

BANLIEUE IS THE NEW KASBAH: THE CIVILIZING MISSION AND THE FRENCH HEADSCARF/BURQA AFFAIRS

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ABSTRACT: When Jacques Chirac proclaimed that “Wearing a veil...is a sort of aggression,” he was reflecting not only the French association of the veil with radical Islamism, but a history of racist attitudes towards Islam and the veil that was shaped by French colonialism in North Africa. This paper seeks to explore some of the reproductions and displacements of those attitudes to France’s headscarf affair and burqa controversy. It also aims to draw some analogies between Muslims and the veil during the colonial era and present-day France, as well as point out some inconsistencies in the arguments favoring the headscarf and (proposed) burqa bans. By drawing analogies to the colonial era and exploring propagations of colonial attitudes to the veil, we characterized the headscarf ban—and by extension, the burqa ban—as a modern-day civilizing mission directed towards France’s Muslim population.

KETWORDS: Burqa, French headscarf, burqa affairs, wearing veil is a sort of aggression.

The Civilizing Mission and the French Headscarf Affair

On March 15, 2004, France banned the wearing of Islamic headscarves in all public primary and secondary schools. Although the ban applies to Sikh turbans, Jewish yarmulkes, and large “conspicuous” crosses as well, these symbols’ inclusion was a tactical decision designed to undercut charges of discrimination against Muslims.¹ The law’s *raison d’être* was to outlaw the headscarf from the public school. Indeed, over the past two decades there was no outcry over the other religious symbols or modes of dress as threats to the Republic’s principle of secularism (*laïcité*). The controversy and the bulk of the arguments leading to the current ban concerned the peril of the headscarf.

The French law has not been an isolated occurrence. Rather, several Western European states such as Holland, Germany, and Belgium have proposed similar legislation, and in some instances even passed such legislation, although not on a nation-wide scale as in France.² The debate on Muslim women’s dress in Europe has been taking place with a backdrop of a number of issues concerning Muslims: the 2002 outbreak in Belgium of what were termed “race riots” by the media; the outbreak of riots in France’s underprivileged suburban areas in 2005; the rising popularity of rightwing anti-immigration political parties in several states, including Belgium (Vlaams Blok party) and France (National Front party); heightened fears of militant Islamism and suspicion of Muslims in general following the September 11th attacks and London and Madrid bombings; and apprehension over Islam’s “compatibility” with Europe.³ In France, the increasing popularity of Jean-Marie Le Pen’s National Front party pushed mainstream parties to take a stronger stance on “immigrants” (often 2nd or 3rd generation French, so not at all immigrants) and Muslims in the form of the headscarf ban.⁴

However, the headscarf ban was not due to Le Pen's influence alone; he simply tapped into a deep-seated French racism against Muslims, dating back to at least the 1830 conquest of Algeria.⁵ Talal Asad writes that "all modern states, even those committed to promoting 'tolerance,' are built on complicated emotional inheritances that determine relations among its citizens. In France one such inheritance is the image of and hostility towards Islam."⁶ This hostility was radically shaped by the French colonial enterprise in North Africa, in which the veil played an important role as a sign of Islam's difference, inferiority, and even danger.⁷ Moreover, this historically-rooted hostility towards Islam surfaced quite blatantly during the run up to the recent headscarf ban. Thus, although the official justification for the recent French ban was to protect the principle of secularism and separation of religion and state, the arguments of politicians, intellectuals, and journalists supporting the ban tended to draw on a whole range of separate and unrelated issues, exposing a fear of Islam as a pivotal driving force behind the law.⁸ Oftentimes the supporters' arguments would freely flow from discussing the headscarf in France, to chador-clad women in Iran, to the practice of female genital mutilation, to Islamist militancy, to the headscarf as a sign of submission, to the headscarf as something aggressive and dangerous, and sometimes even to the "Palestinian drama" and anti-Semitism.⁹ Almost always, in the arguments of those who supported the ban, no attempt was made to distinguish between these vastly differing issues, spanning several continents, and each having their own contexts. The veil became a screen onto which all of these fears of Islam were projected. The decontextualizing and evoking of these differing issues in support of the headscarf ban also had the effect of lumping all of these Muslims, from different continents and contexts, together into one monolithic, frightening Islam, ominously represented by the headscarf.

A similar sort of conflation happened with the language used to describe the headscarf as well. Muslim women in France refer to the headscarf as a *hijab*; in French the term is *foulard*.¹⁰ The terminology used in the French media quickly morphed from *foulard* to *voile*, meaning "veil," with the implication that the face of the wearer is covered.¹¹ This conflation of terms, and grouping together of different forms of dress, was another way of lumping all Muslims together into one block, represented by the "veil." Conflating these terms also provided a false image which supporters of the ban exploited by their persistent references to hidden Muslim faces, when in fact, the faces were perfectly visible. Finally, the conflation of headscarf and veil served as a direct link to the conquest of Algeria, where the veil (as opposed to the headscarf) represented "the final barrier to political subjugation" of the colonized Muslim.¹² Although I do not wish to reproduce this conflation of terminology, I have found it impossible not to do so in this essay while trying to analyze a French discourse that regularly conflates the two terms, using them interchangeably to associate a wide range of fears with the piece of cloth Muslim women wear on their heads.

Discourse behind the Headscarf Ban

Fear of the Muslim Other

In 1959, as President of France, Charles de Gaulle sounded an alarm bell:

If we integrate, if all the Arabs and Berbers of Algeria were to be considered French, how would we stop them from coming to the metropole, where the standard of living is so much higher? My village would no longer be Colombey-les-Deux-Eglises, but Colombey-les-Deux-Mosques.¹³

Some forty-five years later, this fear of the Muslim Other that de Gaulle expressed, fear of the Muslim Other's presence in France, of the Muslim Other's intrusion into French cities, was one of the principle attitudes that drove the passing of the headscarf ban. The veil was seized upon because it was an immediate reminder of Islam's presence in the public sphere. It needed to be pushed back, beaten, hidden away. Moreover, echoing de Gaulle's fear, the Other was assumed to be the dominating class, when in fact it was clearly a minority in terms of population, as well as socioeconomic and political strength. Talal Asad argues that, according to the report of the Stasi Commission,

Secularism does not insist on religion being confined to the privacy of conscience, to its being denied public expression. On the contrary, [the report] says that the free expression of religious signs...is an integral part of the liberty of the individual. As such it is not only legitimate but essential to the conduct of public debate in a secular democracy—so long as the representatives of the different religious opinions do not attempt to dominate it.¹⁴

Thus, by the Stasi Commission's own logic, a religious, political, and socioeconomic minority (along with its headscarf) was attempting to "dominate" the public debate in France, and had to be put in its proper place.¹⁵ In an inversion of the colonial process, Islam was feared to be colonizing France.

The Veil as Aggression

Not only was the Muslim Other's potential (and unlikely) domination feared, the Muslim Other also had a slew of qualities ascribed to her: The Other was radical, terroristic, Islamist; the other was violent; the other was anti-Semitic. The veil became representative of all of these qualities of the Muslim Other; as such, the veil was recognized as something amorphously, ambiguously aggressive, in and of itself representing terrorism, Islamic radicalism, anti-Semitism, violence in general. Just as in the colonial era, when the veil represented an inferior, dangerous, and enemy Islam which the civilizing mission had to vanquish, during the headscarf affair the veil represented a menacing Islam that was a threat to the French Republic. This threat was seen not only as a refusal to "assimilate," but also as a physical threat. By this logic Jacques Chirac could matter-of-factly state, "Wearing a veil, whether we want it or not, is a sort of aggression that is difficult for us to accept."¹⁶ Notice that Chirac does not make the common argument that something aggressive is done to a woman who wears a veil, as in subjugating or oppressing her, but rather, that the act of wearing the veil itself, performed by a woman, is an aggressive action. The characterization of the veil as aggressive contradicts the other dominant theme of supporters of the ban—the veil as a sign of women's submission to men—thus

recalling the phantasmically contradictory colonial representations of Arab women and the veil¹⁷: the Arab woman is submissive yet dangerous, the veil is at once a come on and a rejection. These contradictory representations of the hijab-clad Muslim woman as both submissive and aggressive were the driving force behind much of the rhetoric supporting the ban. The depiction of the veil as aggressive also channels the ghosts of the Algerian revolution, when veiled Algerian women, transporting weapons, messages, and money for the FLN, fashioned the veil into a literal threat to French colonialism.¹⁸

Linking the veil to a literal, violent threat, à la the Algerian war, was also apparent in the veil's constant association with radical Islamism. Ignoring evidence that many French women choose to wear the veil for a complex variety of reasons, a topic which will be elaborated upon below, the rhetoric supporting the ban focused almost exclusively on the veil being forced upon Muslim women by the specter of radical, misogynistic, Islamist men, often said to have international ties and a far bigger agenda. For instance, Jacques Chirac characterized the veil as "the siege of a politics of Islamization."¹⁹ Persistent references were made to the headscarf ban being necessary to defend France from the "demands" of a militant Islam. Bernard Stasi, the national ombudsman who headed the Stasi Commission, warned of a "catastrophe if the republic is forced to give in to the Islamists."²⁰ The recurring references to the demands, coercion, and "siege" of Islamists were an ironic inversion: the fact of the matter was that the Republic was demanding, indeed coercing, Muslim women to discard their headscarves, not the other way around. In another ironical twist, passing the veil law retroactively confirmed the suspicions of many supporters that wearing the veil was a political, not religious act. Whereas before a Muslim schoolgirl wearing a veil may have done so out of personal religious conviction, today, by legal definition she is performing a political act, threatening the republic with her veil, as women in the Algerian war did, or perhaps in her view, carrying out a principled act of civil disobedience. Thus the headscarf ban served as a self-fulfilling prophecy, cementing the hijab's status a political monkey wrench rather than a religious garment.

The Veil as Oppression

The argument that possibly reverberated most with colonial attitudes to the veil was that the headscarf ban would emancipate Muslim women. Oddly, as in the colonial era, Muslim women were largely excluded from the debate over their own emancipation. Much of the discussion in the press was carried out by men of power: politicians, intellectuals, editorialists, religious leaders,²¹ thereby framing the debate over Muslim women's emancipation in a thoroughly patriarchal discourse. Men's voices were frequently joined by the voices of white non-Muslim feminists, but rarely by Muslim women. Muslim women's voices were similarly muffled at the hearings of the Stasi Commission. By some accounts, out of 150 invited participants, the Commission heard from only one veiled woman, and only two Muslim women in all²²—a staggering denial of voice to those the Commission was purportedly

protecting/liberating. Hence, the process that led to the ban was anything but emancipating for Muslim women's voices, instead, they were spoken for by an assortment of "experts" concerned only with emancipating Muslim women's faces, which were uncovered to begin with.²³ Recalling Gayatri Spivak's critique of colonialism, the headscarf ban was a case of white men (and add to that women) seeking to rescue brown women from brown men,²⁴ with "rescue" meaning converting them to Western women's standards of dress and sexuality.²⁵

As discussed earlier, one of the central elements of the emancipation discourse was to ignore or downplay evidence that contradicted the thesis that Muslim women were forced to wear the headscarf. As such, the media fixated on Islamist "hooligans" or "barbarians" in the *banlieues* and warned of their role in a larger international movement. The Stasi Commission too apparently concluded that a "very large majority" of Muslim schoolgirls were forced to wear the headscarf.²⁶ However, it is not clear how these girls' "genuine desires" were determined,²⁷ especially when considering how little the Commission interacted with Muslim females. Moreover, the Commission appears to have attempted to ascertain the "genuine desires" of only schoolgirls who wear the headscarf, entirely ignoring the possibility that some girls may in fact desire to wear the headscarf but are "forced" not to because they fear societal or family pressure and stigmatization.²⁸ In fact, many Muslim schoolgirls wear the headscarf *despite* family pressure to not wear it, so it is entirely possible that some girls may not wear it due to this reason. Indeed, in late 2003 there was just such a case: a Muslim girl relinquished her headscarf because her father beat her for wearing it.²⁹ However, public outrage and investigation seem to be lacking in this case. Judging by these events it seems that coercion and violence are deplorable only when they occur in the name of religion, but are often tolerated, even celebrated, when they occur in the name of secularism. Thus the Commission's calculation of Muslim girls' desires was distorted: wearing the headscarf was assumed to be an ambiguous statement, the girl may or may not wish to wear it (more likely the latter), while not wearing a headscarf was assumed to mean that the girl had no desire to wear it.³⁰

On the rare occasion that it was acknowledged that Muslim girls may in fact freely choose to wear the headscarf, this was often seen as an even bigger threat to the French Republic. It was perceived as something dangerous that women should choose their own subjugation, choose a backward religion such as Islam over a sacred French secularism. In response to sociological studies that pointed to complex motives for wearing a headscarf, media analyses turned to the idea of the "voluntary servitude" of Muslim women:

that young French women should themselves choose to wear the headscarf is precisely what makes them even more dangerous. This act is no longer to be seen as the consequence of family pressure but as the sign of a personal – and therefore fanatical – commitment.³¹

Along with fear of the Muslim woman who freely wore the veil, there was a related colonial attitude amongst many who *opposed* the ban precisely because they wanted Muslim women to be educated in order that they become properly secularized and assimilated. The hope was that education would lead them to discard the veil of their own volition in the future. In an echo of Mrs. Massu's "nourish the mind and the veil will wither by itself," it was said of the Levy sisters, converts to Islam who were expelled from school for wearing headscarves, that "it is only through the education they receive in the course of their studies that they will be able, perhaps, to no longer need Islam."³²

France's Proposed Burqa Ban, 2009—Present

The headscarf ban was not the French government's final word on the do's and don'ts of Muslim women's dress. In June of 2009, some five years after the passage of the headscarf ban, a new debate erupted in France concerning veils that, unlike the headscarf, of course, actually cover women's faces. However, since the term "veil" had already been conflated with "headscarf" during the 2003-2004 debate, it ironically could not be used when veils actually became the subject of discussion. Instead, even though the vast majority of, if not all, face-covering veils in France are niqabs (veils that fall just below the eyes or contain a slit for the eyes, primarily found in the Persian Gulf region), they were referred to primarily as burqas (garments that cover women from head to toe, leaving a grille over the eyes). Just as the conflation of headscarf and veil had served to heighten anxiety by allowing for persistent—and inaccurate—references to hidden faces in 2003-2004, the use of the term burqa in the present debate conjures up frightening images of Afghanistan and the Taliban, the country and political movement, respectively, with which the term is predominantly associated. The number of Muslim women who actually wear face-covering veils in France is a tiny minority—of France's estimated 5-6 million Muslims the Interior Ministry estimates 1,900 women while France's domestic intelligence services estimate a miniscule 367 women wear either garment,³³ with the niqab making up the vast majority of both estimates. Indeed, some reports even suggest that the burqa is not at all present in France.³⁴ In either case, dominating the current debate is a term for a garment ("burqa") that is so rare in France that it might not exist, speaking volumes about both the paranoia and sleight of hand fueling the so-called "burqa controversy/debate." Besides "burqa," the terms "niqab" and "voile integrale"³⁵ (meaning "full veil") have also been used interchangeably during the debate, as I will do here.³⁶ In the following sections I will provide background to the current burqa controversy as well as analyze the discourse of the debate, focusing on the dominant theme of unveiling as the emancipation of Muslim women—a theme which, as discussed in relation to the headscarf ban, is rife with echoes of colonial attitudes to the veil.

Background

In June of 2009, the French National Assembly created a parliamentary commission of thirty-two cross-party lawmakers to investigate legally banning the burqa, as well

as any other garment that covers the face. The creation of the parliamentary commission, hereafter referred to as the Burqa Commission, was preceded by a petition by some sixty MPs from wide-ranging political parties calling for an investigation of whether the burqa's presence in France undermines secularism, is indicative of a radicalization of Islam, and is the result of women wearing the garments voluntarily or under coercion.³⁷ French President Nicolas Sarkozy wasted little time in zealously championing the anti-burqa cause. On June 22, 2009, in the first speech by a French President to both houses of parliament since 1873, Sarkozy declared "In our country we cannot accept that women be prisoners behind a screen, cut off from all social life, deprived of all identity. The burka is not a religious sign. It is a sign of subservience, a sign of debasement. It will not be welcome on the territory of the French Republic."³⁸ The following day the National Assembly announced the creation of the Burqa Commission.

After six months of investigation, among the Burqa Commission's fifteen recommendations was a partial ban on Islamic face veils in public places such as schools, hospitals, public transport, and government offices, and by anyone receiving public services.³⁹ However, conflicting with Sarkozy's position that burqas are unwelcome on French soil, the Burqa Commission stopped short of recommending a total ban on face-covering veils, believing that such a ban would conflict with the French Constitution.⁴⁰ Two months later, in a study commissioned by Sarkozy's government, France's highest administrative court, the State Council, also found that "a general and absolute ban on the full veil...can have no incontestable judicial basis" as such a law could be in violation of the French Constitution as well as the European Convention for the Protection of Human Rights and Fundamental Freedoms.⁴¹ The Council found that "only the demands of public security and the fight against fraud," which would apply "to special circumstances of time and place," could serve as a legal basis for banning the burqa.⁴² In addition to finding a total ban "legally very fragile," The State Council also cited concerns about the enforceability of such legislation, as did the Burqa Commission.⁴³ Despite the warnings against a total burqa ban by the Burqa Commission and the State Council, whose advice the government had pursued, and in spite of his own assurances that "the government will introduce a bill to ban [the burqa] that conforms to the principles of our laws,"⁴⁴ on April 21, 2010, in a surprise move, President Sarkozy ordered the submission of a bill to Parliament that would completely ban the full Islamic veil in France.⁴⁵ As of this writing, Parliament has yet to discuss the bill.

Political Utility of Targeting Muslims

Aside from any personal convictions he may harbor, Sarkozy's campaign against the burqa can also be understood as an astute, and cheap, political move. Targeting immigrants, i.e., Muslims, has become a common campaign/political tactic amongst right-wing parties across Europe,⁴⁶ as well as amongst mainstream parties attempting to co-opt right-wing voters, as was previously mentioned regarding the headscarf ban and France's right-wing National Front.⁴⁷ Given the small number of Muslims who

actually wear face veils, President Sarkozy's sagging approval ratings,⁴⁸ and regional elections looming ahead in March of 2010, the burqa makes for an easy target. Indeed, almost a phantom target considering the tiny number of niqabs in the country. However, targeting this "phantom" is not without consequences, for, combined with a backdrop of the "Grand Debate on National Identity" that Sarkozy launched in November of 2009—meant to foster public discussion on what it means to be French—Muslims in France repeatedly report feeling "stigmatized"⁴⁹ by the raging controversy, even though few of them actually embrace the niqab. Moreover, given that Sarkozy's national identity debates, conducted in town halls across the country and over a government-run website, have often descended into xenophobic insults hurled at Muslims⁵⁰ and the virulent discourse behind the burqa debate, these two campaigns have stirred up racist feelings against Muslims around the country.

If the burqa campaign is indeed a political move, it is in keeping with Sarkozy's history of expediently appropriating ideas and personnel from across the political spectrum, particularly his 2007 presidential campaign which gained support among the right with tough stances on crime and immigration.⁵¹ Sarkozy's embrace of the burqa campaign has continued, even heightened, after his Union for a Popular Movement (UMP) party's trouncing in the March elections, as he perhaps eyes the 2012 presidential election. The burqa issue has proved to be a popular one—kindling France's "emotional inheritance" of a hostility towards Islam⁵²—with 57% of the population favoring a full ban,⁵³ a remarkable figure, especially when considering nearly half of France says it never sees real, live niqab-clad women.⁵⁴

Discourse behind the Proposed Burqa Ban

Similar to the headscarf affair, the discourse behind the current burqa controversy is dominated by images of an oppressive, threatening Islam, transforming what is at most a technical, administrative issue—as France's own State Council described, an issue of "public security and the fight against fraud" that applies only in "special circumstances of time and place"—to a "challenge to our republic" that is "unacceptable" and "must [be] condemn[ed]," in the words of the Burqa Commission.⁵⁵ Macabre, fearful imagery was used to describe the full veil: it was a "coffin," a "tomb," a "prison," "straitjacket," "enslavement," representative of the "cancer" of radical Islam that threatens to spread.⁵⁶ MP and Chairman of the Burqa Commission, Andre Gerin warned that terrorism and extremism are "hiding behind the veil," which was only "the tip of the iceberg. Islamism really threatens us."⁵⁷ Alongside these images of an Islamic threat, the central theme of the anti-niqab discourse has been unveiling as the emancipation of Muslim women, on which my analysis will focus.

Unveiling as the Emancipation of Muslim Women

While the letter of the law of the headscarf ban was based on the issue of secularism, the discourse was dominated by colonial themes such as the liberation of Muslim women and a threatening and violent Islam. With the proposed burqa ban, secularism has almost completely dropped out of the debate,⁵⁸ even as a nominal issue, as the

familiar themes of, first and foremost, the liberation of Muslim women, and secondly, guarding against an Islamic threat, have dominated not only the discourse of the proposed legislation, but, in the case of Muslim women's liberation, its legal justification as well. Thus, while legislators' initial appeal for the creation of the Burqa Commission included the need to investigate whether the burqa undermines secularism, the other two topics of investigation were the burqa's connection to a radicalization of Islam and whether it was worn voluntarily or under coercion.⁵⁹ Following the signing of this petition, Industry Minister and a Spokesman for the Government, Luc Chatel, emphasized the centrality of Muslim women's liberation to any potential burqa ban: "If it was proved after this inquiry that burqa-wearing was forced, in other words that it contradicted republican principles, then naturally Parliament would take all the necessary decisions."⁶⁰ For his part, President Sarkozy, one of the main proponents of a burqa ban, has spoken of it almost exclusively as an issue of "woman's freedom and dignity."⁶¹ In fact, Sarkozy has on numerous occasions explicitly stated that the burqa is not a religious issue, thus disconnecting it from the issue of secularism. For instance, after ordering legislation for a total burqa ban, Sarkozy was quoted by Spokesman Chatel as stating that burqas "do not pose a problem in a religious sense, but threaten the dignity of women."⁶²

In Chatel's conditional statement above, "If it was proved after this inquiry that burqa-wearing was forced... then naturally Parliament would take all the necessary decisions," he does not address what happens if the condition is not met, namely, if it is not proved that burqa-wearing is forced. This omission reflects the foregone conclusion amongst the proponents of the ban that burqa-wearing is forced and that it is the French government's duty to liberate the Muslim female from her Muslim male patriarch. Accordingly, just as occurred during the headscarf ban, evidence suggesting the voluntary nature of veiling—and indeed, the demographics of veiled women in France suggest that a significant number, if not majority, veil voluntarily—was dismissed.

Scholars of Islam in France such as Dounia Bouzar and Bernard Godard as well as domestic intelligence agencies (DCRI and SDIG) suggest that most women who wear face-covering veils are less than thirty years old (intelligence sources indicate that 90% are under the age of 40); two-thirds of them are French nationals; half are second or third generation "immigrants," and nearly a quarter are converts.⁶³ In its study, the anti-terror internal security force DCRI found that most women who wear the burqa/niqab do so voluntarily and are very religious, while another branch of the intelligence services, SDIG, concludes that women wear the garments to make a political point and defy French society, some even rebelling against their families.⁶⁴ Scholar Bernard Godard concurs with DCRI's study, stating that "the majority has voluntarily adopted this outfit. Many have French nationality. And there are quite a few converts in their ranks."⁶⁵ Burqa Commission Chairman, Andre Gerin, who has variously described burqas as "walking prisons" and "walking coffins," rejected the intelligence services' demographic estimates as "ridiculous,"⁶⁶ reflecting the flippant

attitude proponents of the ban held for any evidence that obstructed their path to undressing, thus liberating, Muslim women.

Similar to the discourse behind the headscarf ban, acknowledgement of the possibility of voluntary veiling was accompanied by patronizing, hubris-filled dismissal, as French philosopher and public intellectual Bernard-Henri Levy wrote “voluntary servitude has never held water as an argument,”⁶⁷ his support for a forceful “liberation” recalling the force that underwrote France’s civilizing mission. The vitriol is practically palpable in Levy’s article. He goes on to say that the burqa is “an insult to the women who, at the very hour I write these words, are demonstrating barefaced in Iran against a regime of assassins who claim the burqa among their symbols.”⁶⁸ Forget for a moment that the burqa is not among the Iranian regime’s symbols, that the literacy rate for women in Iran has more than doubled under Islamic rule, or that more women have been elected to parliament in post-revolutionary Iran than in the United States⁶⁹ (facts that western governments conveniently overlook as they complicate the simple, repetitive equation “Islam = women’s oppression”), exactly how this supposed “insult” relates to French women who voluntarily don the niqab to defy a racist French society, Mr. Levy does not explain. Through this rhetorical device, Levy conflates the domestic issue of a burqa ban with a decontextualized, international Islamic specter, all in the service of forcefully liberating Muslim women from their non-western dress.

Levy closes his article stating that “This symbol [the burqa] would divide humanity between those of glorious body, graced with no less glorious a face, and those whose bodies and faces are an outrage in the flesh, a scandal, a filthy thing not to be seen but hidden or neutralized. And that is why, if there is even one woman in France, just one, who enters a hospital or the city hall imprisoned in a burqa, she must be set free.” This is a puzzling passage, perhaps most useful in showing the fanatical zeal of the would-be emancipator of Muslim women. Levy seems to suggest those who cover their bodies and/or faces are ugly while those who expose them are “glorious,” which is no doubt illogical in the literal sense, and unsurprisingly full of hubris in the metaphorical sense, but he states his central point without adornment: the Muslim woman, every last one of them, “must be set free.” Notice the passive voice in the phrasing—it is up to France to free her, for her agency and consciousness are denied when her only choices are servitude (of the voluntary or involuntary variety) or liberation, French style.

Conclusion

I have sought to probe some of the links between French colonial attitudes to the veil and present-day attitudes as expressed during the 2003-2004 headscarf affair and the current burqa debate. The rhetoric of the civilizing mission has been replaced by one of assimilation and integration, however, Muslims are not seen merely as civic threats. Characterizations of the veil as aggressive and directly linking it to militant Islamism, while downplaying complex motivations for wearing it, have shown that Muslims are clearly feared as a very real, violent threat, represented by the veil. The

focus on unveiling to assimilate the civic threat and diffuse the violent threat is reminiscent of the focus on unveiling to destroy Algerian resistance to the civilizing mission and to counter the military threat of the veiled Algerian woman. In another parallel with the colonial era, the headscarf and burqa affairs have been portrayed as white French men and women's noble mission to emancipate brown women from brown men.⁷⁰

The model of integration as represented by the headscarf and burqa affairs is a flawed, phony model, obsessed with visible signs of Islam while ignoring French Muslims' severe socioeconomic inequality. While it is true that over the past year Sarkozy has alluded to the failure to integrate Muslims' in any meaningful socioeconomic sense, the attention devoted to schoolgirls who wear headscarves and 300 to 1,900 women who wear niqab is not only wildly disproportionate to that devoted to the systematic discrimination in housing and employment faced by Muslims,⁷¹ but also serves to inflame the racism that buttresses this discrimination. This fixation on visible manifestations of Islam belies the rhetoric of would-be liberators: Proponents of the headscarf and burqa bans claim they want to free Muslim women from invisibility and a lack of identity; however, the opposite is true. The veil gives Muslims *too much* visibility, and the *wrong kind* of identity, in the eyes of the French Republic. Proponents of the ban wish to strip the Muslim woman of her visible *muslimness*, indeed, they wish to make Islam as invisible as possible. It is not a lack of identity they want to rescue her from; her Muslim identity is itself the problem.

Another revealing aspect of the discourse of the headscarf and burqa affairs is the way in which "integration" and "liberation" came to mean the same thing. While the debates were framed by the issue of integrating Muslims, the ultimate goal of proponents of the bans, at least rhetorically, was to "liberate" Muslims, specifically Muslim women. Thus liberating Muslims became synonymous with integrating Muslims, which was code for "make them French, as defined by us." This dynamic of "liberation through integration" runs parallel to French colonialism's goal of "civilizing"—and hence, liberating—subject populations by making them french.

Inherent in the headscarf and burqa bans, as well as the disadvantaged *banlieues*, is racism, intolerance, and exclusion tinged with the ghosts of history. Instead of policies of civilizing missions and the elimination of differences, it is my hope that we can move towards recognition of difference not based on civilizational chauvinism.

¹ Joan Wallach Scott, *The Politics of the Veil* (Princeton: Princeton University Press, 2007) 1-2.

² Elizabeth Bryant, "Muslim Veils Prompt Bans across Europe," *The Washington Times* 23 October 2006: Page One, A01. Stephen Castle, "Dutch Muslims Condemn 'Populist' Burqa Ban Move," *The Independent* 20 November 2006, first ed.: Europe, 20.

³ Jon Henley, "Europe Faces up to Islam and the Veil," *The Guardian* 4 February 2004. <http://www.guardian.co.uk/france/story/0,11882,1140244,00.html>

⁴ Scott, *The Politics of the Veil*, 37-40.

⁵ Scott, *The Politics of the Veil*, 41.

⁶ Talal Asad, "French secularism and the 'Islamic veil affair,'" *The Hedgehog Review* 8.1-2 (Spring-

Summer 2006).

⁷ Scott, *The Politics of the Veil*, 41-89. Frantz Fanon, *A Dying Colonialism*, trans. Haakon Chevalier (New York: Grove Press, 1965), 35-67.

⁸ As I do not read French, I have relied on the English-language press to gather some of the salient arguments among French supporters of the ban, including politicians, government officials, and intellectuals. In particular, I have drawn information from 60-plus newspaper articles, mostly from *The Guardian* and *The New York Times*. I have also relied on Joan Wallach Scott's *The Politics of the Veil* and a host of other sources listed in the bibliography to become familiar with the arguments of supporters of the ban.

⁹ It did not seem to occur to them that banning the veil could itself be seen as an "anti-Semitic" act. For "Palestinian drama," see Jane Kramer, "Taking the Veil," *The New Yorker*, 22 November 2004.

¹⁰ Scott, *The Politics of the Veil* 16.

¹¹ Scott, *The Politics of the Veil* 16. I have noticed a similar conflation of "headscarf" and "veil" in public discourse and everyday speech in the United States.

¹² Quote from Scott, *The Politics of the Veil* 67.

¹³ Scott, *The Politics of the Veil*, 62.

¹⁴ Asad, "French secularism and the 'Islamic veil affair,'"

¹⁵ I use the word "minority" here to denote a group that has little power relative to other groups in a society. Religiously, politically, and socioeconomically Muslims have less power than the dominant class.

¹⁶ Jon Henley, "Something aggressive about veils, says Chirac," *The Guardian* 6 December 2003. <http://www.guardian.co.uk/france/story/0,11882,1101321,00.html>

¹⁷ Scott, *The Politics of the Veil*, 55, 60.

¹⁸ Fanon, *A Dying Colonialism*, 35-67.

¹⁹ Kramer, "Taking the Veil."

²⁰ Jon Henley, "French MPs reappraise plan to outlaw veils," *The Guardian* 20 January 2004.

²¹ See Adrienne Katherine Wing and Monica Nigh Smith, "Critical Race Feminism Lifts the Veil?: Muslim Women, France, and the Headscarf Ban," *UC Davis Law Review* 39.743, 743-790. <lawreview.law.ucdavis.edu/articles/Vol39/Issue3/DavisVol39No3_WING.pdf

²² Islamic Human Rights Commission, *France: Concerns Regarding the Violation of CEDAW by the Banning of the Islamic Headscarf and other Religious Symbols in Schools, etc.*, December 2007, 14, 16. <http://www.ihr.org.uk/file/08janFranceCEDAWproof.pdf>, last accessed on 2 December 2008.

Susan Bell, "France Finds its Cover Girl for Veil Battle," *The Sunday Times* 25 January 2004 <http://www.timesonline.co.uk/tol/news/world/article1102274.ece>

²³ See Scott, *The Politics of the Veil*, 159 for references to the headscarf and hidden faces.

²⁴ Ragini Tharoor Srinivasan, "Rethinking the Veil," *India Currents* February 2005 18.18, 7. Gayatri Chakravorty Spivak, "Can the Subaltern Speak?," *Marxism and the Interpretation of Culture*, eds. Cary Nelson and Lawrence Grossberg (Urbana: University of Illinois Press, 1988) 271-313.

²⁵ Scott, *The Politics of the Veil*, 151-174.

²⁶ Patrick Weil, "A Nation in Diversity: France, Muslims, and the Headscarf," www.OpenDemocracy.net 25 March 2004 <http://www.opendemocracy.net/faith-europe_islam/article_1811.jsp>

²⁷ Talal Asad, "French secularism and the 'Islamic veil affair.'"

²⁸ Talal Asad, "French secularism and the 'Islamic veil affair.'"

²⁹ Scott, *The Politics of the Veil*, 31.

³⁰ Asad, "French secularism and the 'Islamic veil affair.'"

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³² Scott, *The Politics of the Veil*, 31.

- ³³ “Muslims in Europe: Country guide,” BBC News 23 Dec. 2005. <<http://news.bbc.co.uk/2/hi/europe/4385768.stm>>. Steven Erlanger, “Face-Veil Issue in France Shifts to Parliament for Debate,” The New York Times 26 Jan. 2010. <<http://www.nytimes.com/2010/01/27/world/europe/27france.html>>. “Less than 400 women in France wear burqa, says police report,” Radio France Internationale [English Service] 7 July 2009. <http://www.rfi.fr/actuen/articles/115/article_4567.asp>
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- ³⁵ “France moves toward partial burqa ban,” CNN 26 Jan. 2010. <<http://www.cnn.com/2010/WORLD/europe/01/26/france.burqa.ban/index.html>>
- ³⁶ I will also simply use “veil” to connote “full veil” in this section.
- ³⁷ Articles conflict from reporting 65 MPs calling on the creation of the commission to 57 signing the petition. Emma Jane Kirby, “Sarkozy stirs French burka debate,” BBC News 22 June 2009. <<http://news.bbc.co.uk/2/hi/europe/8113778.stm>>. “French parliament to consider burka ban,” CNN 24 June 2009. <<http://edition.cnn.com/2009/WORLD/europe/06/23/france.burkas/index.html>>
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- ⁴⁶ Yasemine Shooman and Riem Spielhaus, “The concept of the Muslim enemy in the public discourse,” Muslims in the West after 9/11: Religion, Politics and Law (London: Routledge, 2010) 204-205.
- ⁴⁷ Scott, The Politics of the Veil, 37-40.
- ⁴⁸ Tracy McNicoll and Stefan Theil, “The Trouble with Sarkonomics,” Newsweek [International Edition] 7 Dec. 2009, Vol. 154 No. 23.
- ⁴⁹ “French parliament to consider burka ban,” CNN 24 June 2009. <<http://edition.cnn.com/2009/WORLD/europe/06/23/france.burkas/index.html>>. Steven Erlanger, “Burqa Furor Scrambles French Politics,” The New York Times 1 Sep. 2009.

<http://www.nytimes.com/2009/09/01/world/europe/01france.html>

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⁵¹ McNicoll, "The Trouble with Sarkonomics." Peter O'Neil, "Accommodation la française: Sarkozy accused of ramping up anti-immigrant sentiment while France debates identity," *The Gazette* [Montreal] 1 Nov. 2009: A10. James Graff, "Love it or Leave it: Xenophobia Goes Mainstream," *Time* 1 May 2006. <http://www.time.com/time/world/article/0,8599,1189794,00.html>

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⁵⁵ "Burqa ban called into question by high French court," *Monsters and Critics*. Sandeep Gopalan, "Behind the burqa," *The International Herald Tribune* 28 Jan. 2010: 6.

⁵⁶ Ben Hall, "French Minister Calls for Ban on Burka," *Financial Times* [London] 14 August 2009. <http://www.ft.com/cms/s/0/9f37d5a0-88f9-11de-b50f-00144feabdc0.html>. "French Parliament to consider burka ban," *CNN*. Sabria Jawhar, "Since when is my Hijab your Business?," *The American Muslim* 26 July 2009. <http://www.theamericanmuslim.org/tam.php/features/articles/since-when-is-my-hijab-your-business/0017473>. Piven, "Head-to-toe Islamic Veil in France." "Less than 400 women in France wear burqa, says police report," *Radio France Internationale* [English Service]. "France backs off burka ban hours after Sarkozy claims his country has no place for full face veils," *The Daily Mail* 13 Nov. 2009. <http://www.dailymail.co.uk/news/worldnews/article-1227574/France-backs-burqa-ban-hours-Sarkozy-claims-country-place-face-veils.html>

⁵⁷ "New French Fashion in Civil Rights," *Korea Times* 18 Feb. 2010. Erlanger, "Burqa Furor Scrambles French Politics."

⁵⁸ When secularism has been brought up, it has been in connection to women's equality being part and parcel of secularism. A flawed argument, in my opinion.

⁵⁹ Emma Jane Kirby, "Sarkozy stirs French burka debate," *BBC News* 22 June 2009. <http://news.bbc.co.uk/2/hi/europe/8113778.stm>

⁶⁰ "France considers burqa ban; Will examine whether women are being coerced," *The Gazette* [Montreal] 20 June 2009: News, A20.

⁶¹ "French parliament to consider burka ban," *CNN* 24 June 2009.

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⁶⁴ "Less than 400 women in France wear burqa, says police report," *Radio France Internationale* [English Service]. Piven, "Head-to-toe Islamic veil rare in France."

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⁶⁶ "Less than 400 women in France wear burqa, says police report," *Radio France Internationale* [English Service]. "France backs off burka ban hours after Sarkozy claims his country has no place for full face veils," *The Daily Mail*.

⁶⁷ Bernard-Henri Levy, "Why I support a Ban on Burqas," *The Huffington Post* 15 Feb. 2010.

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⁶⁸ Bernard-Henri Levy, "Why I support a Ban on Burqas."

⁶⁹ Saba Mahmood, "Feminism, Democracy, and Empire: Islam and the War on Terror," *Women's Studies on the Edge*, ed. Joan Wallach Scott (Durham: Duke University Press, 2008) 93.

⁷⁰ Although all Muslims are certainly not "brown," Islam has been racialized as an Arab religion in Western Europe and the United States.

⁷¹ "Third Report on France," European Commission against Racism and Intolerance (ECRI), Council of Europe, 2005. <<http://www.unhcr.org/refworld/country,,COECRI,,FRA,,46efa2e90,0.html>>. Gay McDougall, "Report of the Independent Expert on Minority Issues – Mission to France," U.N. Human Rights Council, 2008. <<http://www.unhcr.org/refworld/country,,MISSION,FRA,,47d6a3ea2,0.html>>. As cited in Yael Barbibay, "Citizenship Privilege or the Right to Religious Freedom," *Cardozo Journal of International and Comparative Law* [Yeshiva University] 18:159, Winter, 2010.

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