁴⁴ The veil itself may not indicate freedom or lack of freedom for women: “it is the patriarchal use of the veil to control women that indicates women’s freedom and agency or lack thereof.”⁴⁵ Westerners must evaluate both the practice of veiling and the societal systems in which women wear the veil.

According to Hirschmann’s interpretation of feminism, banning the veil may itself be oppressive because an authority—the French state—uses the veil to dictate women’s conduct. Indeed, 36-year-old French-born Muslim convert Chrystelle Khedrouche believes “a woman should be able to dress as she likes.”⁴⁶ She proceeds to state, “I have made the choice not to be unveiled, so to force me to unveil—that’s not freedom.”⁴⁷ Hirschmann emphasizes the role of the distinctly Western perspective in forming assumptions about oppression and, as a result, denying freedom by imposing an oppressive ban. Bronwyn Winter echoes this concept by noting the importance of context when evaluating the headscarf. Winter argues that “those who wear the ‘Islamic bandana’ in France, along with Western jeans, are arguably as Westernized as those women of Muslim background who are vocally opposed to the hijab as a symbol of women’s subjugation.”⁴⁸ While the visibility of a headscarf can incite Western assumptions about oppression, Muslim women who wear the headscarf in France may be as Westernized as Muslim women who do not wear the headscarf. The veiled women, however, become sites of debate and assumed victims of traditional, non-Western oppression. Western norms of freedom determine the ways in which the French state perceives the Muslim veil, and by banning the veil, the state

38 *Ibid.*, 58.

39 Cécile Laborde, *Critical Republicanism* (Oxford: Oxford University Press, 2008), 103.

40 *Ibid.*, 114.

41 *Ibid.*, 116-17, 125.

42 Pepe Escobar, “Don’t Mess With My Burqa, Monsieur,” *Huffington Post*, September 16, 2010, http://www.huffingtonpost.com/pepe-escobar/dont-mess-with-my-burqa-m_b_719605.html.

43 Nancy J. Hirschmann, “Western Feminism, Eastern Veiling, and the Question of Free Agency,” *Constellations* 5, no. 3 (1998): 346, 347, <http://libproxy.wustl.edu/login?url=http://search.ebscohost.com/login.aspx?direct=true&db=sih&AN=3253158&site=ehost-live&scope=site>.

44 *Ibid.*, 351.

45 *Ibid.*, 354.

46 Gavin Hewitt, “Behind the burka,” BBC—Gavin Hewitt’s Europe Blog, posted January 22, 2010, http://www.bbc.co.uk/blogs/thereporters/gavinhewitt/2010/01/behind_the_niqab.html.

47 *Ibid.*

48 Bronwyn Winter, *Hijab & The Republic: Uncovering The French Headscarf Debate* (Syracuse: Syracuse University Press, 2008), 310.

imposes these norms on Muslim women.

Western norms regarding provocative clothing also come into play in the veil debates. In 2003, a government official proposed a return to school uniforms when girls wore promiscuous clothes that exposed “*le string*,” or a thong, but no law passed.⁴⁹ While people worried about the visibility of *le string* in schools—one mother of four complained that the fashion trend reduced adolescent girls to nothing more than their bodies—this anxiety did not turn into legislation.⁵⁰ The outcome of this controversy demonstrates that the French system of norms permits promiscuous clothing, but prohibits the veil. This limitation suggests that the state perceives the veil as an element of a foreign, non-French system of norms in its decision to ban it.

Although contrary to French standards of self-presentation, the veil may allow those who wear it to achieve personal satisfaction. John Bowen notes, “wearing a headscarf rarely is a mark of continuity in family dress but a mark of discovery and self-identification as an individual.”⁵¹ The decision to wear a headscarf can mark a “moment of personal growth,” when young Muslim women graduate from school or start working, thereby defying the norms of their families.⁵² The submission to God’s religious authority that the veil signifies also denotes a commitment to self-realization.⁵³ Under this interpretation, banning the veil denies Muslim women the achievement of personal identity and autonomy from the family. On a more concrete level, a prohibition on wearing the veil in public spaces limits women’s access to necessary services. As one Muslim woman in Burgundy stated, “I’ve got a pregnancy scan on Friday. My doctor supports me wearing the niqab, but I’m not sure I’ll be allowed into the hospital.”⁵⁴ Taking into consideration the multiple positive functions of the veil, American philosopher and feminist Judith Butler summarizes the veil as signifying belief, participation in a group, and the ability to move between public and private spaces.⁵⁵ A ban on the veil prevents women from fully realizing these aspects of their faith.

Certainly, support exists for the oppressive nature of the veil. Writing shortly after the ban of the veil went into effect in April 2011, Qanta Ahmed provides insight into the origins of the veil in the Islamic faith. She finds a “vacuum” in theological scholarship regarding the intended function of the veil in Islam: the Koran instructs women to cover their bosoms, and Muhammed’s wives spoke with curtains in front of their faces, but “no record exists as to how exactly [veils] were worn” be-

49 Scott, *The Politics of the Veil*, 112-13.

50 Paul Webster, “‘Le string’ faces school ban as French fear sex abuse of girls,” *The Observer*, October 5, 2003, <http://www.guardian.co.uk/world/2003/oct/05/schools.france> discusses this mother’s concerns.

51 John Bowen, “Does French Islam Have Borders? Dilemmas of Domestication in a Global Religious Field,” *American Anthropologist* 106, no. 1 (March 2004): 47, doi: 10.1525/aa.2004.106.1.43.

52 *Ibid.*, 46-7.

53 Mayanthi L. Fernando, “Reconfiguring freedom: Muslim piety and the limits of secular law and public discourse in France,” *American Ethnologist* 37, no. 1 (February 2010): 20, doi: 10.1111/j.1548-1425.2010.01239.x.

54 Angeliqe Chrisafis, “French burqa and niqab ban: ‘Muslim women are being scapegoated,’” *The Guardian*, April 11, 2011, <http://www.guardian.co.uk/world/2011/apr/11/french-burqa-niqab-ban-muslim?intcmp=239>.

55 Jane Kramer, “Against Nature,” *The New Yorker* 87, no. 21 (July 25, 2011), <http://www.lexisnexis.com/lncui2api/api/version1/getDocCui?oc=00240&hl=t&hns=t&hnsd=f&perma=true&lnci=53FR-P681-DYWH-9080&hv=t&csi=237442&hgn=t&secondRedirectIndicator=true>.

yond these functions.⁵⁶ According to Ahmed, the veil reduces Islam to a symbol, and societies may use it for “gender segregation.”⁵⁷ As a Muslim woman, Ahmed embraces the ban.

Ahmed’s position complicates any discussion of the merits of the bans. Others have echoed her concern about the veil. Speaking as the president of the feminist group “*Ni Putes, Ni Soumises*,” (“Neither Whores nor Submissives”) Fadela Amara supports the headscarf ban in schools as a means of breaking free from a patriarchal system.⁵⁸ These positions, however, do not address the limitation on freedom that denial of choice enacts. Ahmed does not account for the legitimacy of veiling practices as they exist outside the Koran. Perhaps the Koran is vague on the true function of the veil, but long-standing veiling traditions in Islamic civilizations surely indicate that the veil plays a role in the Islamic faith. Furthermore, Ahmed partially bases her argument on her experience in Saudi Arabia, where legislation requires women to wear veils.⁵⁹ While mandated veiling might be oppressive, so too is banned veiling. The decision to wear the veil may occur within a patriarchal system, as Amara claims, but the bans emerge from the French state, a source of authority removed from the intentions and goals of Muslim women. The veil might reduce Islam to a symbol of oppression, but the state’s ban reduces it to a point of contention and hostility, and imposes limitations on free choice.

A Threat To National Identity

In a broader sense, discrepancies in French and Islamic norms demonstrate the state’s perception that the two cultures are incompatible. Bowen differentiates between two visions of Islam in the French state—*Islam en France* (“Islam in France”) and *Islam de France* (“Islam of France”).⁶⁰ Most Muslims in France, Bowen argues, feel obligated to abide by *Islam de France*—a concept that, for the French government, “means an Islam regulated by the state and bounded by the state’s borders, with French Islamic institutions and French-trained imams.”⁶¹ In order to foster *Islam de France*, Muslims living in France may place Islam in a European context, while preserving Islamic practices and norms; however, non-Muslims in France may see a need for “assimilation.”⁶²

Anthropologist Ruth Mandel cites the French emphasis on assimilation as the core of the ban. The veil, she says, becomes the symbol of “more substantial debates on whether and how those still seen as outsiders fit into mainstream European society.”⁶³ This preference for Muslim assimilation in modern-day France fits with Jacobin principles of preventing subversion through difference and

56 Qanta A. Ahmed, “France’s burqa ban: A brave step that we Muslims should welcome;

France’s ban on wearing the niqab in public defends secular society - and the rights of Muslim women like me. Liberals bemoan the ban’s infringement on personal freedoms. But Islamists who mandate that women wear the veil are incorrectly interpreting the true message of the Quran,” *The Christian Science Monitor*, April 20, 2011, <http://www.lexisnexis.com/lxacui2api/api/version1/getDocCui?lni=52NS-DJN1-DYRK-B225&csi=7945&hl=t&hv=t&hnsd=f&hns=t&hgn=t&oc=00240&perma=true>.

57 *Ibid.*

58 Daniel Strieff, “For women in France’s ghettos, a third option,” *MSNBC.com*, June 7, 2006, http://www.msnbc.msn.com/id/12812170/ns/world_news-islam_in_europe/#.Tugz43MbVIM.

59 Ahmed, “France’s burqa ban.”

60 Bowen, “Does French Islam Have Borders?” 44.

61 *Ibid.*

62 *Ibid.*

63 Jabeen Bhatti and Aida Alami, “Burqa bans grow fashionable in Europe,” *USA Today*, June 28, 2010, http://www.usatoday.com/news/world/2010-06-27-Burqa_N.htm.

reflects the goal of discouraging cultural variance within the dominant French culture.⁶⁴ The *Haut Conseil à l'Intégration*, or High Council for Integration, echoed this Jacobin principle in 1995. The *Conseil* identifies Islam as the most frequently cited obstacle to integration in France.⁶⁵ It proceeds to discuss *laïcité* as indifferent to cultural and ethnic traits, which should remain in the private sphere.⁶⁶ As Jean Baubérot, a leading specialist on *laïcité*, claims, the French tend to believe the state knows what is best for its citizens.⁶⁷ A French version of Islam poses problems of interpretation rooted in differing opinions of what it means to be a Muslim in France.

Bowen addresses these problems by examining Muslim immigration to France in the 1970s. The children of these immigrants demanded the rights of citizenship, including the right to build mosques and wear Islamic clothing.⁶⁸ Assimilation involved reduced piety, and *pratiquants*, or practicing Muslims, gained labels as fanatics.⁶⁹ As of the 1990s, the term “integration” implies that it is the responsibility of immigrants to adapt to French culture, rather than of the French to re-evaluate their prejudices, and *laïcité* requires these immigrants to “become complete political individuals” by socializing in public institutions as citizens and not as Muslims.⁷⁰

Bowen’s points speak to a lack of harmony between Islam and French citizenship. The concept of an *Islam en France* conveys an image of isolation. Muslims may physically reside in France, but they belong to an entirely different sphere. Attempting to develop an *Islam de France* raises issues of assimilation and its demands. According to Bowen, assimilation requires a reduction in piety, which suggests that true commitment to Islam cannot exist within the French state. The association of practicing Muslims with terrorism also indicates an incompatibility between French and Islamic societies. In fact, there exists a tendency in France to confuse a locally increased visibility of Islam with surges of political Islam elsewhere in the world.⁷¹ French Muslims remain connected to other Muslims across national borders.⁷² While in reality these connections foster what Jocelyne Cesari calls “a collective narrative that celebrates the triumph of a tradition throughout the ages,” in France, the general perception is that transnational connections between Islamic communities are politically risky.⁷³ By deeming *pratiquants* terrorists, French society brands them as threatening.

Bowen identifies communalism and Islamism as two specific threats to French society related to the headscarf ban in schools. Communalism, or “the closing in of ethnically defined communities

64 Wiles, “Headscarves, Human Rights,” 704.

65 Haut Conseil à l’Intégration, “Liens culturels et intégration: rapport au Premier ministre, juin 1995,” in the French Library of Public Reports, <http://www.ladocumentationfrancaise.fr/rapports-publics/954126500/index.shtml> (accessed December 13, 2011), 32. Original text reads, “Les débats sur ce sujet ont tendance à se cristalliser sur l’islam, le plus souvent présenté comme un obstacle par nature à toute intégration des populations s’en réclamant.” Translation and paraphrase are mine.

66 *Ibid.*, 32. Original text reads, “liée à la conception de la citoyenneté française, la laïcité comme système d’incorporation politique se veut indifférente aux traits culturels et ethniques tant que ceux-ci sont limités à la sphère privée.” Translation and paraphrase are mine.

67 Reuters, “After scarves in schools, France mulls ban on burqas and niqabs,” Reuters, June 19, 2009, U.S. edition, <http://blogs.reuters.com/faithworld/2009/06/19/after-scarves-in-schools-france-mulls-ban-on-burqas-and-niqabs/>.

68 Bowen, “Does French Islam Have Borders?” 45.

69 *Ibid.*

70 *Ibid.*, 46.

71 Jocelyne Cesari, “Islam in France: The Shaping of a Religious Minority,” in *Muslims in the West: From Sojourners to Citizens*, ed. Yvonne Yazbeck Haddad (New York: Oxford University Press, 2002), 37-8.

72 *Ibid.*, 49.

73 *Ibid.*

on themselves,” threatens French society by valuing ties to communities over ties to the nation.⁷⁴ A physical separation of Muslim communities within France echoes this concept. Even though as of the 1980s France has the largest Muslim population in Western Europe, many Muslim immigrants in France suffered economically during that decade and found themselves pushed out into suburban areas.⁷⁵ While communalism places Islamic communities at odds with the French nation in their separation from one another, fears of Islamism represent the perceived threat of Islam itself. Islamism “may refer to movements that advocate creating Islamic states as well as to those that merely promote public manifestations of Islam.”⁷⁶ Associated with both definitions of Islamism are “fears of totalitarian Islamist regimes abroad.”⁷⁷ That is, the threat of “a public presence for Islam in France” raises concerns about Islamist nations.⁷⁸ The headscarf came to symbolize tension that grew between Muslims and non-Muslims due to their spatially separated communities and the socioeconomic gap between them, as well as fears of Islamism.⁷⁹ Both communalism and Islamism present definable dangers to the French nation.

Bowen’s definitions of communalism and Islamism convey the importance of the nation to France. Because the nation holds such significance, any suggestion of non-national influence poses a threat. Muslim communities and their perceived ties to Islamist states abroad, suggest loci of power removed from the French nation. While this perceived riskiness associated with Islam in France explains the motivation for the bans of the veil, it is a relatively unfounded perception. Christian Joppke notes that 42 percent of Muslims in France identify themselves as “French first, Muslim second.”⁸⁰ This number stands out in comparison to the mere seven percent of Muslims in Great Britain who attach greater significance to their national identity than to their religious identity.⁸¹ Furthermore, 70 percent of Muslims in France—compared to 63 percent of Protestants and 58 percent of Catholics—“think that democracy in France works well.”⁸² Although Joppke published these statistics in 2009—after the headscarf ban in schools, but before the veil ban in all public spaces—the numbers suggest that the reality of Islam in France is less problematic than the French state assumes.

The perceived lack of compatibility between the French state and Islam emerges in the underrepresentation of Muslims in the National Assembly and the response of Muslims in the *banlieues*—the areas on the outskirts of cities.⁸³ In May 2007, reporter Daniel Strieff called the Paris *banlieue* of Clichy-sous-Bois “a tinderbox of crime,” as this underrepresentation, among other issues, caused unrest to grow among young Muslims.⁸⁴ In response to larger riots the prior autumn, the *Union des*

74 John Bowen, *Why The French Don't Like Headscarves* (Princeton: Princeton University Press, 2007), 156.

75 Wiles, “Headscarves, Human Rights,” 701; The Pew Forum on Religion & Public Life, “The Future of the Global Muslim Population,” Pew Research Center, <http://pewforum.org/future-of-the-global-muslim-population-regional-europe.aspx> (accessed December 7, 2011) provides the statistic that as of January 27, 2011, 7.5% of France’s population is Muslim, making it the largest Muslim population by percentage in Western Europe.

76 Bowen, *Why The French Don't Like Headscarves*, 156.

77 *Ibid.*

78 *Ibid.*

79 Wiles, “Headscarves, Human Rights,” 701.

80 Christian Joppke, *Veil: Mirror of Identity* (Cambridge: Polity Press, 2009), 28.

81 *Ibid.*

82 *Ibid.*

83 Z. Fareen Parvez, “Debating the Burqa in France: the Antipolitics of Islamic Revival,” *Qualitative Sociology* 34, no. 2 (2011): 288, doi: 10.1007/s11133-011-9192-2 defines the term “*banlieue*.”

84 Daniel Strieff, “Forging a voice in ‘France’s high-rise hell,’” *MSNBC.com*, May 9, 2007, <http://www.msnbc.msn.com/id/12812186/page/2/#.TugS2XMBVIN>.

Organisations Islamiques de France (“Union of the Islamic Organizations of France,” or UOIF) had deemed rioting “incompatible with Islam.”⁸⁵ The media, however, criticized the UOIF for not also calling the riots incompatible with French law.⁸⁶ Conflicting public messages about Islam in France further separate the religious community from the state. These Muslims resorted to rioting as a means of expressing discontent. Beyond this discontent, Islamic and French institutions each maintained that the riots violated its principles. The clash between Islamic and French interests in the field of public relations suggests that the two cannot co-exist without controversy.

Within the context of conflict between French Muslims and the French state, the 2011 ban emerges as a response, perhaps preemptive, of what is currently no more than a minimal threat. Only 2,000 or fewer women living in France wear *niqabs* or *burqas*. Many of these women are young. Furthermore, nearly a quarter of them are converts to Islam. The veiling trend, however, is becoming more popular.⁸⁷ An increase in the number of veiled women in France could serve as an even greater symbolic threat to the French nation. Moreover, the French Muslim youth, in particular, fall subject to alienation in the *banlieues*, a phenomenon that might encourage a turn to violent Islamism as a form of rebellion.⁸⁸ By banning the veil today, the French state seeks to prevent both symbolic and practical threats to the nation in the future.

Conclusion

Shortly after the 2011 ban went into effect, Kenza Drider announced her candidacy for President of the French republic. Drider seeks to prove a point with her campaign: the ban violates rights, and women who wear the veil represent freedom rather than submission.⁸⁹ Certainly, Drider’s position does not represent that of all Muslim women in France. For example, Ahmed and Amara stand out as two women who consider the veil oppressive. While the 2004 and 2011 bans remain a subject of debate among men and women, Muslims and non-Muslims, their historical roots speak to a broader problem surrounding Islam in France.

At the center of this problem is a discrepancy in norms, particularly those involving gender roles. French Muslim women live in a nation where society expects them to dress in a Western style—that is, not to cover themselves. The “*le string*” controversy of 2003, when contrasted with adverse reactions to public veiling, demonstrates this expectation to the extreme. Assumptions about the veil’s function and its impact on women pervade the bans. While these assumptions may be true in some regions of the world, they do not necessarily hold in France. What the West perceives as oppressive, French Muslims may perceive as liberating. This contradiction clarifies the peculiar position that France occupies as a Western nation: while it identifies the veil as a site of oppression given its ties to oppressive regimes, its own limitation on public attire may also appear to be oppressive to some communities.

France’s standpoint on the veil also fits within the framework of its commitment to *laïcité*. The roots of secularism extend far back into French history, and *laïcité* helps define the state’s attitude toward multiculturalism within its borders. Secularism turns the veil into a symbol of identifica-

85 *Ibid.* Translation is mine.

86 *Ibid.*

87 “Running for Cover,” *The Economist* 395, no. 8682 (May 15, 2010): 66–67, <http://web.ebscohost.com/ehost/detail?vid=4&hid=21&sid=8464064f-dc8d-494e-9757-1adf1417e463%40sessionmgr10&bdata=JnNpdGU9ZWhvc3QtbGl2ZSZzY29wZT1zaXRl#db=aph&AN=50561426>.

88 Cesari, “Islam in France,” 40.

89 Elaine Ganley, “Kenza Drider, French Presidential Candidate, Targets Ban of Veil,” *Huffington Post*, September 22, 2011, http://www.huffingtonpost.com/2011/09/22/kenza-drider-niqab-ban_n_975633.html.

tion with a foreign group, and deems it incompatible with the French nation. Against the backdrop of a state that considers loyalty to its national identity more important than individual cultural ties, the bans impose a French way of life on Muslim women and become problematic in their implications for the veiling practice.

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