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Kristen Canavan

Western Michigan University, diesiraeprototus@gmail.com

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DÉVOILE OU DÉGAGE :
AN EXAMINATION OF THE DEBATES SURROUNDING FEMALE ISLAMIC DRESS
IN FRANCE

Kristen T. Canavan
Honors Thesis
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This paper is the product of my passion for the French language, Francophone and North African studies, and feminism. My inspiration for this topic came to me while studying in France and being immersed in Franco-Maghrebi culture during my home stay. The enjoyable time I had while researching this project has led me to pursue my academic interests further at the graduate level.

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Abstract

In 2003, the French state appointed the Stasi Commission to determine whether or not “ostentatious symbols” should be banned in public schools. Their investigation concluded that the wearing of Muslim headscarves in public schools defied the principle of secularism and in March of 2004, legislation was passed banning all religious symbols, including the Muslim *hijab* in public schools. Six years after Law No. 2004-228 was passed, the Sarkozy administration passed a similar law also targeting Muslim women. Known as the “burqa ban” (an erroneous term used to describe the *niqab*) Law No. 2010-1192 forbids the concealing of one’s face in all public spaces. Within these laws lies an amalgam of themes pertaining to French identity, integration policy, and Muslim women’s stature in French society, all while bearing undertones of neocolonialism. This honors thesis examines the political and feminist public discourses found within this sensationalized debate, and argues that the two are as intertwined and problematic as the two laws themselves.

Introduction

This paper is a critique of the contemporary public discourse and policy on the eradication of a religious and cultural tradition practiced by a minority population in Europe. In 2004, the French State passed legislation that barred students in public schools from wearing religious clothing and symbols. In 2010, the French government enacted another law that banned any clothing that conceals the face in public spaces. I argue that through these laws, France is returning to a colonial rhetoric that is embedded in their history.

While the language used in these two laws does not specifically mention gender or a specific religious ideology, with France having the largest Muslim population in Europe (an estimated 3-5 million) it is fair to assume who the intended target was and remains.

The laws are as follows:

Law No. 2004-228 states:

“In public primary, middle, and high schools, the wearing of symbols or clothing by which students ostentatiously display a religious appearance is forbidden.”¹ⁱ

Law No. 2010-1192 states:

“No one, in public spaces, can wear clothing designed to hide one’s face.”²ⁱⁱ

Conversations about this debate in popular media oftentimes referred to the laws as “the headscarf affair” and “the burqa ban” respectively. Both of which make reference to a minority within an already marginalized group—Muslim women. Allegedly, these laws were passed with goals of preserving French values such as secularism and integrating Muslims into French society. These are the same arguments that have received support from some

ⁱ “Dans les écoles, les collèges et les lycées publics, le port de signes ou tenues par lesquels les élèves manifestent ostensiblement une appartenance religieuse est interdit.”

All translations are my own throughout the entirety of this paper.

ⁱⁱ “Nul ne peut, dans l’espace public, porter une tenue destinée à dissimuler son visage.”

members of the feminist movement in France who view female Islamic dress as restrictive and oppressive.

This paper examines how Laws No. 2004-228 and No. 2010-1192 came to exist, and how the French government allied with French feminists during a sensationalized debate to justify their arguments for passing said legislation. It will also discuss veiling being a topic of controversy in colonial history. The two French dialogues contain remnants of an old colonialist narrative that fails to be taken into consideration. I will argue that under the guises of secularism, female liberation, and cultural integration, the French are returning to a colonial rhetoric on veiling. By doing so, they are straying away from the original motive behind the laws. Rather than neutralizing difference, the two laws promotes exclusion along with a sense of “otherness” to be found in Muslim women.

L’Affaire de Quoi? Lexical Issues Surrounding the Debate

Due to the variety of Islamic dress worn by women, there is a need for explanation regarding the lexicon used in this debate, both in English and French.

It is important to first distinguish three forms of Islamic dress that are often mistaken for each other. The *hijab*, (*headscarf* in English, and *foulard* in French) is usually translated as “curtain”³ and is a head covering that covers the hair and neck. The *niqab* (*face veil* in English, *voile intégral* in French) covers a woman’s face, leaving only the eyes to be seen. The *burqa*, which covers a woman’s entire body, with the exception of a small screen in front of the eyes, is found primarily in Afghanistan and is argued to be purely cultural.⁴

Within these debates, however, terms referring to different forms of veiling are frequently used improperly or interchangeably, especially outside academic circles. The most prominent example of this is found in both English and French. The word “veil” (*voile* in French) is a

hyphenated term used to describe both *hijab* and *niqab*. In 2003, the president of France at the time, Jacques Chirac said the following:

“Wearing a veil, whether we want it or not, is a sort of aggression that is difficult for us to accept.”⁵

This quote demonstrates how “L’affaire du foulard” slowly started to adopt the term *voile* in its discourse. This loose use of the word *voile*, deliberately or not, brought the *niqab* into the debate years before the 2010 legislation was passed.

Niqab and *burqa* are also often confused for one another, a discrepancy that the French media is largely responsible for. Pictures and headlines reporting on Law No. 2010-1192 rarely used the words *niqab* or *voile intégral* to describe the face veil. Rather, the French media dubbed the law as the “burqa ban” further popularizing this inaccurate terminology.

The words *hijab*, *niqab*, and *burqa* all hold historical, cultural, and political weight.⁶ In a politically and socially charged affair such as the one found in France, the improper use of these terms convolute an already complicated debate. Furthermore, confusion regarding the usage of these terms does a great disservice to Muslim women; it oversimplifies a complex and nuanced form of cultural and/or religious expression and ignores the variety and diversity found in Islamic dress.

In this paper, I will adopt one general term that helps erase confusion, and simplifies the terminology without necessarily misrepresenting it. According to Leila Ahmed, a leading scholar in Islamic feminism, the act of veiling does not only constitute covering of one’s face. Therefore, the wearing of *hijab* is considered to be a form of veiling.⁷ With this term, I will be able to effectively encompass all forms of Islamic headwear in discussion. However, when needed, I will also use more specific terminology such as headscarf or *hijab* and face veil or *niqab*.

Why Women Veil

Female Islamic dress in its various forms and styles have held connotations both positive and negative for centuries. Veiling can be seen as a woman's expression of modesty and piety or cultural and religious identity. However, it is commonly viewed as a form of patriarchal oppression, most especially in the West. Due to its complexity, the question as to why women veil does not have one definitive answer and it most likely never will.

What adds yet another layer of complexity to the matter is that veiling is a point of contention even within the Muslim community itself. Nearly all forms of Islamic dress in question have been regarded as a prescription of faith by those who wear it, and as a misinterpretation of the Qu'ran by others who may not. According to many scholars of Islam, there is prescription in the Qu'ran for women to veil. The main point of conflict being that the only mentioning of women veiling is in reference to the wives of the Prophet Muhammad, therefore triggering an ancient debate on whether or not women other than the wives of the Prophet are to veil themselves.⁸

Popular Western thought neglects to acknowledge the fact that there exists women who do choose to veil themselves, and do so with a sense of pride and empowerment. According to Fanon, women may wear *hijab*, *niqab*, or other forms of Islamic dress because they find it to be elegant, or to knowingly distance themselves from men.⁹ Others even attempt to modernize veiling by having it coexist alongside Western aesthetics. A prime example of this is the emerging generation of younger headscarved women who are reinventing the garment, making it a fashion statement by accessorizing it and pairing it with Western style clothes¹⁰.

France has attempted to eradicate veiling before. In colonial Algeria, veiling was viewed as a sign of political rebellion in the eyes of the French. Women who veiled were blocking themselves from being an object of possession by their colonizers, which frustrated the

French¹¹. Thus, veiling became a form of national and cultural identity and opposition to the West.¹² Later in this paper, we will examine what strategies the French adopted in colonial Algeria and juxtapose them with a similar situation seen in colonial Egypt.

Today, we see a continuation of this struggle to preserve one's identity amidst Western cultural imperialism through the debates in France. One can argue that through veiling, many second or third generation immigrants from families of North-African origin are pledging allegiance to their cultural or religious heritage against a state that strives to assimilate them. To the French, not only is veiling seen as a tool of oppression but a symbol that denies one's willingness to integrate- a threat to French culture. This allegiance is once again seen as a sign of resistance and the French have since taken action against this threat in the name of secularism and female liberation.

Three Girls From Creil and the Conseil d'Etat

The event that triggered the "headscarf affair" and the 20 years of hysteria surrounding it took place in 1989 in the Parisian suburb of Creil. Three girls, Samira Saidani (Tunisian) and Leila and Fatima Achaboun (Moroccan) were attending middle school at Collège Gabriel Havez. The girls refused to take off their headscarves in class, and were eventually expelled.¹³ The girls were told that by wearing their headscarves to school, they were violating the Law of 1905, which established the principle of secularism (*laïcité*).

Quite naturally, the expulsion of the three girls stirred up much controversy. One of the more emotive arguments being that the headscarf debates were reminiscent of the heated debate surrounding the Dreyfus Affair.ⁱⁱⁱ In both cases, a state-sanctioned, scapegoating attack on a religious group fueled by the media alongside a popular dissent for said religious group.

ⁱⁱⁱ The Dreyfus Affair (1894-1906) was the trial and expulsion of a Jewish military officer Alfred Dreyfus on counts of espionage and treason that were later cleared after left-wing campaigns, most notably by intellectual Emile Zola. His exoneration occurred shortly after the passing of the Law of 1905.

In November of 1989, nearly two months after the girls were expelled, France's highest court, the Conseil d'Etat, ruled that wearing headscarves was acceptable as long as it was not ostentatious or an act of propaganda. The ruling also put judgment in the hands of the schools on whether or not students' wearing of religious symbols was "ostentatious or polemical" on a case-by-case basis.¹⁴ This was for the most part, well received, and even supported by Christian and Jewish organizations, for they did not want their "ostentatious" religious symbols and breeches of secularism, (such as fish being served on Fridays, Jewish yarmulkes being worn, and Jewish students being excused from class on Saturdays), to be barred as well.¹⁵

However this ruling proved to have little weight, as the three girls in Creil were allowed back in school, but were quarantined in the library-until the headscarves were removed. The two Moroccan sisters eventually complied with these demands, but only after the king of Morocco urged them to do so on public television. Meanwhile, the Tunisian student, Samira Saidani, firmly stood her ground by refusing to remove her *hijab* and did not return to school¹⁶.

In 1994, the situation was agitated once again when the Minister of Education, François Bayrou, claimed that the headscarf was indeed an ostentatious symbol, while other religious symbols, such as the wearing of the Christian cross, were not.¹⁷ Bayrou then demanded that the headscarf be banned in schools. This demand was quickly rejected once again by the Conseil d'Etat. Shortly afterwards, Bayrou appointed a Muslim French-Algerian woman, Hanifa Chérifi, to act as the official mediator between the government, schools, and students in matters regarding the headscarf.¹⁸

Inserting a Muslim woman into the situation was not a move geared towards trying to better represent Muslim women's voices in the dispute, nor was it aimed at changing the

mindset of the school administrations. Rather, it was a strategic decision to convince young girls to remove their *hijabs* and integrate into society. In a 1999 interview with *Libération*, Chérifi explains her approach.

The first thing that I say to young girls who do not want to remove the veil is that they are blocking themselves off from all gateways to integration into French society. But yet, none of them can accept the reality of their obstructed futures. The majority of them are French. When they learn that they could never enter the administration, they start to understand that at some point the veil can be contrary to their personal interest. Generally, it works.^{iv19}

In what is arguably an absurd compromise to this issue, Chérifi gave Muslim girls the option of replacing the headscarf with a bandana. By exposing their ears and hairlines, a bandana was seen as less “ostentatious.”²⁰ By covering their hair, the bandana was an improvised version of an actual *hijab*. However, this method was only effective for so long, and in 2003 this solution to the issue was soon discarded after the appointment of the Stasi Commission by President Jacques Chirac.

The Stasi Commission

After conservative party member and Interior Minister, Nicolas Sarkozy, demanded that Muslim women remove their headscarves for identity photos,²¹ the question regarding the headscarf was once again a subject of national debate and controversy²². Fifteen years after the Creil school incident, the French State decided it was high time for legislative powers to take action. In July of 2003, President Chirac appointed the Commission to Reflect on the Application of the Principle of Secularism in the Republic which would later be known as the “Stasi Commission”, after the chair, Bernard Stasi.

^{iv} “La première chose que je dis aux jeunes filles qui ne veulent pas quitter le voile, c'est qu'elles se bloquent elles-mêmes toutes les voies d'accès à l'intégration à la société française. Or, aucune ne peut accepter de voir son avenir bouché. La plupart sont françaises. Lorsqu'elles apprennent qu'elles ne pourront jamais entrer dans l'administration, elles se rendent compte à quel point le voile peut être contraire à leur intérêt personnel. En général, ça marche.”

The Commission was comprised of elite members of academic circles, specialists on *laïcité*, scholars of Islam, and political figures from both the left and right wings.²³ Notable members included Islamic scholar Mohammed Arkoun, philosopher Régis Debray, and former government mediator on *hijab* affairs in schools, Hanifa Chérifi. While the makeup of the Commission attempted to be diverse in membership, it failed to represent the population in question. It should be noted that out of its 20 members, only two were Muslim, and 6 were female,²⁴ neither of which were proportionate to the size of their respective populations, let alone the population size of Muslim women.

The Stasi Commission's report concluded that schools play a key role in constructing French citizens and creating a united French state²⁵; the enforcement of *laïcité* was simply another value to instill in the nation's youth. The Islamic headscarf was an ostentatious symbol of religion that serves as a disruption in the classroom, thus interfering with the teachings of *laïcité*. Moreover, the headscarf not only threatens the ironically sacred French principle of *laïcité*, but it is also a symbol of women's oppression²⁶. Much like the argument seen in Creil debate, the Commission also argued that by wearing the headscarf, a woman pledges allegiance to a group or community that is not the French Republic²⁷ and prevents herself from integrating into society.

The report also proposed certain policy changes to include Muslims and immigrant populations in French society for which many voices in the debate had been advocating for since 1989. These proposals included adding a section on colonization, decolonization and immigration to the national curriculum, including *Aid-el-Kebir* as one of France's public holidays, the creation of a National Secular Institute of Islamic Studies, and subsidizing programs that teach minority languages such as Arabic, Berber, and Kurdish.²⁸ However, according to my research, none of these policies were implemented.

During the Stasi Commission's deliberations 20,000 people protested in the streets of Paris, Marseille, Lille, and Mulhouse²⁹, cities where many Muslims reside. Women were seen wearing *hijab* with the French flag's tricolor chanting "Neither father nor husband, we are the ones who choose the headscarf!"^v and "France you are my homeland. Hijab, you are my life."^{30vi} These public cries for recognition had little effect on the French National Assembly however, when Law No. 2004-228 passed with an overwhelming majority of 494 "yays" and 34 "nays"³¹.

The Unwelcome "Burqa"

In 2007, President Nicolas Sarkozy created the Ministry of Immigration, Integration, National Identity and Codevelopment, an effort that exemplifies the importance of French cultural preservation and identity. This new section of French infrastructure attempts to create a "unitary vision of French identity; one where immigrants would be assimilated."³² It was only a matter of time before the face veil was deemed as a rejection of integration and a form of communalism. In 2010, legislation was proposed for its removal in French spaces. Supporters for the law found the face veil to not only be a rejection of French values, but once again a threat to women's agency. While only an estimated 2,000 women in France wore niqab, Sarkozy laid down the foundation for this law by saying that "the burqa^{vii} is not welcome in France."

Unlike the 2004 law, what would become Law No. 2010-1192 was not deliberated over the course of 15 years nor was it a bipartisan effort. Left-wing parties strongly opposed the law, while the right wing and center gave their unanimous support,³³ François Bayrou being one of the elected officials who voted in favor.³⁴ The Conseil D'Etat once again played a

^v "Ni père, ni mari, le foulard on l'a choisi."

^{vi} "France, tu es ma patrie, Hijab, tu es ma vie."

^{vii} In this context, Sarkozy is erroneously using the term "burqa" to describe face veiling in general.

devil's advocate role by advising against a law being implemented on a grand scale, but offered its support for one that outlawed the face veil in "certain places."³⁵

Violators of the law are subject to a fine of up to 150 euros and/or mandatory citizenship classes. The first fine was issued in September 2011.³⁶ However, few women have paid for their fines on their own. French-Algerian entrepreneur, Rachid Nekkaz, founded the organization, "*Touche Pas à Ma Constitution*" or "Hands Off My Constitution" which aims to pay all fines and lawyer fees for women who wear the veil in public.³⁷ He has thus far paid a total of 198,000 euros in fines for 877 French Muslim women. However, recent attempts to block Nekkaz from continuing to bail out violators has been made by members of Sarkozy's right-wing party, the Union for a Popular Movement (UMP).³⁸

In 2013, the Parisian suburb of Trappes made headlines after a confrontation between authorities and a woman wearing *niqab* and her husband led to riots.³⁹ The couple claimed that the police were overly aggressive during their identity check, which raised the question as to whether or not the law facilitates Islamophobic discrimination. However, the French State stood its ground on its decision of passing the legislation. In response to the riots the socialist Interior Minister at the time, Manuel Valls stated in a press release that "The law banning full-face veils is a law in the interests of women and against those values having nothing to do with our traditions and values. It must be enforced everywhere."⁴⁰

Feminist Influences

The most outspoken feminist group during the headscarf debates was *Ni Putes Ni Soumises* (Neither Whores Nor Submissives), an organization founded in 2003 after a young woman was immolated by her boyfriend. Their founder, Fadela Amara, is of Algerian-Kabyle heritage and is known for her firm position against veiling, calling it an archaic patriarchal tool of oppression.⁴¹ Amara first gained recognition (and criticism) for her work concerning

Muslim women's rights in poor neighborhoods where she claimed that many young women are forced to wear the *hijab* by angry males in the ghettos.⁴²

NPNS grew quite close to the French State soon after its founding as Amara became a figure in the political high culture.⁴³ Her influence and stature more likely than not helped NPNS receive 30,000 euros in government subsidies in 2004.⁴⁴ On behalf of the group, Amara was invited by the Stasi Commission to speak about the headscarf affair, and to share her views on the *hijab*.⁴⁵ After the successful implementation of the 2004 law, NPNS' ties to the French State only grew stronger when in 2007, the Sarkozy administration created a position for Amara within the government, Secretary of Urban Affairs.

Political alliances were not the only advantage feminists against veiling had in their attempt to popularize their ideas. During the 2004 debates, headlines were flooded with stories regarding the *hijab*, Islam, and *laïcité* and feminists were often in the spotlight. One in particular, French-Iranian Chahdortt Djavann, became a household name after publishing her book, *Bas les Voiles* (Down with the Veils). *Bas les Voiles* was controversial in that Djavann argues that the *hijab* is a form of physical abuse comparable to female circumcision.⁴⁶ Djavann was frequently featured in newspapers such as *L'Express* and *Libération* and was the most interviewed Muslim woman on French television.^{viii47} Like Amara, Djavann was also invited to speak before the Stasi Commission.⁴⁸

The dissenting feminist opinion was a true underdog in the debate. It was not given an equal amount of media exposure nor did it have the French State's support. One of the less triumphant voices in the feminist debate arises from Christine Delphy, a non-Muslim, French sociologist and feminist. Delphy was the founder of NPNS' rival group, *Une Ecole Pour Toutes et Tous* (One School for All), which in 2004 led the largest protest against the

^{viii} It is worth noting that many in support of the headscarf bans often likened the treatment of the *chador* in countries under forced Islamism such as Iran to the situation in France. Djavann was depicted in the French media as a woman who "escaped" forced Islamism and female oppression in her homeland of Iran.

headscarf ban. UEPT argue that Muslim girls should not be excluded from public education for wearing the *hijab* and Muslim women should not be punished or scrutinized on whether or not they choose to veil.⁴⁹ Delphy herself also argued that the headscarf ban is inherently racist and harmful to all French Muslims.⁵⁰ However, Delphy and UEPT have been criticized for working alongside perceived “Islamist” groups such as the Union of French Islamic Organizations (UOIF).^{51ix}

The popular feminist narrative in France was a force to be reckoned with during the headscarf debate in terms of political alliances and level of platforms within the media. With popular spokeswomen such as Fadela Amara and Chahdortt Djavann, the feminist movement had a great influence on the Stasi Commission’s decision as well as the general population’s opinion. Without the same amount of political footing and media exposure, the dissenting feminist opinion was at a great disadvantage regardless of the fact that they worked with UOIF. While feminist supporters of the law during the headscarf affair reached their greatest influence in 2003-2004, it is not to say that their arguments did not resonate during the deliberations in 2010. While the events from 1989 onwards were in the collective memories of French legislators, they neglected to reflect on the historical narrative on the questions surrounding veiling in Western society.

Veiling: an Age-Old Debate

The two French narratives in question echo that of a similar discourse that took place in late 19th – early 20th century Egypt when the act of veiling was under scrutiny. Qassim Amin, arguably the “first feminist” of the Arab world, sparked controversy in 1899 with his book *The Liberation of Woman (Tahiri Al-Mar’A)* which suggested many reforms, including abolishing all forms of veiling.

^{ix} UOIF is a French Muslim federation that works to incorporate rights for Muslim minority communities in France. While they strongly deny being militant in any way, UOIF have been criticized for being a part of the Federation of Islamic Organizations in Europe, which allegedly has ties to the Muslim Brotherhood and Hamas.

Amin was a French-educated, upper middle class, Egyptian lawyer who argued that by veiling, women were contributing to the “backwardness” of Islamic society. By removing the veil, social progress could be made not only for women in Egypt but for the Arab-Muslim world as a whole. Furthermore, women at the time who did unveil were seen as those of a higher social stature as they renounced this “archaic” tradition and assimilated to Western society.⁵²

Leila Ahmed argues that in the case of Egypt, the male dominated colonial establishment of the British empire appropriated Amin’s form of feminism in order to justify its desire to eradicate veiling.⁵³ By doing so, the colonial establishment and the feminists that they supported substituted Islamic patriarchy with one of Western-style.⁵⁴ In that same vein, colonialists, feminists, and white supremacists came together in order to promote an imperialist idea: erasing the veil.⁵⁵

However, the British were not the only colonial power guilty of appropriating feminism in order to convince women to remove their veils. In French Algeria, “women’s liberation” was at the forefront of the discussion about veiling, much like the modern day debate.

An infamous strategy to eradicate the veil in colonial Algeria was a public event that took place on May 16th 1958. A group of Algerian women from villages surrounding the capital of Algiers were put on a stage and unveiled by European women. The ceremony was an effort to help “liberate” Algerian women and for them to be “*kif kif les francaises*”- Just like French women⁵⁶. Another so-called “feminist” tactic to unveil Algerian women was a series of posters commissioned in the 1950s that stated, “You’re pretty, are you not? Remove your veil!”⁵⁷ However, despite these highly publicized efforts in the name of female liberation, Algerian women resisted by continuing to veil themselves.

^x “N’êtes-vous donc pas jolie? Dévoilez-vous!”

The act of veiling was seen as a threat to French values during their 132 year-long colonial occupation of Algeria. Fanon goes into detail as to how European men would purposely invite the wives of their Algerian workers to come to dinner parties and functions, knowing that if the women were to come, they would be pressured to unveil themselves.⁵⁸ Fanon also argues that the refusal of many women to remove their veils was a way to resist the “rape of the colonizer” as well as a means to protect one’s national and cultural identity.⁵⁹ Historian Todd Shepard adds to this argument through his claim that many women who typically did not wear any form of veil decided to don the *haïk* (tradition Algerian veil) as a representation of their discontent with the colonial regime.⁶⁰ In an arguably opportunist fashion, the FLN toyed with these notions of colonial frustration through the acts of veiling and unveiling in their guerilla warfare tactics.

Upon examination of the colonial-era feminist discourse regarding veiling, one can draw parallels between it and the more recent discourse found in France. Social class, forced assimilation, modernization, and their ties to the debates regarding veiling are also visible in the French debates through the examples of Fadela Amara and Hanifa Chérifi. Both women are French-educated, upper class, Muslims who do not veil. I argue that these women were instrumentalized by the French State, being token examples of what success could become of women who denounce the veil. This instrumentalization reinforced the visual test of inclusion vs. exclusion into state-sanctioned French identities.

I argue that to remove the veil(s) under the guise of female liberation was a form of colonial imperialism which resonates within modern France and other European nations passing legislation against veiling today. I further argue that by aligning themselves closely with feminist movements like NPNS, the French State knowingly appropriated feminism, as they have done in the past, to help justify their legislation against the veil(s). Furthermore, this imperialist feminism can also be interpreted as gendered orientalism in that Western

powers are condemning a tradition found within the Orient and believe it is their duty as the “enlightened West” to intervene.^{xi} Moreover, we see how migration has thus allowed gendered orientalism to exist within Western spaces instead of exclusively within Orientalized spaces. Within this post-colonial framework right and left-wing politicians, secularists, feminists, and demagogues, are in rare accord with one another- much like the 19th-20th century British and French coalitions against veiling.

Aftermath of the Bans

The hysteria surrounding the threat of Islam replacing French values has been given momentum by Laws No. 2004-228 and 2010-1192 and has thus created a negative stigma surrounding the Muslim community. Since the implementation of the two laws, many Muslim women who veil have been directly affected by this stigma and have felt societal pressures to act in compliance with the French State or to face the consequences of social exclusion. What is even more disconcerting is that the political climate in France has exacerbated negative sentiments towards Muslims which have spread across Europe.

One of the biggest stigmas created by these laws directly affects the future of the working Muslim woman. As a result, some women are driven to integrate in ways not prescribed by law. For example, many Muslim women remove their headscarves or face veils when going into job interviews.⁶¹ By removing their headscarf in order to interact with French commercial spaces, women are submitting to Western ideals and expressing resistance to social exclusion that they may not have supported otherwise.

However, not all women have acted as subordinately. In 2008, a Muslim woman working at a childcare center was fired for refusing to remove her headscarf at work, causing a six year long court battle.⁶² In an interview with Al Jazeera in relation to the story, author of *The*

^{xi} See Saïd’s *Orientalism*.

Muslim Employee in France, Fatima Achouri claims that Muslim women are increasingly being excluded from participating in the workforce. She stated that “Many French Muslims refusing to remove the veil are either not working, or working in community businesses where they can keep it. Some of them told me they don’t even go to job interviews anymore.”⁶³

Muslim mothers have also been affected by the 2004 law through its nuances. In a 2005 report to François Bayrou, Hanifa Chérifi stated that mothers who refused to remove their headscarves or veils were being denied access into school buildings and not allowed to act as chaperones for school trips because they were seen as “public agents.”⁶⁴ She condemns these actions, calling them an “abusive interpretation of the law.”⁶⁵ However, some institutions have since then continued to neglect the fact that the law is meant to only apply to students. In 2008, a veiled woman was denied the right to be a parent chaperone for an elementary school field trip to a zoo.⁶⁶ In 2014, a woman was refused entrance into an elementary school to pick up her child unless she removed her headscarf.⁶⁷

While many would assume that preconceived judgments of Muslim women who veil are held exclusively by non-Muslims, that is not entirely the case. According to a sociological study conducted in the early 2000’s, there is a divide in opinion regarding veiling within the female North African Muslim community in France based on age and level of education.⁶⁸ The study found that unlike their younger and educated counterparts, older and less-educated Muslim women believed that “blending in” with the culture that one exists in is important. Furthermore, they believe that by refusing to integrate, one is provoking the society in which she lives.⁶⁹

Many women within this demographic also based their dissenting opinions on their interpretation of what it means to be a good Muslim. Wearing *hijab* or *niqab* did not

constitute being more or less devout, it in fact is merely a form of showing off.⁷⁰ This suggests that French Muslims who veil are trapped in the accumulation of stigmas not only reinforced by non-Muslims but by older members of their own communities who have chosen to integrate into French society and/or do not agree with the principle of veiling.

After the implementation of the law in 2010, French non-profit organization, Committee Against Islamophobia in France (CCIF) reported a sharp increase in the rate of violence against Muslims between 2010 and 2011. The committee further stated that Muslim women were the ones most commonly attacked.⁷¹ Recent headlines prove that not much progress has been made since the report.

In May and June of 2013, the Parisian suburb of Argenteuil saw two incidents involving Muslim women, one victim 17 years old, the other a pregnant 21 year old. Both women reported that they were verbally assaulted before being physically attacked and stripped of their *hijabs* by groups of men.⁷² The 21 year old victim's attacker punched her in the stomach, causing her to lose her baby days after.⁷³ The 17 year old victim spoke out about her attack stating that police had told her "not to spread the word within the Muslim community."⁷⁴

Unveiling Europe

Today, France is no longer the only European nation where policies against veiling exist. Both Law No. 2004-992 and Law No. 2010-1192 have been deemed constitutional by the European Court of Human Rights. The first ruling was announced in 2008 examining the headscarf ban⁷⁵ and the second in 2014, on the banning of face coverings in public spaces.⁷⁶ Since then, other EU member states have aimed to pass similar legislation. In 2011, with a Muslim minority population of 6%⁷⁷, Belgium passed a nation-wide ban on face veils in public spaces.⁷⁸ In Spain and Italy, city legislators have implemented regional laws banning

face veils in public.⁷⁹ The United Kingdom, with a Muslim population of 4%⁸⁰, has yet to propose any nation-wide bans. However, unlike other European countries who have targeted primarily the face veil, the UK has allowed schools to determine their own dress code, which therefore permits the interdiction of headscarves and veils.⁸¹

Other nations have not been able to pass any sort legislation, but perhaps it is due to the obvious radicalism behind their campaigns. Right-wing politician Geert Wilders, known for his strong positions against the “Islamisation of the Netherlands and of Europe,” proposed a ban on the wearing of any face veil that ultimately failed in the Dutch parliament.⁸² In 2014, the conservative Austrian Freedom Party launched a series of campaign videos and posters with imagery of white supremacism and blatant Islamophobia. The main political slogan being “Too Beautiful for a Veil,”^{xii83} which is paired with a video portraying white Austrian women participating in a photoshoot.⁸⁴ The other propaganda was a poster depicting a woman wearing the European Union flag styled into a *niqab* with the caption, “Should this be our future? Austrians say ‘No!’”^{xiii85}

A repercussion of the French laws has been a wave of stigmatization and violence in a time when conservative parties have gained popularity across Europe. While French legislators argued that they were neutralizing differences between identities with the best intentions in mind, they may not have realized that they were also setting the stage for other countries to host similar debates. By targeting such a small demographic, such as the 1,256 school girls who insisted on keeping their *hijabs* after March of 2004,⁸⁶ or the estimated 2,000 women who actually wore *niqab* in France,⁸⁷ the French State has highlighted a statistically insignificant demographic as a problem, one that many within France and its bordering nations have felt the need to resolve.

^{xii} “Zu schön für einen Schleier”

^{xiii} “Soll das Unsere zukunft sein? Österreicher sagen: Nein!”

Conclusion

The sense of otherness found in Muslim girls and women has been seen as a threat to the French Republic's culture and values in regards to secularism, gender equality, and communalism. The foreign concept of veiling is widely regarded as a barrier between Muslim women and their path to integration into Western society. In the years following the implementation of the two laws, the political climate has only contributed to the widening of this cultural gap.

Western thought in colonial and post-colonial times has claimed that female Islamic dress is a form of patriarchal oppression that hinders women's integration in society. This particular form of feminism has been adopted more than once by white males in order to replace one culture viewed as archaic or inferior with that of a more modernized, Western one. By removing the headscarf and face veil in the name of liberation and integration, France is returning to the rhetoric of colonization and gendered orientalism. It is also perpetuating the idea that the "enlightened West" is responsible for creating alternatives to non-Western cultural practices rather than promoting evolution and debate within the Muslim community itself.

However, it is even more unjust to assume that no Muslim woman has ever been coerced or forced into wearing the *hijab*, *niqab*, or any other form of Islamic dress. However, it is even more so unjust and indeed dangerous to assume that this is a reality for all Muslim women. By trying to liberate women who may not necessarily ask to be liberated, the feminist-backed political movement in France ultimately fails to recognize Muslim women as independent, autonomous, and rational players in society.

Rather than trying to eradicate an age-old cultural and religious tradition, the French government and the feminist movement must understand that their actions have evolved into

a Western replacement for Islamic patriarchy, a step backwards for integration, and a legitimizer of hate. By doing so, the current administration, in accordance with the French feminist movement, is dominating another culture by forcing a religious minority to align themselves with Western social standards.

The French State must reflect on its colonial past and the histories of other nations to examine how previous attempts to forbid veiling were flawed. They must also take into consideration what effect their policies have had on Muslims both in and outside of France. Regardless of the argued justifications, these laws perpetuate a social marker of difference for those who do not uphold Western ideals to a particular standard. The realization of these shortcomings would only be a small step in the path towards revolutionizing the perception of veiling from an increasingly narrow Western scope.

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