

The hijab and the Republic

Headscarves in France

David Macey

At the end of the long summer holiday the children of France will return to schools governed by a new dress code. There is no tradition of school uniforms in the state sector and they will still be free to wear more or less what they wish, though the more outlandish manifestations of teenage fashion may incur some disapproval. (As I recall, the wearing of thongs set off by low-cut jeans has already caused controversy.) Should they choose to do so, school students may wear a small cross, Star of David or Hand of Fatima. Three things will be forbidden on pain of exclusion: the kippa or Jewish skullcap, the large wooden crosses worn by members of certain charismatic Christian sects, and the headscarves worn by some Muslim girls. All have been deemed to be ostentatious or conspicuous religious symbols that have no place in secular schools. Very few commentators on France have any doubts as to the real target. There have been no reports of Jewish boys being expelled for wearing kippas; the 'charismatic sects' in question are so small that few had ever heard of them until 17 December 2003, when President Chirac announced that legislation was required to put an end to a dispute that has been going on for over a decade. The legislation was duly passed at the beginning of February by 494 votes to 36. The vote did not split along party lines.

Somewhat late in the day, it was realized that the legislation must, in all logic, also apply to Sikh boys wearing top-knots or turbans. It can only be assumed that they were forgotten about: France's Sikh community is small, consisting of at most a few thousand – mainly refugees from India – living near their temple in Bobigny in the Seine–Saint-Denis *département*. The fact that boys can wear their turbans results from an administrative decision taken at the local level. The issue was raised when foreign minister Dominique de Villepin visited India in February. The French embassy in New Delhi had received a petition signed by a hundred thousand people. De Villepin promised that a solution would be found, but did not say what it might be. He had no real cause to worry: it is hard to believe that anyone cares greatly about a small number of Sikh boys. It is very difficult to escape the conclusion that the legislation is directed against only one group, and that a modern democracy has, probably for the first time, ruled by law on what certain girls can wear to school.

In September 1989 two girls were excluded from their lycée for refusing to remove their hijab. There have regularly been similar incidents over the years, most of them involving no more than two or three girls. The official response has varied from automatic expulsion to reluctant tolerance. Apparently trivial incidents have led to strikes by teachers unwilling to accept headscarves in their classrooms, and to vocal 'pro-hijab'

demonstrations in the streets, none of them supported by the official parties of the Left. The controversy is, of course, symptomatic of the much broader and more difficult issue of France's ongoing difficulties with the 'integration' of social groups that increasingly tend to define their identities in religious terms. North Africans in particular have little alternative; long after Algeria achieved independence in 1962, 'Algerians' born in France were still referred to as French Muslims of North African Origin, and ethnicity was disastrously conflated with religion. Even today, the wearers of the hijab can still be described as *issues de l'immigration* ('descended from immigrants').

In the confusion surrounding the issue, it is often said that the ban is on wearing veils. A hijab is not a face veil, but a scarf concealing the hair, the ears and the throat of the wearer. The common slippage from headscarf to veil is intriguing. Whilst it would be dangerous to take the argument too far, it is tempting to see the slippage as an expression of the old Western (male) fascination with the mysterious Veiled Woman (and the powerfully erotic fantasy of unveiling her). It also has some nasty historical overtones: a lot of effort went into trying to persuade Algerian women to remove their veils during the Algerian war.

In the late 1980s and even more so in the early to mid-1990s, photographs of young women wearing hijabs connoted only one thing. On 24 November 1994, the cover of the weekly *Express* showed a woman wearing one but looking directly at the camera. It was captioned 'The Headscarf. The Plot. How the Islamists Are Infiltrating France'. Girls and women in hijabs were, that is, the concealed vanguard of the Armed Islamic Group that was terrorizing Algeria, and that planted bombs that killed eight people in Paris in August 1995. Despite the immediate hijab/Algerian terrorism, the girls concerned in the earliest incidents over the hijab were Turkish.

Laïcité

The new law is quite in keeping with the spirit of the legislation that laid the foundations of the secular educational system from the 1880s onwards. The complete separation of Church and State came in 1905. France's schools were a major battleground and their teachers, especially those in primary schools, were often described as the Republic's 'hussars'. There is no teaching of religion in French schools, and there are no faculties of theology in French universities. Conversely, there is no direct government involvement or interference in religious affairs. Although the key term *laïcité* is habitually translated as 'secularism', the English noun does not capture all the connotations of the French. The French state and its schools are neutral when it comes to religion, but they also guarantee and defend religious freedom, defined as an issue for the individual. The principles of *laïcité* have long been dear to the French Left and are an integral part of its culture, as is the anti-clericalism that has always lain just beneath the surface.

There is, to be sure, much to admire about France's secular schools. Whilst it is easy to overestimate its influence (and the quality of the teaching), the inclusion of at least the rudiments of philosophy is surely to be welcomed. *Laïcité* means that there is no danger of creationism creeping onto the syllabus, even disguised as the mere 'alternative' to evolutionary theory peddled in the brave new world of some of our city academies in Britain. French children and their parents are spared the mish-mash of Christmas-card Christianity and homeopathic doses of multiculturalism that pass for religious education in our schools. No tears are shed over who gets the best parts in the nativity play. The ban on 'ostentatious religious signs' notwithstanding, French children and parents are spared the fetishization of 'school uniform'. One school in Peterborough was recently reported as having contrived to turn this into a religious issue too by making a distinction between 'uniform' and 'non-uniform' hijabs (*Guardian*, 11 March 2004). That takes real genius. France has now decided, on the basis of a report to the

prime minister by Régis Debray, that more attention should be given to teaching about *le fait religieux*, as it has been rather pompously termed. This will not mean teaching religious education (RE), but it does mean that more emphasis will be placed on the social importance of religions in history classes and so on. The principles of *laïcité* will be defended.

On their return to school, French teachers will be armed with a small book entitled *L'Idée républicaine aujourd'hui*. Three hundred thousand copies are being prepared for distribution in May, and the document can be consulted at www.education.gouv.fr/actu. It is an impressive document which outlines the history of *laïcité*, summarizes the primary legislation and provides a bibliography and filmography of materials on 'the Republican idea'. In some respects, it represents an advance: there is at last some acknowledgement of Vichy France's shameful role in the Shoah and even of the Algerian war. An 'alphabet primer' (*Abécédaire*) conveniently summarizes the main 'Republican ideas'. The sociologist Dominique Schnapper contributes a few hundred words of 'citizenship' that unwittingly identify the main problem with the new republicanism. A citizen, she remarks, is not a concrete individual; no one ever meets a citizen in the street. The citizen is a legal subject enjoying certain civil and political rights in a universal republic. This has long been the case: the Jews of France were emancipated as individual citizens, and not as part of a Jewish collectivity. A citizen is neither black nor white. And a citizen certainly does not wear a hijab.

In his presentation of the legislation, Chirac spoke of the need for '*un sursaut républicain*' – a republican start or jump. This is a distinctly odd expression, but it is revelatory of the semantic inflation affecting the adjective. Chirac entered the 1995 presidential election calling for 'a Republican pact', defined as a defence against unbridled 'American-style' neoliberalism. Over the next few years a rash of books appeared with titles like *La République menacée* (Pierre-André Taguieff, 1996), *Philosophie de la République* (Blondine Kriegel, 1998) and *La République expliquée à ma fille* (Régis Debray, 1988). The new republicanism was supposedly a way of reinforcing France's sense of identity and defending the key institutions of State and School. The main threat to the Republic is seen as 'communitarianism', and that is the crime of which the hijab-wearers stand accused. 'Communitarianism' can be defined in quite extraordinary terms.

When the headscarf affair first broke, I learned from a French anthropologist that I live in a country characterized by a 'differentialist' mentality that believes in the need to keep different races separate. More surprisingly still, I learned that I will be reluctant to allow my son to marry a Pakistani girl because of my fear that the Pakistani community will be dissolved into the English (*L'Express*, 24 November 1994). In France, Muslim women are frequently criticized in print for insisting on being seen by women doctors. Halal meals are not provided in schools. Even 'women-only' sessions in



swimming pools are criticized on the grounds that they offend against the principles of equality between men and women and are a further manifestation of communitarianism. Natasha Walter's classically liberal plea that we should 'respect women's choices that are not our own, even if they include wearing the hijab' (*Guardian*, 20 January 2004) would probably be ruled inadmissible.

The French feminist position on the veil tends to be that it is an assault on the freedom of all women and, as Blandine Kriegel, who chairs the Haute Commission sur l'Intégration puts, is a 'symbol of the inequality between men and women' (*L'Express*, 26 January 2004). The argument that girls and young women are being coerced into wearing the veil by their fathers and brothers is commonplace, and is often backed up by scandalized talk of arranged and forced marriages. No statistics are ever brought forward to substantiate these claims. They probably cannot be. The number of 'Muslims' in France remains a matter for speculation: the principle of *laïcité* means that a French census cannot, by law, collect information about ethnicity or religious belief.

Le fait religieux

Most sociologists would agree that one of the many serious problems facing North African families in France is precisely the decline of traditional paternal authority. Even where it still exists, it may not always be coercive. *Libération* (24 June 2003) has reported on one girl who wore her hijab to school as admitting that she had to take it off when she got home – because her father disapproved. The reference to supposed 'coercion' is the nearest most commentators come to discussing the real conditions of existence of immigrant women. No doubt forced and arranged marriages do occur, and polygamy is practised (and either tacitly tolerated or ignored by the authorities) in some social groups, many of them from Mali. So-called 'Islamic fundamentalism' is on the rise, and some mosques are issuing calls for jihad or holy war, just as they do in Finsbury Park. 'Republican fundamentalism' may not, however, be the best of answers.

Any future incidents concerning the hijab will almost certainly not affect the schools attended by French legislators, journalists or feminists. They will occur in schools serving the grim suburbs of the big cities, and these are places where alienation is not a philosophical concept but a fact of life. These are the breeding grounds for forms of 'fundamentalism', for the anti-Semitism of Maghrebi youth – a real and frightening phenomenon. They are places where the gang rape of young women is appallingly common. Here, wearing a hijab may be a form of self-defence, and quite conceivably the only thing that allows a 16-year-old to get to school in the first place. Self-proclaimed feminists such as Anne Vigerie and Anne Zelensky argue that the solution to aggression against non-veiled women is to ban the public wearing of all veils (*Le Monde*, 30 May 2003). This sounds like a bad case of White Woman Knows Best. The small groups of very brave women who are beginning to organize in the suburbs under the slogan *Ni soumises ni putes* ('Neither Submissive nor Whores') would probably not welcome such advice. If France and French feminists do wish to help women *issues de l'immigration* to improve their lot, they have much more to worry about than 14-year-olds in headscarves.

Surprisingly little is being heard in public from those who actually wish to wear their hijabs to school. If pressed, most will argue that they are under a religious obligation to cover their heads. The Koran does contain such injunctions, but it is a contradictory text and its authority can also be used to argue that a Muslim living outside the house of Islam (*dar al-Islam*) should submit to the laws of the country in which he or she is resident. Some will admit that the hijab has, in some quarters, become a fashion item. And some will display the bloody-mindedness of teenagers the world over, like the two who told a journalist that whilst they insisted on wearing their hijabs

to school in France, they would refuse to do so in a country where it was compulsory (*Libération*, 22 September 2003).

The decision to discuss *le fait religieux* in schools is an attempt to stem the worrying rise in both anti-Semitism and anti-Muslim feeling: no one wishes to see confessional battles in the playground. They are already beginning elsewhere. Synagogues have been attacked and Jewish graves desecrated. Mosques have been fire-bombed. In March of this year, a prayer room in Annecy and a building belonging to a mosque in the same town were destroyed by fire. Manifestations of anti-Semitism are, quite rightly, greeted with outrage and anger. But, as an editorial in *Le Monde* (8 March 2004) noted, there was an uncomfortable delay before politicians reacted to the fires in Annecy. The daily commented: 'If the *laïcité* of the state means anything, it must mean the duty to defend, both physically and politically, all the country's places of worship. No republican could challenge that conception of *laïcité*.' Indeed.

Speaking about his hijab bill in January, Education Minister Luc Ferry remarked that, if the wearing of beards became a 'religious sign', beards too would be banned from schools, which raises the fascinating question of the distinction between 'Islamic' and 'non-Islamic' beards. As some wits were quick to point out, it also has its comic side. The original legislation on *laïcité* was largely steered through by the Minister's namesake Jules Ferry (1832–93). Like most politicians of his day, Ferry had a very fine beard. It was presumably a Republican beard.

Ending up with religion (again)? Christianity in contemporary political and psychoanalytical theory

Jan van Eyck Academy, Maastricht, the Netherlands, 10–12 May 2004

Marx, Nietzsche, Freud and many other 'masters of suspicion' unmasked religion as an ideological weapon in the hands of the ruling political and cultural power. Contemporary thinkers stemming directly from this tradition fully endorse this critique. Yet, it is remarkable to see that in their works religion, in particular Christianity, has come once again to play an important role. It is as if Christianity, including its problems and its crises, helps current ideology critique to deal with its own problems and crises. Here one can mention the importance of mysticism for Lacan, Lyotard's fascination with Augustine and Derrida's preoccupation with religion. Žižek, in *The Fragile Absolute*, argues that 'the Christian legacy is worth fighting for.' According to Agamben, Badiou, Negri and Taubes the reaffirmation of Saint Paul is an inevitable point of reference for political theory. The aim of this conference is to question the presence of Christianity and its (re)affirmation in contemporary political and psychoanalytical theory. Rather than new answers, this reference to Christianity might first of all generate new questions, or a new way of articulating the problems we are now facing.

Speakers: Erik Borgman Immanuel, again • Thomas Brockelman 'It's cyber-capitalism, stupid!' Slavoj Žižek, Modernity and Pauline Christianity • Simon Critchley Shylock as Nietzsche: Mercy, Merchants, Money and Morality • Marc De Kesel Religion as Critique, Critique as Religion: Reflections on the 'Monotheistic' Weakness of Contemporary Criticism • Alexander García Düttmann What Christianity? Who is a Christian? On Nietzsche's Antichrist • Juliet Flower MacCannell The Negative Universal: Looking for Love in All the Wrong Places? • Tracy McNulty Christianity and the Invention of the Father • Dany Nobus The Religious Core of Psychoanalysis: A Critique of Contemporary Critique • John Roberts Reflective Renunciation, Repressive Desublimation and the Revolutionary Tradition • Alberto Toscano The Political Theology of Revolt • Frank Vande Veire The Sacrifice of Sacrifice • Erik Vogt Christianity as the Religion of Atheism: Žižek's Materialist Reading of Christianity

More info at www.janvaneyck.nl/~cllc/