

SYMPTOMATIC POLITICS

The Banning of Islamic Head Scarves in French Public Schools

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The events that became known as the *affaires de foulard* began on 3 October 1989, when three Muslim girls who refused to remove their head scarves were expelled from their middle school in the town of Creil, about thirty miles outside of Paris. The headmaster, Eugène Chenière, claimed he was acting to enforce *laïcité*—the French version of secularism. According to Chenière, *laïcité*—a concept whose meaning would be furiously debated in the months and years that followed—was an inviolable and transparent principle, one of the pillars of republican universalism. The school was the cradle of *laïcité*, the place where the values of the French republic were nurtured and inculcated. It was, therefore, in the public schools that France had to hold the line against what he later termed “the insidious jihad.”¹

The expulsion of the three girls drew extensive press coverage. In these accounts, the head scarf (*le foulard*) quickly became the veil (*le voile*), or more dramatically, the *tchador*, this last evoking the specter of an Iranian-style Islamic revolution. Predictably, perhaps, Catholic leaders (as well as Protestant and Jewish) joined their Muslim counterparts in decrying the expulsions, arguing that *laïcité* meant respect for and toleration of religious differences among students. Less predictable was the split between the two leading anti-discrimination groups, one of which condoned, the other of which deplored the expulsions, both in the name of *laïcité*.² Demonstrations organized by Islamic fundamentalists to support the girls from Creil exacerbated things; pictures of heavily veiled women marching to protect their “liberty” and their “honor” only reinforced the idea of revolutionary Islam on the rise. The voices of calm and reason—those pointing out, for example, that fundamentalists represented only a tiny minority of French Muslims, or that the number of

head scarves in schools was hardly a widespread phenomenon—were drowned out by a growing hysteria fed by the pronouncements of some leading intellectuals. In an article published in *Le Nouvel Observateur*, five philosophers ominously warned that “only the future will tell if the year of the bicentennial [of the French Revolution] will also have been the Munich of the republican school.”³ From this adamantly republicanist perspective there could be no accommodation with Islam.

But initially there was accommodation. Despite criticism from within and outside his party, Socialist Minister of Education Lionel Jospin managed to defuse the situation by referring the question to the Conseil d’Etat—the highest administrative court in France, whose task is to deal with the legality of actions taken by public bodies. The Conseil d’Etat ruled on 27 November that the wearing of signs of religious affiliation by students in public schools was not necessarily incompatible with the principle of *laïcité*, as long as these signs were not ostentatious or polemical, and as long as they didn’t constitute “acts of pressure, provocation, proselytism, or propaganda” that interfered with the liberties of other students.⁴ Students could not be refused admission to school for simply wearing head scarves; their behavior (putting pressure on other students to wear head scarves, refusing to participate in athletic activities or to attend classes that conflicted with their religious beliefs) also had to clearly challenge or disrupt public order. Those best able to interpret this behavior, the Conseil concluded, were the teachers and school administrators who knew their pupils. In a ministerial circular based on the council’s ruling, Jospin left it to local school authorities to decide, on a case by case basis, whether head scarves (and other signs of religious conviction—in the name of a general principle, all signs of this kind, including yarmulkes and crosses—had to be taken into account, although it was head scarves that were really at issue) were admissible or not. Despite some condemnations, the ruling did in fact calm things down. And the *affaire du foulard* receded from public attention until 1994.

In 1994, Eugène Chénier again raised the question of head scarves in schools. Now he was a deputy representing the department of the Oise for the center-right party, the RPR. Elected to office as part of the sweeping triumph of the right in the legislative elections of 1993, Chénier immediately offered a bill that would ban all “ostentatious” signs of religious affiliation. After a year of what one news account referred to as “Chénier’s crusade,” (a year in which there was a strike by a group of teachers at a high school in the department of the Ain to support a teacher of physical education who, in the name of safety, refused to admit four girls wearing head scarves to his classes), the Minister of Education, François Bayrou, decreed on 20 September 1994 that ostentatious signs of religious affiliation would henceforth be prohibited in all schools.⁵ It was not the behavior of students that had to be taken into account, he asserted, because certain signs were “in themselves” transparent acts of proselytizing. Bayrou drew a distinction between “discreet signs,” those that

demonstrated personal religious conviction, and "ostentatious signs," whose effect was to introduce difference and discrimination into an educational community that, like the nation it served, ought to be united. Discreet signs were tolerable; ostentatious signs were not.⁶ The ministerial pronouncement was followed by sixty-nine expulsions of girls wearing what were increasingly referred to as "veils."

As in 1989, there was a huge media controversy, and many of the same arguments were rehearsed.⁷ As earlier, the situation was likened to the Dreyfus Affair, the disputes over the charge of treason (which turned out to be spurious) brought against a Jewish army captain at the end of the nineteenth century. Each side was adamant. Those supporting Bayrou came from across the political spectrum; their tone was urgent. A principled defense of the republic required action, they insisted. There was no tolerating religious expression that was inherently intolerant and oppressive. Those opposing the minister's decree included a few intellectuals and activists, a handful of academics, and (again) representatives of France's religious establishment. Bayrou's decree was challenged by some of the girls who had been expelled from school, and it was overturned by various courts and by the Conseil d'Etat, which reaffirmed its 1989 ruling. The Conseil rejected Bayrou's claim that certain signs could be separated from the intentions of those who carried them and left it to teachers and administrators to interpret the actions of their students. In the wake of this ruling, the Minister of Education appointed a Muslim woman named Hanifa Chérifi as official mediator for problems linked to the wearing of the veil. And the controversy died down for another nine years.

We come now to 2003. This time the question of head scarves was brought to national attention when the Minister of the Interior and of Cults, Nicolas Sarkozy, insisted that Muslim women pose bare-headed for official identity photographs. In the wake of the controversy generated by this policy, schools once again became an issue, and politicians from the major parties rushed to declare their fealty to the republic. Socialist deputy Jack Lang presented a bill to the National Assembly that, in the name of *laïcité* (and in the interests of not being perceived as discriminating against Muslims) would outlaw signs of any religious affiliation in public schools. In June, the Assembly created an investigative body to gather information and, in July, President Jacques Chirac appointed a commission headed by Bernard Stasi to explore the feasibility of enacting a law.⁸ As in 1989 and 1994, debate was intense. Those on the Left in favor of a law excluding head scarves from schools likened Islamic fundamentalists to Nazis and warned of the danger of totalitarianism (Iran was a favorite example). Those on the Left opposed to exclusion saw the law as a continuation of French colonial policy: Arabs were still being denied rights of self-determination by a racist republic. *Their* critics accused them of naive leftism. Among feminists, those who favored a law (some of whom came from countries with oppressive Islamist regimes) saw it as a blow for women's emancipation, a sign that France would not tolerate

oppressive, patriarchal practices. Those feminists who opposed a law insisted that the expulsion of girls with head scarves would not emancipate them but drive them either to fundamentalist schools or into early marriages, losing forever the possibility of a different future. If these girls were victims of fundamentalist manipulation (which they argued might not always be the case), then barring them from school amounted simply to punishing the victim. How was that emancipation?⁹ As the pages of newspapers and journals filled with these and other arguments, as friends and families stopped talking about the issue because it so bitterly divided them, the Stasi Commission held interviews and long meetings. It issued its report on “Laïcité et République” in December.¹⁰ The main recommendation, accepted by Chirac in January 2004, was for a law prohibiting the wearing of ostentatious signs of religious affiliation in public schools. This is now the law of the land, and its enforcement began in October 2004.

The Timing of the Three “Affaires”

Although we could read these three *affaires* as simply the response to a growing Islamist militancy, as an indicator of a steady increase in the numbers of incidences around the wearing of head scarves and in the numbers of head scarves worn, this in fact was not exactly the case. There is indeed a more visible and outspoken fundamentalist Islam in France now as compared to 1989, and there are, to be sure, “hot spots”—schools in which young male militants are seeking ways to challenge secular values and practice. But demanding that girls wear head scarves is among the more benign of their actions. The number of girls wearing head scarves is still a very small percentage of the overall Muslim population and, according to the mediator, Mme. Chérifi, disputes about veil-wearing in schools actually declined dramatically between 1994 and 2003.¹¹ Most polls show that the vast majority of Muslims are becoming more secular, more integrated into French society. So why has so much attention been paid to what is a minority phenomenon, and what is the significance of the timing of the attention?

My general reply is that the controversy over the wearing of head scarves is symptomatic of a much larger problem, one that seems irresolvable within the context of republican universalism. That is the problem of reconciling the fact of the growing diversity of the French population (most of the Muslims in question in these *affaires* are French citizens) with a theory of citizenship and representation that defines the recognition of difference as antithetical to the unity of the nation. For France, American “multiculturalism” is a dangerous practice because it grants political standing to groups; it brings representatives of concrete, social concerns into the public (legislative) arena, which ought to be a realm of abstraction where decisions are made on behalf of the whole people, a people whose presumed commonality means that any elected represen-

tative represents them all. The head scarf is tangible sign of intolerable difference. It defies the long-standing requirement that only when immigrants assimilate (practicing their beliefs in private) do they become fully "French." It stands for everything that is thought to be wrong with Islam: porous boundaries between public and private and between politics and religion; the supposed degradation of female sexuality and subordination of women. The head scarf in the public, secular school is a synecdoche for Islam in the body of the French nation-state.

Although the question of whether the Muslim population is assimilable or not is a perpetual one (or has been since the 1980s), certain domestic and international events have brought it to the fore. Primary among these is the growing popularity and electoral strength of the far-Right populist party, Jean-Marie Le Pen's National Front. The outbreaks of "*affaires du foulard*" are episodes in the repeated drama of Le Pen against the Republic—Le Pen who will not let the "immigrant" question go away. The term "immigrants" refers almost exclusively to those of North African origin, who may or may not be Muslims; many are in fact second- and third-generation French, so not immigrants at all. But Le Pen defines them all as immigrants to emphasize their foreignness, and he thinks France should get rid of them because they "breed like rabbits," take jobs away from "native" French people, bring crime to the streets of cities and suburbs, and refuse to accept the rules of the society they've moved to, while devouring its resources.¹² In the presidential election of 1988, Le Pen created a panic when he won 14 percent of the vote in the first round. The next year, the National Front had a strong showing in elections for the European parliament. Again in the elections for the European parliament in 1994, the National Front scored even better, gaining 10.5 percent of the votes and eleven seats. In the first round of the presidential election of 2002, Le Pen came in second with 19 percent. In reaction, there were huge demonstrations in Paris and elsewhere in defense of the republic and, in the second round of the election, his opponent Jacques Chirac won by a landslide. But even with this decisive defeat, Le Pen is perceived as a continuing threat to the established parties, as well as to the republic they represent. The conservatives keep looking for ways to recapture the constituencies they have lost to him (although they are not above allying with the National Front in order to defeat Socialist Party candidates), and the Left also worries that the immigration issue has stolen some of its working-class votes. Many of these political leaders do not contest Le Pen's attribution of France's social problems to "immigrants," they just offer different solutions, none of them very satisfactory because for the most part they are watered-down versions of what Le Pen proposes—instead of expelling "immigrants" from France, they expel girls with head scarves from public school.

This approach to the immigrant question represents a reversal of what is actually the case: it is the Le Penist hysteria about "immigrants" that has helped turn a disadvantaged and discriminated-against social group into a scourge and

that has conflated all Arabs with North Africans and all North Africans not only with Islam, but with Islamic fundamentalism. The focus on Islamic fundamentalism distracts from the very real issues of social and economic discrimination faced by those of North African origin—issues that, in the absence of other solutions, fundamentalists have been able to exploit. Islamic fundamentalism and, more generally, the cultural and religious “difference” of these “immigrants” is seen as the reason for, rather than as a product of, the marginal existence they experience. Since the 1980s, when it became apparent that North Africans were no longer transient workers but settled populations, the French government, in keeping with its commitment to universalism, has been trying to integrate them without however recognizing them as a “community.” This has been exceedingly difficult since it is as a community that North Africans are perceived; their presumed difference is the basis for discrimination against them and so also for their demands for redress. The *affaires* are indications of the continuing inability of the state to address the fact of the diversity of its population, to find an alternative to cultural assimilation as the ground for full membership in the national community. The timing of the three *affaires du foulard*—1989, 1994 and 2003—coincides with moments of debate or government action to achieve some form of *intégration*.

In 1989, the celebration of the bicentennial of the revolution involved a strong reassertion of republican principles of universalism, which rest on an assumed commonality of “a people.” Many of those concerned about the looming presence of Islam on French soil (by then it was said to be the second religion of the nation) took the occasion to insist that rights only belonged to individuals and that the unity of the nation depended on the rejection of all forms of “*communautarisme*.” In this atmosphere, Eugène Chenière, a black man from the Antilles, and principal of a middle school in a troubled educational zone with a large “immigrant” student body (he once referred to it as “une poubelle sociale”),¹³ decided to display his republican credentials (and it seems, too, prepare the way for his political career). Chenière was already an activist in the RPR, one of those in that party who sought closer ties to the National Front. Expelling the three girls was an enactment of the kind of firm line advocated by Le Pen and his followers.¹⁴

In 1994, it was again Chenière (whom I began to think of as the Ward Connerly of the head scarf campaign) who brought matters to the fore, this time in the context of a series of recommendations about citizenship by the Haut Conseil à l’Intégration and by the passage of what became known as the Pasqua Laws (named for the conservative Minister of the Interior), which tightened controls over “foreigners” living in France. The Haut Conseil endorsed revisions of the code of nationality that stipulated that citizenship would no longer be extended as a matter of course to children born in France of foreign-born parents. They now had to ask to become citizens, indicating their desire as individuals to enter the social contract and their willingness to put communal loyalties in second place. Further, children of Algerians who were born

before independence (when Algeria was still French) needed to supply proof of "*enracinement*" (rootedness, which also had overtones of assimilatedness) in order to qualify for a citizenship that had once been automatic. To become a citizen, a report from the Haut Conseil argued in 1993, meant enjoying full freedom of private communal association but explicitly rejecting "the logic of there being distinct ethnic or cultural minorities, and instead looking for a logic based on the equality of individual persons."¹⁵ There was only one political identity available for individuals: that of being French. Since the schools were the cradle of citizenship, Bayrou's ministerial circular in the fall of 1994 could be seen as implementing this recommendation from the body charged with promoting the integration of "immigrants" into French society.

In 2003, it was a recognition of difference, not its refusal, that sparked controversy. The government, responding to charges that Islam was being treated differently from other religions (and that this unequal treatment was a source of disaffection and a spur to radicalism), finally created a national representative body to parallel those of Catholics, Protestants, and Jews. These confessional councils deliberate on such matters as state support for religious schools, make recommendations about chaplains in hospitals and prisons, and offer opinions about what impact proposed laws will have on their constituencies. In a state that is avowedly secular, the councils are nonetheless a way of taking religion into account. They are an indication, in fact, that the state has mechanisms for dealing with religious differences and different religious communities. The Conseil français du culte musulman (CFCM) came into being in April 2003. Elected by representatives of mosques and Islamic associations, it is now the official voice of French Muslims. The representatives are a mix of moderate and radical, but the strong showing of the radical group l'Union des organisations islamiques de France (UOIF) confirmed the fears of those who think that any Islam is, unlike Christianity or Judaism, antithetical to republicanism. The UOIF has been a particularly vocal advocate of the wearing of head scarves in public schools. So the proposition by Jack Lang in June and the quick action by the National Assembly and the President in July can be seen as a reaction to UOIF influence on the CFCM, a way of countering, with an official prohibition of head scarves in schools, the official recognition of the UOIF as a voice for Muslims. The state might have to recognize radicals when they were voted onto a representative religious body, but their influence would be curbed at the door of the school.¹⁶

There are, in addition to domestic reasons, international events that help explain the timing of the head scarf *affaires*. Ongoing anxiety about the meaning of national identity in the face of European unification provides the backdrop. More immediately, 1989 saw the end of communism and the beginning of the substitution of Islam as the new enemy of the West. It was the year when the first *intifada* in Israel began and when the Ayatollah Khomeini issued his *fatwa* against Salman Rushdie. 1994 came as civil war raged between Islamic fundamentalists and the secular military government in France's for-

mer colony of Algeria. In 2003, the effects of September 11, 2001 were still being felt, and the wars in Afghanistan and Iraq, as well as the worsening of the Israeli-Palestinian conflict, only intensified the opposition between Islam and the West. On the one side, French Muslims identify more strongly with beleaguered Muslims elsewhere and the wearing of head scarves is more likely to signify that identification; on the other side, the nation's defense against real threats of terrorism has been equated with the need to protect all republican institutions from any perceived challenge to their integrity.

Laïcité

Although the timing of the explosion of debates about head scarves was driven by very particular political considerations, the debates themselves occurred on the high ground of principles and philosophy. The concept most often invoked was *laïcité*—said to be a uniquely French notion of secularism. Although *laïcité* was taken to be universal and self-evident, there was tremendous disagreement about the meaning of this foundational principle and how it was to be put into practice in the public schools.

The division of opinion was a familiar one in French politics; indeed it transposed arguments about the nature of political representation into the educational sphere, making the school the equivalent of the nation. Should the school reflect the actual diversity of society, negotiating differences and seeking to create some commonality through the process of education, or should commonality be a prerequisite for membership in the educational community? Philosophically this translated, on the one side, into a theory of democratic tolerance (the decidedly minority opinion in the debate) and, on the other, a strong theory of republican universalism (endorsed by the overwhelming majority). Practically, it corresponded to a belief in the assimilability or not of Muslims.

Historically, *laïcité* in schools dated to the Third Republic's Ferry Laws (1881-82, 1886), which made primary education compulsory for boys and girls and which effectively banished religion from the classroom. (Girls and boys were schooled separately; there was no coeducation until the 1960s, when the costs of new school construction mandated it.) The successful effort to wrest control from the Catholic Church (which was considered an enemy of the republic, allied to monarchists who still nurtured dreams of another Bourbon Restoration), defined the school as the place where national unity would be forged, where the children of peasants (who spoke a variety of regional dialects and usually followed the instructions of a priest) would become patriots.¹⁷ From the perspective of Minister of Education Jules Ferry, the school was to be the agent of assimilation; the goal of its pedagogy was to instill a common republican political identity in children from a diversity of backgrounds. The school was to effect a transition from private to public, from

the world of the locality and the family to that of the nation. Teachers were the crucial element in this process—secular missionaries, charged with converting their pupils to the wonders of science and reason and the reasonableness of republican principles. A shared language, culture, and ideological formation—and so a nation one and indivisible—was to be the *outcome* of the educational process. Schools were the instruments for constructing the nation, not embodiments of the nation itself. And they had enormous authority, for they were the privileged site of the containment and transformation of differences into Frenchness. Given this history, it is no wonder that schools became the locus of a symbolic struggle over the question of Islam.¹⁸

Militantly secular in theory, French schools were more flexible in practice, largely because of their belief in the power of reason to prevail in the educational process. The system accommodated the desire of parents (and the pressure of churches) for children's religious education and treated it as a private right. Even after the separation of church and state was established by law in 1905, students were not expected to attend classes on Sunday, and they were given another day off so they could receive instruction in their churches. (Since 1958, the French state has contributed to the support of private religious schools, although not Muslim schools, but it has paid for teachers of Arabic who are chosen by their countries of origin to work in the public schools.) The school calendar still observes only Christian and state holidays. In some areas, historical circumstances have led to even more dramatic compromises with religion, compromises the Stasi Commission was loath to touch in 2003. The three departments of Alsace-Moselle, lost at the conclusion of the Franco-Prussian War in 1871 and regained after World War I, have never been required to conform to French rules (nor were the colonies, where all sorts of bargains were struck with local religious authorities). In Alsace-Moselle religious instruction (for Catholics, Lutherans, Calvinists, and Jews) is still a mandatory part of the public school curriculum. With the permission of their parents, children who do not want to take these classes may substitute courses in morality. Rather than require the application of *laïcité* to schools in these departments (and so a genuinely universal policy), the Stasi commission recommended, in the name of fairness, only that religious instruction be added for Muslims.¹⁹ (It is interesting to note here that most of the expulsions under the new law have been in the Moselle.)

Even as it acknowledged the inconsistencies of its recommendations (and justified them as a need to respect the wishes of the local population in Alsace-Moselle, the preponderant influence of Christianity in French history, and the historical variability of the concept itself), even as it insisted that secularism was in no way dogmatic, the Stasi Commission took *laïcité* to be a principle that allowed for no negotiation.²⁰ At least no negotiation with "extremist groups" who are "testing the resistance of the Republic and pushing some young people to reject ... its values."²¹ Forgetting the long struggle with militant Catholics in earlier centuries and the tremendous controversies about the

assimilability of Jews, the Stasi report deemed Islam a religion unlike these others. (Among other things, it was historically outside the original *pacte laïque* of 1905.) Granting that there might be some moderate Muslims who understood the need to reconcile their beliefs with the secular state, the report nonetheless assumed that most followers of Islam refused this accommodation.²² In this reasoning “extremist groups” became typical of Islam as a whole and since their Islam, by definition, didn’t recognize the values of liberty and *laïcité*, there was no need to tolerate their beliefs.²³ The struggle pitted “France” against its Muslims as homogeneous, warring categories.

The odd thing about the Stasi report—indeed about the argument of all those who favored the prohibition of head scarves in schools—was that it took integration to be a prerequisite for education, rather than its outcome. Proponents of the law insisted that students had to come to school as individuals; what communal identities they had must be left at home. In effect, Ferry’s vision of the school as the crucible of citizenship was replaced; the school now became a miniature version of the nation, conceived as a collection of abstract individuals, shorn of any identity other than being French citizens. As in the representative bodies of the nation, so in the schools, universalism meant conformity to the same rules, and membership in only one “cult”—the Republic. Those who did not conform in advance fell outside the purview of the universal. In the impeccable logic of former Minister of Education Bayrou: “The school is designed to integrate, therefore it must exclude.”²⁴

The debate about *laïcité* turned on the general question of inclusion or exclusion, but the real issue was the prohibition of the head scarf. The sides became extremely polarized, and there was little room for nuance, especially on the part of those who favored the law. As debate escalated the *foulard* became synonymous with the *voile*. You were either pro- or anti-veil. Those who insisted on inclusion were quickly labeled “pro-veil” (and in some instances Islamists) even when they took pains to distance themselves from religious apologists. Thus, an appeal by a group of intellectuals and activists originally entitled “Oui à la laïcité, non aux lois d’exception,” appeared in the newspaper *Libération* on 20 May 2003, with a new title not approved by the authors: “Oui au foulard dans l’école laïque.”²⁵ Critics of the appeal referred to its authors as “partisans of the veil.”²⁶ The Stasi Commission report, as well as the one produced by the National Assembly study group, spent most of its time questioning experts about the meaning of the “veil” and about the ways in which Islam and Islamic fundamentalism were responsible for all sorts of disruptions in the schools. Despite many nuanced testimonies about the multiple meanings of the veil, about social and economic discrimination against North Africans, and about the crises of finance and authority in the schools themselves, the conclusion of these official bodies was that exclusion of the veil was the way to enforce the secular aims of the republic. It was as if the government were admitting its failure to deal with troubling social problems by denying them: in the face of a socially divided populace, they declared that

national identity rested on homogeneity; the solution for discrimination was the elimination of difference; difficulties in the schools—the loss of teachers' authority since the 1960s and the general degradation of the French educational system—were attributed to disruptive students, themselves “outsiders” or pawns of enemies of the republic; the cure for the troubled educational system was to firmly restate a mythologized version of *laïcité* (which now included an endorsement of equality between the sexes); and failed policies of integration were to be fixed by the exclusion of those who could not be assimilated.²⁷ All of this was to be achieved by the prohibition of head scarves. Intended as a tough stand against extremists, however, this prohibition—a form of deep denial—could also be read as a gesture of impotence, which served only to intensify the problems it sought to resolve. In this reading, the banning of head scarves, offered as a solution, is in fact a symptom of the failures of French republicanism to respond to difficult and pressing issues.

The Problem of Interpretation

As the various investigatory commissions looked into the wearing of the head scarf, they kept running into the issue of its multiple meanings.²⁸ While proponents of the law insisted that there was only one meaning, even these tended to vary, though there came to be a consensus around the idea that head scarves/veils were synonymous with the subordination of women and that they were the emblem of an international Islamic movement reaching to Europe from Pakistan, Iran, and Saudi Arabia.²⁹ There was only one meaning for the veil, sociologist Juliette Minces told the National Assembly's committee of inquiry: it stood for Islam's belief in the subordination of women to men's view of them as sexually dangerous and in need of protection.³⁰ Even girls who thought they had other motives were accepting the debasement of their sexuality and the humiliation of their bodies, other feminists (including Muslim or formerly Muslim feminists) testified.³¹ And there were female students who described a reign of terror by Islamists in their schools that put enormous pressure on them to wear head scarves. A surprising number of male politicians—many of whom had fought hard against the parity movement's demand for equal access of women to political office—suddenly discovered that gender equality was an essential feature of *laïcité*. “Objectively,” Bernard Stasi concluded, “the veil stands for the alienation of women.”³²

Opponents of prohibition refused these reductive readings, insisting that there were many head scarves.³³ Françoise Gaspard and Fharad Khosrokhavar concluded, after interviews during 1994 with girls wearing them, that there were at least three head scarves, all of them French. One was the scarf worn by immigrant women, a tie to the world from which they had come. Another was the one worn by adolescents, whose families demanded it as a sign of modesty, a way of controlling sexuality. A third was the scarf chosen by young women

as a form of self-protection or as an expression of identity.³⁴ Khosrokhavar later introduced even greater complexity: The head scarf could be at once a concession to family pressure and a gesture of individual autonomy—a gesture that involved acceptance of Islamic codes of modesty. By agreeing to wear a head scarf, girls from fundamentalist families gained access to public places—schools, for example, or jobs—otherwise forbidden them. Paradoxically, they got to play a political role as embodiments of communal aspirations, even when politics was not supposed to be for women, even as their status as future mothers and wives was being affirmed. Wearing a head scarf might be a way of adhering to community rules *and* asserting pride in one's identity in the face of discrimination. For children in urban ghettos, the head scarf was a substitute for a "normative" French identity they were denied. For offspring of more successful families, the head scarf could be a reply to the continued experience of discrimination, to the failure of the universalist promise to fully include them because they were never abstracted from the marks of their difference.³⁵ Others saw a tie to anticolonial resistance, to a time (1958) when the FLN urged Algerian women to wear veils as a sign of refusal of French domination.³⁶ Still others suggested that not resistance, but integration was at stake—a demand by Muslims for the recognition that they were fully French. Green party leader Alain Lipietz suggested that the message of the scarf was anti-assimilationist, but not anti-French. It was as Franco-Muslims that the girls wanted to be accepted.³⁷ Their message, philosopher Caroline Nordmann and translator Jérôme Vidal said, might be a variation on the Act-Up slogan: "We're here, we're from here, get used to it!"³⁸ "When I was a kid at school," commented Nadia Zanoun, "I was ashamed of my name, I wanted to hide my Algerian origins. They [the young girls with *hijabs*], in contrast, have the courage I never had to affirm their Arabness. Their head scarves also testify to an immense desire for respect."³⁹ Even when worn at the urging of fundamentalist imams, the head scarf could have more than a single meaning. Schools had, since 1968, abolished dress codes and become extremely tolerant of adolescent expressions of stylistic and aesthetic difference, and the line between individual rebellion, adolescent conformity, and communal affiliation was always hard to draw. From this perspective, the choice to wear a head scarf might simply be a passing stage in the relationship between students and school authorities. What was the difference, one critic asked, between kids with rasta hairdos and girls with head scarves? "Don't confuse the problem of Islam with that of adolescence," he warned.⁴⁰

It was exactly the many meanings of the head scarf—its position as an unstable signifier—that the legislators sought to contain. If there were dozens of possible interpretations, how could authorities know what the intentions of their students really were? A good student, who attended all classes and received high grades, might really be a rebel, her commitments political and not at all religious.⁴¹ And how to differentiate between religious and political in what was, after all, an ideological struggle pitting East against West?

Moreover, how to determine the effect on their more secular-leaning classmates of some students wearing head scarfs? Was it a rebuke? A call to conscience? A threat? "It's difficult to draw a line between what is ostentatious and a protest—an act of proselytizing forbidden by law—and the 'normal' wearing of signs of religious conviction," the National Assembly report concluded.⁴² If it were possible for teachers to know the difference, judges and legislators were not in a position to discern it. And it was judicial authorities who would ultimately have to rule on the legality or not of any particular head scarf. The *bricolage* of local interpretations could provide no guidance; there must be a general rule that all could follow.⁴³

The difficulty of interpreting the head scarf was compounded by the very definition attributed to it: it signified a deliberate obfuscation of meaning. Although head scarves were the issue—simple coverings of the hair that left the face fully exposed—they were almost always represented as veils. In fact, the substitution of veil for head scarf seems to me to be symptomatic of the hysteria that came to characterize the debate. Veils allowed for great play in fantasies of invisibility and visibility, darkness and light, blindness and full sightedness. The veil is a "curtain," said psychoanalyst Elisabeth Roudinesco. It shrouded a young girl in silence.⁴⁴ It denied her access, added philosopher Alain Finkielkraut, to the great works of culture, preventing her from developing her rational faculties—literally keeping her in the dark.⁴⁵ It was a veil of ignorance that could not be penetrated by critical thought. Girls were forced to wear them against their will: "Un voile est un viol," testified one feminist of North African origin.⁴⁶ Veils were also masks. "Some of our Belgian friends, parodying Magritte, have told us, 'It's only a veil,'" reported Jacqueline Costa-Lascoux, a member of the Stasi Commission. "But the veil has served as a mask for all those who want to hide themselves."⁴⁷ Masks were dangerous because they allowed for misrepresentations of the truth of the wearer. Masks were also the stuff of imposters. During one of the controversies, *Le Figaro* ran a headline that read: "The Hidden Face of the Head Scarf Controversy: What's Under the Veil." The accompanying story told of terrorist links between French Islamists and Saudi Arabia.⁴⁸ More than one proponent of the law warned ominously that the veil was a fundamentalist Trojan horse: "Un voile peut cacher une barbe."⁴⁹ In their excesses of meaning and confusion of boundaries, veils were literally instruments of terror.⁵⁰

The only solution—the only way to achieve transparency—was to strip away the offending tissue by passage of a law that was "brief, simple, clear, subject to as little interpretation as possible."⁵¹ It would not do to accept a bandana or a small scarf, as mediators had agreed to in particular cases. These still compromised the desired vision of *laïcité* in which the schoolroom must now be visually homogeneous and in which there could be no question about who or what was underneath an article of clothing. As the president of the National Assembly's study group maintained, "The prohibition of the wearing of 'visible' religious and political signs in schools means not only the prohibition of

'ostentatious' signs, whose limits have been very difficult to establish, but of all signs that the eye can see [*tout signe que l'oeil peut voir*]."⁵² The law must provide an objective measure that, it was hoped, would end the confusion of multiple meanings by simply eliminating the offending sign. That other signs were swept along with it in the interests of equal treatment—yarmulkes and large crosses—was beside the point. It was the polysemy of the veil that was the target. This became clear when "discreet" signs (presumably not so small that the eye could not see them)—medallions, small crosses, hands of Fatima, small Corans, and Jewish stars—were permitted since they were not regarded as manifestations of religious affiliation but only of personal conviction. Since literally nothing could be hidden behind them, they were considered innocuous and so could serve as an example of the state's tolerance of intimate individual conscience in accordance with the hallowed principles of *laïcité*.

Women's Sexuality and the Veil

Even with its representation as a mask, the veil seems a curious place to draw the line in the fight against Islamic fundamentalism—a threat I don't want to underestimate, but which, I have been arguing, is not addressed logically in France by the prohibition of head scarves. Members of the various commissions heard a good deal of testimony about other behaviors in schools (and not only from Muslims) that were far more challenging to *laïcité*. In Creil, in 1989, orthodox Jewish students regularly skipped classes on Saturday. Some Muslim and Jewish students refused to enter the cafeteria because halal or kosher food was not served there. Fundamentalist Muslims objected to courses that taught things contrary to their religious beliefs; they scorned female and Jewish teachers. They demanded prayer rooms and sex-segregated swimming pools. Girls who did not wear head scarves complained of intimidation and harassment by Muslim boys, and a few girls with scarves refused to take exams or be supervised by male teachers.⁵³ The absence of clear national guidelines about what to do in these situations troubled teachers and administrators, even though the problems varied and were confined to about 10 percent of all schools in France—an effect of the extreme ghettoization of North African populations. The way these issues were handled in schools were said to affect other state institutions as well: prisons, hospitals, and the army reported similar demands for special treatment. The question was how to maintain the neutrality of public services and yet respect the different needs of increasingly diverse constituencies. And of course, how to distinguish between legitimate religious commitments and the subversive intentions of radical Islamists. These were, admittedly, difficult challenges, and they required, among other things, a sensitive understanding of Islam (not a conflation of it with terrorism) and a rethinking and updating of traditional republican assumptions. Instead of that, however, the government

chose the symbolic gesture of banning what they insisted on calling "the veil." (And that unfortunately recalled the violence of 1958, when opponents of Algerian independence walked through the streets of Algiers ripping off women's veils in the name of the republic).

The head scarf is not an obvious choice for policymakers who want to contain fundamentalism, though it is, of course, sometimes one among many emblems of radical Islamist activity. But banning its wearing in schools won't put an end to that activity; if anything it feeds the perception that North Africans are discriminated against and leads many who might not otherwise do so to embrace the teachings of the imams. (As is often the case with discrimination, a group assumes the identity ascribed to it.) It also drives girls who insist on wearing head scarves into private schools, where they are less likely to receive the equal treatment touted as a mark of secular education. That the veil is equated by some with the oppression of women may be of concern to feminists (though some Muslim feminists would refuse this equation—others of course accept it), but women's oppression is not usually a primary consideration for most male politicians who have gone to great lengths to undermine the parity law and who have yet to accept the idea that sexual harassment is about the misuse of power rather than a prudish response to seduction, that marital rape is a punishable offense, and that domestic violence is a crime rather than a husband's right.⁵⁴ In this connection, it was stunning to read in the Stasi report that if the state were doing its job then girls would not need veils to protect themselves from sexual assault or from the pressure of their fathers and brothers. In the name of girls who didn't want to wear head scarves, the state had to act. "The family environment imposes a choice that is not their own. The Republic cannot remain deaf to the cries of distress of these young girls. The school must remain for them a place of freedom and emancipation, it ought not to become a place of suffering and humiliation."⁵⁵ When the theme was equality, protecting the individual rights of women became synonymous with protecting the republic. Recalling the civilizing mission of the colonial past, the Stasi report proposed that the state assume the protective role that male family members were taken to be abusing. Was this women's emancipation, or the exchange of one "father" for another?⁵⁶

And what was it the state would protect? It was not as if all Muslim women were at issue. The inconsistency of the law was regularly indicated by its opponents: it did not apply to university students, or to women on the streets, or to women cleaning the offices of various public services. How did prohibiting the head scarf only for schoolgirls become a guarantee of women's equality? If the head scarf were really so much a violation of *laïcité*, shouldn't it be banned in all public places? Proponents of the law replied that this was not practical (and that it would interfere with the freedom of conscience of adults). And that was precisely the point. The law was not about practicality; it was a symbolic gesture. By this I don't mean that the gesture was "empty," rather that it provided a way of acting out tremendous anxiety not so much

about fundamentalism, but about Islam itself. I said at the outset of this essay that the head scarf in the school is a synecdoche for Islam in the body of the secular French nation-state. Now it is time to ask why the head scarf/veil? Why this particular part for the whole?

I want to argue that what is at stake in the prohibition of the veil (and in the conflation of the head scarf with the veil and the reduction of its many possible meanings to just one meaning) is protection of French republican notions of sexuality— notions considered fundamental and foundational— against the disturbing difference of Islam, an Islam whose difference is phantasmatically cast in terms of a difference of sexual practice. At the heart of the republican vision is a constitutive contradiction represented by women: their difference is both denied and avowed. To put it as simply as I can: equality depends on sameness in the French system; sameness is achieved by abstraction (by setting aside the qualities and characteristics that make for social distinctions), but some qualities—sex primary among them—are not considered susceptible to abstraction. This puts the group (women) said to possess these qualities in an impossible situation. They must strive to be abstracted if they are to win equality, but the emphasis on their sex (offered as the reason they cannot be treated fully as equals) disqualifies them. Indeed it is as a particular sex and not as individuals that, historically (in France and elsewhere), women have been granted rights. But in France this contradicts the principle upon which citizenship is granted, one that is supposed to rest on the indistinguishability of abstract individuals.⁵⁷ French politicians and republican theorists have dealt with this contradiction by covering it over, by insisting that equality is possible while elevating the differences between the sexes to a distinctive cultural character trait; it is, in historian Mona Ozouf's words, "*la singularité française*."⁵⁸ Equality between the sexes has been defined as "*mixité*" or complementarity—the heterosexual couple, not the abstract individual, is offered as the unit of citizenship. As if to prove that women cannot be abstracted from their sex, there is great emphasis on the visibility and openness of seductive play between women and men (Ozouf refers to "happy exchanges between the sexes"⁵⁹), and especially on the public display (and sexual desirability for men) of women's bodies. The demonstrable proof of women's difference has to be out there for all to see, at once a confirmation of the need for different treatment of them *and* a denial of the problem that sex poses for republican political theory. We might say here that, paradoxically, the objectification of women's sexuality serves to veil a constitutive contradiction of French republicanism.

Islam's way of dealing with sexual difference avoids the contradiction of French republicanism by acknowledging that sex and sexuality pose problems (for society, for politics) that must be addressed and managed. The systems of address and management vary (fundamentalist extremists like the Taliban or Iranian ayatollahs do not represent all of Islam) and may not seem acceptable to Western observers, but we do not have to accept them to understand what

the dynamic is and why it might be so upsetting to French republicans. Modest dress, represented by the head scarf or veil for women, is a way of recognizing women's sexuality (and its relation to men's sexuality) and declaring it off limits in public places—some Muslim feminists say it actually liberates them. One scholar argues that for some Muslim women, the veil is part of a “disciplinary practice that constitutes pious subjectivities.”⁶⁰ But whether that is the case or not, whether indeed all individual women who wear head scarves understand its symbolism this way, the veil signals the acceptance of sexuality and even its celebration under proper circumstances; this is a psychology not of repression or denial, but of recognition. Paradoxically it is the veil that makes explicit—available for all to see—the rules of public gendered interaction, which are in no way contradictory, and which declare sexual exchanges out of bounds in public space.

When French critics of the veil, feminists included, find the veiling of women's bodies an affront to equality, I don't think it's equality with men that they really mean, nor are individual political rights at issue. Rather, removal of the veil, they think, will make Muslim women the equals of French women, free to experience what is taken to be the superior French way of conducting gendered relationships. Frantz Fanon, writing in the 1950s about male colonizers' attitudes to the veil captured something of this:

... there is also in the European the crystallization of an aggressiveness, the strain of a kind of violence before the Algerian woman. Unveiling this woman is revealing her beauty; it is baring her secret, breaking her resistance, making her available for adventure In a confused way, the European experiences his relation with the Algerian woman at a highly complex level. There is in it the will to bring this woman within his reach, to make her a possible object of possession. This woman who sees without being seen frustrates the colonizer. There is no reciprocity. She does not yield herself, does not give herself, does not offer herself.⁶¹

The “will to bring women within reach” in the 1950s had to do with sexualized fantasies of colonial domination: white men conquering dark native women. In the postcolonial, twenty-first century, there is a different fantasy, this time one shared by (white) French feminists. In the current controversy, opponents of the veil are consumed with the idea that it denies what they refer to as “*mixité*”—coeducation, the mixing of the sexes.⁶² The veil, according to the Stasi commission (and to innumerable witnesses who appeared before it), was a negation of *mixité*, a refusal of *mixité*. (In fact, the opposite was the case: wearing a head scarf allowed girls who otherwise would have been unable to, to attend coeducational schools.) *Mixité* was not, however, meant so much as a reference to coeducation, as to the same visual status for the bodies of women and men. Hence, when Rodinesco was asked if she thought beards should be prohibited in schools, since they could also be a form of fundamentalist identification, she replied that there could be no legislation about beards. Not only was such legislation impractical, but beards, even if worn for

religious reasons, did not constitute the same alienation that veils did for women. "I'm absolutely convinced that the real problem posed by the veil is that it covers over [*il recouvre*] a sexual dimension. It denies the equality between men and women upon which our society rests."⁶³ It was precisely the covering over of women's sexuality that so troubled her about the veil—the veil was a denial, she said, of women as "objects of desire."⁶⁴ Stasi talked of the veil as "objectively" alienating women (presumably from their own sexuality), and Iranian anthropologist Chahdortt Djavann called the veil a form of "psychological, sexual, and social mutilation." It denied a young girl any possibility of "becoming a human being."⁶⁵ Mutilation was a big preoccupation. Some even elided wearing the veil with genital mutilation.⁶⁶ And philosopher André Glucksmann described the veil as "stained with blood" (a reference to terrorists and Nazis, but also with inevitable connotations of cutting).⁶⁷ Roudinesco was so concerned about preventing this mutilation by maintaining the status of women as objects of male desire (and so the conduct of normal sexual relations) that she equated the banning of head scarves in public schools with other major prohibitions such as the incest taboo.⁶⁸

The reference to the incest taboo is revealing. It suggests that a real, if unconscious, issue in the controversy over the veil is a conflict about different notions of regulating sex and sexuality. For French proponents of the legislation, women were "free" when their sexual desirability was openly displayed and endorsed (when they were, in Roudinesco's terms, "objects of desire"). From their perspective, Islamic restrictions on such public display unequivocally meant not only sexual repression, but political terrorism—a ruthless denial of all freedom of expression. It also evoked something about the hidden danger of women's repressed sexuality—it might be more transgressive, less controllable, than that which could be seen. This conflation of political and social/sexual danger around the figure of women covered over many of the glaring contradictions of the law, substituting intense emotional outpourings for reasoned discussion.

Perhaps the most stunning contradiction was the alliance of so many French feminists, who, in the name of the emancipation of Muslim girls, rushed to support a law that offered the status quo in France (women as the *object* of male desire!) as a universal model of women's liberation. Entirely forgotten in the glorification of the freedom of French sexual relations was the critique of these same feminists, who for years have decried the objectification of women and the overemphasis on their sexual attractiveness. It is the power of their unconscious identification with the republican project that led many of them to unequivocally condemn the head scarf/veil as a denial of women's rights and to talk as if the status of women in France were not a problem at all.

The preservation of the status quo was finally the issue in the *affaires du foulard*. The deep psychic investments were less about fears of terrorism (there were surely better ways to deal with terrorism than banning the head scarf, some of which were also suggested by the various commissions), than about

defending French national identity—an identity in which the French way of addressing the relations between the sexes was a critical, inviolable component. The inassimilability of Islam then came down, or added up, to sexual incompatibility—an incompatibility so profound that it compromised the future of the nation—its literal reproductive future as well as its very representation. “One and indivisible” might include men and women, but it couldn’t accommodate more than one arrangement of the relations between them. Behind the fantasy of the head scarf turned veil was a dogmatic affirmation of a mythologized French universalism that, as Charlotte Nordmann points out, was itself a veil “thrown over the relations of domination” between “native French” and French Muslims. Removing the Islamic head scarf was a way of insisting on assimilation as the only route to full membership in the community of the French. “If there is [a problem] of communitarianism,” Nordmann and Vidal continue, “shouldn’t we look for it on the side of the state? It’s true that the majoritarian character of that communitarianism allows it to deny that fact and instead to pose as ... the universal.”⁶⁹ The attack on the Islamic head scarf thus leaves another veil in place—the one that covers over the contradiction between a highly particularistic (“singular”) claim to a universalism that can and must only be French and that continues to insist on the elimination of difference as the only viable way to maintain the integrity of this nation-state.

Notes

1. *Le Monde*, 28 October 1993. All translations, unless otherwise noted, are my own.
2. *Le Monde*, 17 October 1989 and 21 October 1989, *Libération*, 17 October 1989.
3. *Le Nouvel Observateur*, 2 November 1989.
4. The full text of the Conseil ruling, as of other official documents for 1989 and 1993–94, can be found in *Laïcité française: Le port du voile à l'école républicaine*, 2 vols. (Paris: Fonds d'Action sociale pour les travailleurs immigrés et leurs familles, Service documentation, 1995). There is not sequential page numbering, and the materials are not necessarily in chronological order, so I cannot cite pages for these volumes.
5. The text of the decree and responses to it are in *Laïcité française*. The comment on Chenière’s crusade is in *Le Monde*, 21 September 1994.
6. *Le Monde* reported that Jewish leaders were assured by Prime Minister Balladur that “la kippa n’avait pas de caractère ostentatoire” (21 December 1994).
7. See, for example, *Le Monde*, 11 December 1994 and the documents in *Laïcité française*.
8. The full texts were published as Bernard Stasi, *Laïcité et République: Rapport de la Commission de Réflexion sur l’application du principe de laïcité dans la République remis au Président de la République le 11 décembre 2003* (Paris: La Documentation française,

- 2004) and Jean-Louis Debré, *La Laïcité à l'école: Un principe républicain à réaffirmer*. Rapport No. 1275, 2 vols. (Paris: Assemblée Nationale, 2003).
9. The quarrels can be followed in condensed (and intense) form in the pages of the feminist journal *ProChoix* 25 (Summer 2003), 26-27 (Autumn 2003), and 28 (Spring 2004).
 10. One member of the commission, Jean Baubérot, abstained from the recommendation to outlaw the "veil." He details his position in "La République et la laïcité: entretien avec Jean Baubérot," *Regards sur l'actualité* 298 (thematic issue on "Etat, laïcité, religions"; February 2004): 5-24.
 11. For a description of one successful mediation, see Philippe Darriulat, *Le Monde*, 14 October 2003, reprinted in *ProChoix* 26-27 (Autumn 2003): 115-18.
 12. Cited in François Gaspard and Claude Servan-Schreiber, *La Fin des immigrés* (Paris: Seuil, 1984), 70. See also Riva Kastoryano, *La France, L'Allemagne et leurs immigrés: Négocier l'identité* (Paris: Armand Colin, 1996), 15-40.
 13. Debré, *La Laïcité à l'école*, vol. 1, 69.
 14. When National Front candidate Bruno Mégret asked, "Should France adopt its principles to immigrants, or is it immigrants who ought to adapt their customs to the rules of our country?" there was no question about what the answer should be. Cited in François Gaspard and Farhad Khoskrokhavar, *Le Foulard et la république* (Paris: La Découverte, 1995), 18.
 15. Cited in Adrien Favell, *Philosophies of Integration: Immigration and the Idea of Citizenship in France and Britain*, 2nd ed. (Basingstoke, UK: Palgrave, 2001), 70.
 16. See John Bowen, "Muslims and Citizens: France's headscarf controversy," *Boston Review* (February-March 2004), 31-35.
 17. The classic description of this is Eugen Weber, *Peasants into Frenchmen: The Modernization of Rural France 1870-1914* (Stanford: Stanford University Press, 1976). The revisionist interpretation is James Lehning, *Peasant and French: Cultural Contact in Rural France during the Nineteenth Century* (Cambridge: Cambridge University Press, 1995).
 18. On the transformations of the schools, especially since the 1960s, see the important article by François Dubet, "La laïcité dans les mutations de l'école," in *Une société fragmentée? Le multiculturalisme en débat*, ed. Michel Wieviorka (Paris: La Découverte, 1996), 85-170.
 19. Debré, *La Laïcité à l'école*, vol. 1, 126 and Stasi, *Laïcité et République*, 112.
 20. Stasi, *Laïcité et République*, 138 and Debré, *La Laïcité à l'école*, vol. 1, 45, citing Jacques Chirac at Valenciennes, 21 October 2003: "La laïcité n'est pas négociable."
 21. Stasi, *Laïcité et République*, 13.
 22. *Ibid.*, 36.
 23. For earlier examples of this reasoning, see François Goguel, 1990, in *Laïcité française*, vol. 1. See also Jean-Dominique Bridienne, "Les Droits, la tolérance et la laïcité," *Education et pédagogies* 7 (September 1990).
 24. *Libération*, 20 October 1994. On these and other contradictions, see also Etienne Balibar, "Dissonances dans la laïcité," in *Le Foulard islamique en questions*, ed. Charlotte Nordmann (Paris: Editions Amsterdam, 2004), 15-27.
 25. The entire text with additional commentary is reproduced in *ProChoix* 25 (Summer 2003), 14-15.
 26. Elisabeth Roudinesco, *Libération*, 27 May 2003.
 27. See Dubet, "La laïcité dans les mutations de l'école"; the interview with Bruno Etienne in *Le Nouvel Observateur*, 29 September 1994; and the special issue of *Hommes et Migrations*, "Laïcité-Diversité" 1129-30 (February-March 1990).
 28. Debré, *La Laïcité à l'école*, vol. 1, 74, 91-92.
 29. *Ibid.*, vol. 1, 80.
 30. Juliette Minces, "La Femme voilée," in *Laïcité française*, vol. 1.

31. For example, see the remarks of Yvette Roudy, *Le Monde*, 25 October 1989.
32. Cited in Emmanuel Terray, "L'Hystérie politique," in Nordmann, *Le Foulard islamique*, 113. See also Stasi, *Laïcité et République*, 114: "Today, laïcité cannot be conceived apart from the principle of equality between the sexes."
33. See the articles in Nordmann, ed., *Le Foulard islamique* and the "Table ronde" in Debré, *La Laïcité à l'école*, vol. 2, 235-64.
34. Gaspard and Khosrokhavar, *Le Foulard et la République*.
35. Fahad Khosrokhavar, "L'Universel abstrait," in Wieviorka, *Une société fragmentée?* and Cécile Dumas, "Entretien avec Farhad Khosrokhavar," *ProChoix* 26-27 (Autumn 2003), 131-32.
36. On this history see Todd Shepard, "La 'bataille du voile' pendant la guerre d'Algérie," in Nordmann, *Le Foulard islamique*, 134-41; Marnia Lazreg, *The Eloquence of Silence: Algerian Women in Question* (New York: Routledge, 1994); and Frantz Fanon, "Algeria Unveiled," in *A Dying Colonialism*, trans. Haakon Chevalier (New York: Grove Press, 1967).
37. Alain Lipietz, "Le débat sur le foulard," *ProChoix* 26-27 (Autumn 2003), 125-26.
38. Charlotte Nordmann and Jérôme Vidal, "La République à l'épreuve des discriminations," in Nordmann, *Le Foulard islamique*, 11.
39. *Le Monde*, 4-5 December 1994.
40. The quotation is from Cardinal Jean-Marie Lustiger in an interview with Agence France Presse, 19 October 1989, accessible at <http://pourinfo.ouvaton.org/immigration/lefoulard/ isrepvoichrono.htm>). See also Debré, *La Laïcité à l'école*, vol. 1, 52-53 and vol. 2, 245. It should be noted that the voices of girls who wore head scarves were virtually inaudible in the debates and government inquiries. This was, for the most part, a case of others speaking for them except in the case of occasional newspaper articles, for example *Le Monde*, 18 December 2003.
41. Saïd Bouamana, "Ethnicisation et construction idéologique d'un bouc émissaire," in Nordmann, *Le Foulard islamique*, 37-44.
42. Debré, *La Laïcité à l'école*, vol. 1, 103-104.
43. *Ibid.*, vol. 1, 108.
44. *Ibid.*, vol. 1, 63.
45. Finkielkraut testimony to the Debré commission, cited in Aline Baïf, "Le débat sur la laïcité scolaire," *ProChoix* 26-27 (Autumn 2003), 89.
46. Cited in Charlotte Nordmann, "Le foulard islamique en questions," in Nordmann, *Le Foulard islamique*, 166. On the issue of rape, see also Caroline Fourest and Fiammetta Venner, "Les enjeux cachés du voile à l'école," *ProChoix* 25 (Summer 2003), 27.
47. "Entretien avec Jacqueline Costa-Lascoux," *ProChoix* 28 (Spring 2004), 60.
48. *Le Figaro*, 20 October 1994.
49. Anne Vigerie and Anne Zelensky, "'Laïcardes' puisque féministes," *ProChoix* 25 (Summer 2003), 12. Here I can't resist noting that this seems an all-too-literal illustration of Lacan's famous comment that "the phallus can only play its role as veiled" (Jacques Lacan, "The Meaning of the Phallus," trans. Jacqueline Rose, in *Feminine Sexuality: Jacques Lacan and the École Freudienne*, ed. Juliet Mitchell and Jacqueline Rose [New York: W. W. Norton, 1982], 82).
50. On the law as an example of political hysteria, see Terray, "L'Hystérie politique," in Nordmann, *Le Foulard islamique*, 103-17.
51. Debré, *La Laïcité à l'école*, vol. 1, 10.
52. *Ibid.*, vol. 1, 115.
53. Stasi, *Laïcité et République*, 90-92.
54. Christine Delphy, "Une affaire française," in Nordmann, *Le Foulard islamique*, 66.
55. Stasi, *Laïcité et République*, 128; see also 102-103.

56. On the use of the postcolonial state by white feminists to protect minority women from minority men, see Gayatri Spivak, "Can the Subaltern Speak?" in *Marxism and the Interpretation of Culture*, ed. Cary Nelson and Lawrence Grossberg (Urbana: University of Illinois Press, 1988), 271-313.
57. I treat this at length in *Only Paradoxes to Offer: French Feminists and the Rights of Man* (Cambridge, Mass.: Harvard University Press, 1996) and *Parité! Sexual Equality and the Crisis of French Universalism* (Chicago: University of Chicago Press, 2005).
58. Mona Ozouf, *Les Mots des femmes: Essai sur la singularité française* (Paris: Fayard, 1995).
59. *Ibid.*, 395.
60. Saba Mahmood, *Politics of Piety: The Islamic Revival and the Feminist Subject* (Princeton: Princeton University Press, 2005), 195. See also Denise Kandiyoti, "Identity and Its Discontents: Women and the Nation," in *Colonial Discourse and Post-Colonial Theory*, ed. Patrick Williams and Laura Chrisman (New York: Harvester Wheatsheaf, 1993) and Katherine Pratt Ewing, "Between Turkey and Germany: Living Islam in the Disapora," *South Atlantic Quarterly* 102, 2/3, 405-31.
61. Fanon, "Algeria Unveiled," 43-44.
62. Debré, *La Laïcité à l'école*, vol. 1, 77.
63. *Ibid.*, vol. 2, 52.
64. *Ibid.*, vol. 2, 44.
65. *ProChoix* 26-27 (Autumn 2003), 103-104.
66. "Entretien avec Jacqueline Costa-Lascoux" *ProChoix* 28 (Spring 2004), 57.
67. *L'Express*, 17 November 1994.
68. Debré, *La Laïcité à l'école*, vol. 2, 53.
69. Nordmann and Vidal, "La république à l'épreuve," 7.

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