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The New Veil:
A Fundamentally Modern Phenomenon

By

Hassan Adnan Mortada

A Master's thesis submitted to the Graduate Faculty in Middle Eastern Studies program
in partial fulfillment of the requirements for the degree of Master of Arts,
The City University of New York

2018

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This manuscript has been read and accepted for the Graduate Faculty in Middle Eastern Studies program in satisfaction of thesis requirement for the degree of Master of Arts.

April, 30th 2018
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ABSTRACT

THE NEW VEIL:

A FUNDAMENTALLY MODERN PHENOMENON

By

Hassan Adnan Mortada

Advisor: Professor Devrim Yavuz

The present thesis is a study of the New Veil movement in the Middle East and in France. The aim of this thesis is to examine the definition of this movement and its origins focusing on its modern re-emergence. The importance of this issue comes with the rise of nationalism and right wing policies that affected women in general and Veiled Muslim women in particular.

Is it possible that certain restrictive attempts at controlling the day-to-day particulars of religious life have backfired, creating the opposite of their desire effect? What is it about in the dynamics of the state and, on a larger scale, of the global order that generates Fundamentalism?

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INTRODUCTION

On March 15, 2004, France enacted a law on religious symbols that would extend the country's longstanding policy of secularism in public schools. Passing with massive support from the French National Assembly, the law required schools to enforce a number of curricular and behavioral policies in line with the secular republican ethic, from harsh restrictions on the display of religious symbols to the controversial mandate that only scientifically verifiable facts be taught in science classes. The measure drew major scrutiny on July 17th 2009, when six cases of students being removed from school for wearing religious talismans were dismissed by the chamber court of the human rights. (Aktas v. France, Bayrak v. France, Gamaleddyn v. France, Ghazal v. France, J. Singh v. France, and R. Singh v. France) Five out of the six cases involved French nationals, and four involved Muslims while the remaining two concerned Sikhs. The four Muslims were female and the two Sikhs were men. The girls, Miss Aktas, Miss Bayrak, Miss Gamaleddyn, and Miss Ghazal wore headscarves on the first day of school, violating the aforementioned French law of 2004, which prohibits wearing any religious clothing or symbols in French public schools. In a press release issued after the incident, the school made clear its intentions in removing the girls, stating that they were turned away by the headmasters for refusing to remove their so-called 'offensive' headwear. Forced to compromise, the young women wore hats instead of their traditional headscarves. In its description of the case, the court's press release never mentioned specifically why exactly the headscarves were so offensive, skirting around the topic despite its centrality to the logic of the court's decision. Interestingly, it goes into adequate detail describing the

Sikh's *keski*, using the correct terminology, as "smaller than the traditional turban and dark in color," but does not ever use term *hijab* for the young women's attire. Throughout the press release in fact, the hijab is referred to as headwear or headgear rather than being described in the specific terms. The language that the court used is emblematic of Muslims' strained relationship with the French state and other governments like it.

The complaints, which were dismissed by the applicants, revolved around the issues of freedom of thought, conscience and religion (Article 9) and prohibition of discrimination (Article 14). The other complaints involved the right to a fair hearing within a reasonable time, the right to education and double jeopardy, although the right to freedom of thought, conscience and religion played the primary role in this case. According to the European Court, the French law passed in 2004 was supposed to protect the rights and freedoms of others and the "public order", and while the courts were staunchly defending the public order, they were doing so at the expense of certain individual's freedom of thought. However, because the law is so geared towards this notion of a secular public space, restriction of religious dress is fully in line with its core principles. To make matters worse, the court then went on to use the French Law of 2004 as a means of backing up the complaints, defending the young women's expulsion from school property. In the court's opinion, the expulsion of the Muslim students was all for the greater purpose of 'protecting' the freedom of the other students and safeguarding 'the public order.'¹

Predictably, the court eventually ruled in favor of protecting secularism, and the court's press release portrays the Muslim women in involved in a noticeably

¹ **Aktas v. France, Bayrak v. France, Gamaleddyn v. France, Ghazal v. France, J. Singh v. France and R. Singh v. France (30 June 2009).**

unsympathetic light. It bears mentioning that this case is not the first of its kind in France. One of the first cases of this nature was introduced to the French court in 1989, triggering public outrage. Ever since, France's laws surrounding the wearing of religious symbols in public, especially *Islamic* dress code, have become increasingly strict.² These strict laws seem to coincide with the resurfacing of the *hijab* in cultures abroad, as a growing number of Muslim women around the world have elected to wearing the *hijab*. Many academics have termed this new movement "the new veiling". Is it possible that France's restrictive attempts at controlling the day-to-day particulars of religious life have backfired, creating the opposite of their desire effect? What is it about in the dynamics of the French state and, on a larger scale, of the global order that generates Fundamentalism? By tracing the events in France starting from the 1989 expulsion of female Muslim students, the 2004 law, the aforementioned 2009 European Human Rights Court Ruling, and the 2011 ban of the full face veil, I will attempt to prove that that these types of laws in the secular framework, have and will continue to generate fundamentalist reactions. This is a new type of fundamentalist movement, one which is a product of the modern world, and only further proves that the concepts behind fundamentalist theories are not a thing of the past. I will attempt to prove this, pointing to the specifics behind how the "new veil" movement became an important revolution in the Islamic world, and more importantly, how it became a chance for Muslim women to feel free in an increasingly restrictive global order. I will proceed in two steps; first, I will outline some of the problems with the simplistic understanding of fundamentalism that many western

² Ibrahim, Youssef M. "Arab Girls' Veils At Issue In France." *The New York Times*. November 11, 1989. Accessed March 10, 2016. <http://www.nytimes.com/1989/11/12/world/arab-girls-veils-at-issue-in-france.html>

observers have and propose an alternative framework that characterizes the fundamentalist phenomenon in a more analytically robust way. Then, I will discuss the ways in which the New Veil movement empowers the women who choose to take part in it, with reference to the more developed framework given in the first section.

The controversy surrounding Muslim women wearing their religious headgear in public follows a general trend of distrust and hostility between many western societies and Muslim minority populations living within them. In a Pew poll from May of 2017, 58% of respondents in the United States, Russia, and four Western European countries said that the term “fanatical” best described Muslims when asked to associate a number of terms with them.³ Meanwhile, in a 2006 Pew poll, 30% of respondents in France, 35% in Spain, 40% in Germany, and 42% in Great Britain reported being very concerned about Islamic extremism in their respective countries.⁴ The New Veil movement has become a focus of debate in this area, as its use of traditional Islamic symbols and practices have put it at odds with the modern formulation of secularism that predominates in much of the developed West. The characterization of this movement as fundamentalist, however, demonstrates some of the flaws in the traditional understanding of that concept, chiefly the misidentification of the New Veil movement based on the set of symbols that it uses. To gain a proper understanding of the role that the movement plays in the social ecosystem, it is necessary to disaggregate the various meanings that the veil has in its different contexts. That is, although the New Veil movement appeals to traditional ideas and utilizes an existing symbolic language, it is intrinsically a modern movement built

³ <http://www.pewresearch.org/fact-tank/2017/05/26/muslims-and-islam-key-findings-in-the-u-s-and-around-the-world/>

⁴ <http://www.pewglobal.org/2006/07/06/muslims-in-europe-economic-worries-top-concerns-about-religious-and-cultural-identity/>

around a modern set of interests.

CHAPTER II

INDIVIDUAL AND GROUP RIGHTS IN A MULTICULTURAL SOCIETY

Given the level of attention that Islamic fundamentalism has received, it is worth considering what fundamentalism is, both in the general case and in the specific case of Islam, as well as what its presence implies for its host society. While even the casual observer can point out organizations and movements that are readily identifiable as fundamentalist in nature, the distinguishing attributes of fundamentalism are more nuanced than discussion of the topic often suggests. That is to say there is a distinction between those movements that are traditionalist in nature and those which are reactionary. It should be noted here that none of the designations to follow should be associated with any specific normative judgment. Both traditionalist and reactionary movement are capable of profound personal liberation and brutal violence. The issue of coercion in fundamentalist movements will be discussed later, but for now it bears mentioning that either type of movement may be coercive. Traditionalist movement have deep roots in institutions and practices of the past, and their activities represent a repetition of those institutions and practices. They may have changed over time, but generally do so slowly, as they are organized around the preservation of a specific historical moment in their respective cultures. Although traditionalist groups may interact with the various institutions and organizations that make up a modern society, their behavior is based on their own historical experience rather than that of an external party. Amish communities are a clear example of this type of community, as they largely follow a set of traditions based in shared historical experience. Although this group is often placed in contrast to the

modern western institutions that surround it, its behavior is essentially independent of those institutions. That is to say that adherence to a set of traditions that are largely stable across time is a core feature of Amish culture, and their contrast with modern western society exists only because it has changed more quickly than they have.

On the other side of the spectrum are reactionary organizations, which may carry some of the same outward trappings as traditionalist organizations but operate based on a far different set of motivations. That is, a reactionary movement is organized in response to some change in society, either in support of but often in opposition to it. A reactionary movement may use symbols from a previous point in history. In fact, a reaction movement may use the *same* symbols as traditionalist one, and may even profess a desire to reconstitute a particular moment in history, but it does so in response to the modern social climate. Indeed, often reactionary movements expressing an affinity for the past will yearn for an idealized past environment that never truly existed, often in response to a change or perceived change in their respective society. The Christian Right in the United States is an example of this sort of movement. Although the Christian Right frequently makes reference to existing cultural traditions and expresses a desire to re-establish those traditions, it is fundamentally rooted in modern political events. That is, although many of the subgroups that constitute the Christian Right have existed for decades, the movement as a political agent came into being expressly in opposition to racial integration and later reproductive rights.⁵ Although reactionary groups like this one may vehemently oppose many of the core tenants of the modern order, they could not meaningfully exist without it.

⁵ <http://www.politico.com/magazine/story/2014/05/religious-right-real-origins-107133>

Taking opposition to the New Veil movement and under Islamic revival movements in their most sympathetic formulations, the clash between particularistic group identity and liberal notions of multiculturalism stem from a tension between the desire to foster egalitarianism and the desire to safeguard group identity. The egalitarian pursuit, ensuring the public institutions treat different ethnic groups, religious groups, and the like as equal members of society implies a certain flattening of social distinctions, while the identity pursuit, respecting the distinctiveness of those groups, requires publicly recognized distinctions between groups.

Charles Taylor lays out an approach to this problem in *Multiculturalism*, offering a counterpoint to the Rousseauian style of cultural politics that emphasizes individual self-determination over recognition of group differences. Taylor constructs a view of identity centered on the interactions of groups rather than the action of individuals. Identity, in Taylor's view, is constructed "dialogically, in response to our relations, including our actual dialogues, with others."⁶ The importance of deliberation in forming social identities necessitates a set of public institutions designed to incorporate them through recognition of different languages, religious traditions, and other distinguishing features of social groups.

Sustainable egalitarianism, Taylor and his co-author's argue, must be grounded in a policy of recognition. Recognition, they contend, constitutes the desire of each social group to see its values reflected in or at the very least respected by public institutions. They state that "The demand for recognition, animated by the ideal of human dignity, points in at least two directions, both to the protection of the basic rights of individuals as human beings and the acknowledgement of the particular needs of individuals as

⁶ Taylor, Charles. *Multiculturalism*. Princeton University Press, 1994. 7.

members of specific cultural groups.”⁷ The two elements of Taylor’s multicultural societal framework can come into conflict in several ways. In cases where particular group identities have been given a pejorative attribution, as with African Americans in the United States, liberal-minded reformers often argue that equality can only be reached by removing the dimension of group identities used to implement persecution, or at the very least by reducing their salience in society. Such practices usually described as ‘race-blind’ or ethnicity-blind more broadly, would sacrifice the second element of Taylor’s multiculturalism in an attempt to achieve the first, while Taylor would argue that social institutions should endeavor to combine the two. Furthermore, the particularistic values of groups may be in themselves opposed to the liberal interpretation of individual rights or even to the recognition of other groups. Public institutions can run into problems when, as in the case of nativist groups responding to immigrants in France or hardline religious groups responding to the LGBTQ community in the United States, one group will not be satisfied with its level of recognition unless the state openly repudiates some other group. Contending with these situations forces states to balance the two aspects of multiculturalism and to establish standard, often controversially, of which demands by social groups are reasonable and which are not.

The harm that Taylor points to as arising from failure to recognizing different cultural groups and acknowledge them as culturally distinct is based in a process of alienation. When a particular group is not recognized by public institutions or is misrecognized, its role in society is defined by the groups that are recognized, leading to a dangerous loss of agency among minority groups. Much as individual identity is mediated by interactions within groups, group identity is mediated by interactions

⁷ Taylor, Charles. *Multiculturalism*. 8.

between groups within society. He argues that “our identity is partly shaped by recognition or its absence, often by the *misrecognition* of others, and so a person or group of people can suffer real damage, real distortion, if the people or society around them mirror back to them a confining or demeaning or contemptible picture of themselves. Nonrecognition or misrecognition can inflict harm, can be a form of oppression, imprisoning someone in a false, distorted, and reduced mode of being.”⁸ Group recognition is, in Taylor’s view, not just an expression by the state that group differences exist but that individual groups should exercise agency in defining the meaning of those differences. Failure to do so, both intrinsically devalues the groups that are not recognized by signaling that the state does not value them and imperils their autonomy by preventing them from forming their own self-conception. Groups inevitably internalize the identity imposed on them by society if such an identity is imposed, Taylor argues, even if that identity expressly characterizes the affected group as inferior or undeserving relative to other groups.⁹ Internalizing that identity makes individuals of the affected group incapable of interacting with their peers as equal citizens, as they see themselves as acting under the influence of an inferior nature.

The root of recognition as a social goal originates, for Taylor, in the modern conception of individual dignity as the foundation of the prevailing social order. Earlier societies expressed their valuation of individuals in terms of honor rather than dignity. While dignity can, and from the modern point of view, should be conferred to all individuals equally, honor is necessarily zero sum; it has value only insofar as most of

⁸ Taylor, Charles. "The politics of recognition." *New contexts of Canadian criticism* 98 (1997). 25

⁹ Taylor, Charles. "The politics of recognition." 26.

society does not possess it.¹⁰ Modern societies preserve this idea chiefly through notions of status; membership in an exclusive country club, admittance to a selective university, or accolades for performance at a sporting event, hold value precisely because most people do not have them. In contrast to older systems of social organization though, this sort of valuation is no longer the fundamental basis for constructing institutions. Rather, modern liberal societies see all citizens as intrinsically possessing dignity that entitles them to a certain modicum of faire treatment in all dimensions of their lives. With this different conception of individual valuation comes a different conception of group valuation. A particular identity, under the framework of human dignity, should not be characterized as inherently inferior to other identities, as the individuals who adhere to that identity are deserving of equal treatment based on their human dignity.

The need for public institutions to recognize minority groups incorporates an element of mutual legitimation insofar as recognition by the state is only meaningful to the extent that the state's authority is recognized by the groups that it governs. Axel Honneth extends Taylor's logic of groups recognition by laying out the importance of mutuality in establishing a working multicultural society. That is, individuals form and maintain their identities with respect to recognition by other actors in society, both the state and other social groups, which they themselves recognize as legitimate peers.¹¹ Honneth describes the process of mutual recognition as consisting of three distinct aspects: "self-confidence", "self-respect", and "self-esteem", all which arise from the broader notion of the "practical relation to self."¹²

¹⁰ Taylor, Charles. "The politics of recognition." 27.

¹¹ Honneth, Axel. *The struggle for recognition: The moral grammar of social conflicts*. Mit Press, 1996. 2.

¹² Ibid.

Self-confidence, for Honneth represents the ability to express and advocate for one's needs on a legitimate footing. Individuals develop it beginning in early childhood as a part of familial relations, and it extends through all interpersonal relationships, include those which mold the relative status of various social groups. The role of self-confidence in the sense that Honneth uses it as a driving force of group conflict in cooperation is evident in many minority groups' struggles for legal and social protections. The expectation that a group cannot express its desires without being labeled as conflictual or subversive is a right the majority assumes as given and minority groups tend to work strenuously to achieve.

Self-respect, in Honneth's view, constitutes an individual's sense that he or she is recognized as a legitimate moral act in society, capable of independently participating in discourse about what sort of moral good the state should aim to inculcate in its citizens. This capacity is dependent upon the legal status that the state confers on individuals insofar as the legal rights conferred by the state form the basis by which a person can claim to be an autonomous participant in social debates and demand that all other members of society take his or her views seriously.¹³ This idea might broadly be placed within the modern conception of citizenship as a foundation for equality. To be a citizen is not simply to possess a set of civil rights: the right not to be tortured, prevented from freely assembling, imprisoned without due process, etc., but also to be allowed free access to public debates regarding the general trajectory of society. This right rests on a tacit agreement that every person imbued with the status of citizens can be considered a rational agent capable of arriving at moral determinations through reason, and cannot be dismissed through claims that he or she is acting on base motivations and is

¹³ Honneth, Axel. 4.

fundamentally incapable of joining public discourse in good faith. This expectation has become an especially volatile flashpoint in Western societies where issues of identity are the subject of social conflict. Whether the groups in question are political minorities such as women attempting to assert independence in traditionally male-dominated spaces, or demographic minorities such as African-Americans in the United States attempting to dismantle racially repressive institutions, the issue of self-respect as Honneth describes it plays an important role in the discussion. That is, the majority is seen by default as engaging in a rational discussion with competing arguments derived from logic and evidence, while minorities frequently claim to have engaged in a similar process motivated by different sets of experiences but are often dismissed as acting irrationally on issues that involve their identities.

Self-esteem, in Honneth's view, takes on a similar function to that of self-respect, but with a particular focus on the assertion of individuality by members of minority groups. That is, individuals in society have an inherent need to feel that they are unique and that they hold some indispensable value.¹⁴ This idea is manifested in the minority groups' desire not to be constrained by stereotypes, or consistently be identified solely as a member of a minority population without distinguished individual characteristics. For the majority, this type of recognition is assumed; group identification is subordinated to personal qualities in assessing what an individual's role in society should be. Among minority populations, however, this process is often reversed; group identification is portrayed as determining, or at the very least overpowering personal qualities, and an individual's role in society is decided on the basis of group identity. In this sense, minority groups wish to be recognized as heterogeneous, with members who differ on a

¹⁴ Honneth, Axel. 5.

range of personal preferences and have the right to express those differences openly.

Addressing a similar issue, specifically focusing on minority representation in multiethnic societies, Will Kymlicka proposes a related framework for public institutions' stance toward group recognition, although his view departs from Taylor's in its of weighting of individual and group interests. Kymlicka draws a distinction between different types of diverse societies and different dimensions by which public institutions might recognize or fail to recognize the rights of minority groups. He identifies two primary types of such societies: "multination states" and "polyethnic states."¹⁵ The former he argues, are states that formed through the amalgamation of several smaller states, each representing a distinct ethnic group, into a single entity, while the latter are states where minority ethnic groups have entered society over time through the migration of individuals and families.¹⁶ It should go without saying that almost any modern state would display some features of both models, but Kymlicka's language is nevertheless useful for describing broad differences between societies. Where it appears in Western cultures, the New Veil movement is largely a phenomenon of polyethnic societies, and as such commonly triggers a defensive reaction from its critics, who claim that the movement represents an incursion against established values rather than claiming that it has arisen from long-standing divisions in society.

Perhaps more importantly, Kymlicka distinguishes between several different types of minority interests in diverse societies, and arrives at different conclusions about the place that those interests should play in his conception of liberal multiculturalism. He divides minority rights broadly among "self-government rights," "polyethnic rights," and

¹⁵ Kymlicka, Will. *Multicultural citizenship: A liberal theory of minority rights*. Clarendon Press, 1995. 6.

¹⁶ *Ibid.*

“special representation rights.”¹⁷ Self-government rights constitute the guarantee that minority groups be allowed to control their own territories and subcultures, acting as administrative units or enfranchised political constituencies commensurate in power with their relative size. Polyethnic rights consist of protections for minority groups’ distinguishing norms and practices. Where the state respects such rights, minority groups enjoy state recognition of and support for their holidays, and traditional activities or talismans are treated with legal forbearance if not with deference. Special representation rights constitute guaranteed access to the levers of power in society through explicit methods such as apportionment of seats in the legislature or rotating guaranteed terms for the executive elected from their group.¹⁸

The issues of recognition that predominate in debates over the New Veil movement and other movements of a similar persuasion tend to hinge on polyethnic rights, on the degree to which society as a whole respects the ability of individual Muslims to carry out practices specific to their culture, and where necessary builds legal frameworks to safeguard that ability. Another distinction drawn by Kymlicka, and one that creates a substantial point of departure from the multicultural theory of Taylor, separates the rights of minority groups into two categories: “internal restrictions” and “external protections.”¹⁹ Internal restrictions comprise the controls that a group may impose on its members, such as taboos on when and to whom members of the group can marry, or dietary rules. External protections, on the other hand, consist of safeguards against coercive power from other groups in society, such as the sort of guaranteed

¹⁷ Kymlicka, Will. 6-7.

¹⁸ Ibid.

¹⁹ Kymlicka, Will. 7.

representation in government mentioned previously.²⁰ Kymlicka argues that a measure of external protection can be a stabilizing force in the practice of liberal politics, but that internal restrictions may clash with the sort of institutional machinery necessary to foster a liberal multicultural society. Such a society, he claims, must be founded upon principles of individual autonomy, to which potentially illiberal strictures enforced by minority groups may be deleterious.²¹ Like Taylor, Kymlicka argues that attempting to build institutions that ignore group identities on the basis that each individual should be treated equally will fail to fulfill the basic need of recognition. Kymlicka, however, tempers this assertion by drawing a distinction between which broad categories of group practices should and should not be recognized. For Kymlicka, policies aimed at fostering multiculturalism will only work if the precepts of liberalism are enforced on the group level, and in particular groups should not be allowed to pick and choose which of the individual rights espoused by liberalism their members may enjoy.

This group-centric view of societal organization, and the related critique of pure liberalism, bears heavily on the grounding of the New Veil movement. In this case, the recognition interest of Muslims who adhere to the movement is represented in government policy and shares social norms surrounding the veil. A ban on the veil, or even a strong, socially pervasive conception that wearing the veil is indicative of an undesirable cultural stance, is an element of a refusal to recognize a certain strain of Islamic culture within society. Often, the framing for this refusal to recognize is built upon the idea that Islamic ideology surrounding the veil is fundamentally illiberal, and as such cannot be included in a liberal social order. In the purely liberal interpretation, that

²⁰ Ibid.

²¹ Ibid.

ideology is indefensible on the grounds that it threatens individual autonomy, and that threat trumps considerations of the group's choices as a collective entity.

The need for recognition that Taylor identifies overlaps with a distinction between a type of uniform moral standard that liberal thought tends to advocate and a type of pluralistic moral standard that allows for multiple institutional approaches to respect for human dignity. Chantal Mouffe addresses this distinction in discussing the subject of human rights in Western and non-Western societies, arguing that the particular formulation of human rights that predominates in many Western intellectual circles is not necessarily transferable to a non-Western context.²² Mouffe argues that “there is something very problematic about the idea of *human rights* as it is usually envisaged, i.e., as a cultural invariant that should be accepted by all cultures. As has often been pointed out, this is because human rights are presented as being both universally valid and uniquely European in origin.”²³ The model of human rights that liberal advocates of globalization advocate, Mouffe, contends, is not only a conceptual framework about human dignity but also an actualization of that framework in a set of cultural and political institutions. Although human rights are described in a western context using universalist language, they really represent a specific formulation of government and culture that predominates in the west, meaning that spreading this conception of human rights outside of the west requires that existing cultural and civic institutions be remade.

The adoption of human rights in their western liberal conception, for Mouffe, is specifically tied to the institution of liberal democracy and the process of rational debate as a mechanism of social progress. Mouffe argues that genuine respect for universal

²² Mouffe, Chantal. "Which world order: cosmopolitan or multipolar?." *Ethical Perspectives* 15, no. 4 (2008). 453-454.

²³ Mouffe, Chantal. 454.

human dignity requires a decoupling of the goal of good governance with the frameworks that have been adopted to achieve it in the West, writing “liberal democratic institutions and the Western language of human rights represents only one possible *political language game* among others, and it cannot claim to have a privileged relation to rationality. We should therefore accept the possibility of a plurality of legitimate answers to the question of the *good regime*.”²⁴ This approach to human rights places the issue in a more abstract frame, requiring that reformers mold institutions, particularly political institutions, to meet the cultural properties of the polity rather than replicating institutions that have been validated elsewhere.

The primacy of the individual, and the formulation of individual identity in Western liberal thought presents a major point of interest for Mouffe’s argument. Western society, Mouffe claims, prioritizes individual independence from coercive influences in forming institutions, but this viewpoint is not universal. Rather, some other societies operate based on the notion of “overlapping selves. Those bound together by familial, kinship, religious or other ties do not see themselves as independent and self-containing ontological units involved in specific kinds of relationships with *others*, but rather as bearers of overlapping selves whose identities are constituted by and incapable of being defined in isolation from these relationships.”²⁵ This claim bears on discussion of the New Veil movement in two distinct ways; first, it indicates the specific clash of ideologies that underlies debates over the veil when those debates are expressed in terms of secularism rather than ethnicity. From the liberal secular point of view, the veil is often seen as a symbol of individual subordination to cultural elites, and as such at odds with

²⁴ Mouffe, Chantal. 455.

²⁵ Mouffe, Chantal. 457.

the notion of individual dignity to which most Western societies claim to aspire. This conception is often mistaken insofar as it excludes the sense of cultural suppression that brands the veil a symbol of resistance to authority in the Western context, but it is nonetheless important in understanding the social forces driving the debate. Second, the veil as a symbol of group identity reinforces the role of recognition as a demand against public institutions. The type of collectively-derived identity that Mouffe discusses places additional emphasis on the need of cultural groups, not simply individuals, to be recognized as legitimate actors in society. To the extent that individuals conceive themselves as the product of communal relations, they will see respect for the group as inseparable from respect for them individually.

Bhikhu Parekh makes a similar argument to Mouffe on the subject of multicultural societies, arguing for an “equality of difference” that respects individual human dignity but recognizes minority group practices as legitimate. In *Essences*, Parekh critiques that notion that meaningful equality among groups can be achieved through a policy that aims to smooth over differences between those groups and apply uniform standards to all members of society. To illustrate this point, Parekh points to a phenomenon of Asian job candidates in Britain being placed at a systematic disadvantage because they did not make eye contact with interviewers, making the culturally-motivated assumption that showing respect to an authority figure by refraining from eye contact was appropriate.²⁶ Attempting to apply the same standard of behavior across all groups, Parekh argues, does not really establish equality but rather constitutes an imposition of values on the minority by the majority. Liberal-minded reformers may see themselves as

²⁶ Parekh, Bhikhu. "Rethinking multiculturalism: Cultural diversity and political theory." *Ethnicities* 1, no. 1 (2001):

establishing a system by which all groups are treated equally, but the groups embedded in that system are more likely to see public institutions demanding that they abandon the cultural moorings through which they have constructed their identities.

Resistance to this type of cultural imposition is central to the discontent that motivates many adherents of the New Veil movement. Advocates of secular social policy who see bans or at the very least taboos on the veil as a necessary part of liberal institutes claim, when expressing their argument sincerely, that prohibiting the veil is a necessary measure to create an equal society. No group, either the minority or the majority, may implement cultural practices that subjugate women, and the veil is, from their perspective, only the particular manifestation of that subjugation that appears in Muslim communities. Parekh would dismiss this idea, instead arguing that each group must be allowed to establish its own sets of norms, and the behavior of the state toward minority groups must reflect their cultural backgrounds rather than attempting to ignore those backgrounds as a means to achieve uniform treatment.

CHAPTER III

THE EVOLUTION OF LAICITE IN FRANCE

In order to begin to understand France's policies and laws protecting secularism, it is necessary to analyze its history with religious freedom and independence, a history dating back to the pre-revolutionary era. In the 18th century, much of the French population was Catholic, and the French state was deeply enmeshed with the Catholic Church. In fact, public frustration with corruption in the Church and a desire for freedom of religion play a major role in generating support for the revolution.²⁷ Philosophically, this concept is found in a certain brand of political philosophy that originated with Jean-Jacques Rousseau, a philosophy that emphasizes the greater general interests and shared values over individual interests.²⁸ After the French Revolution, the newly-instated government exerted tremendous pressure to renounce Catholicism, quickly escalating to the extreme levels that facilitated the Reign of Terror (1793-1794). Those who sided with the Catholic Church were viewed as enemies of the Republic and often executed, causing many Catholic to begin practicing their religion in secret. The French historical experience with religion has contributed in a very direct way to the harsh view that many in the country have taken with respect to Muslims and other religious minorities displaying religious symbols in public. As in many European nations, these groups are seen by many as a threatening other who fail to assimilate at best and attempt to undermine the fabric of their host society at worst. The secular culture that has

²⁷ Taylor, Tristan. "The Influence of the Catholicism Before During and After the French Revolution." Washington State University. August 28, 2014. Accessed March 10, 2016. <https://history105.libraries.wsu.edu/fall2014/2014/08/28/the-age-of-enlightenment-and-its-global-effects-in-the-16th-18th-century/>

²⁸ Bowen, John R. *Why the French Don't Like Headscarves: Islam, the State, and Public Space*. Princeton: Princeton University Press. 2006.

characterized France since the revolution, with its emphasis on keeping schools and religious institutions separate, has compounded this already fraught relationship. The French document “Declaration of the Rights of Man” - a document much like the United States’ Declaration of Independence - states freedom of religion as a fundamental human right, albeit with the additional remark that it must *remain within the rules of the law*. This statement clarifies where the French state stands on the delicate balance between individual rights and secular government. That is, although the government aims to protect individuals’ right to freedom of expression, it will also take an active role in curtailing the influence of an organization like the Catholic Church when it comes to matters of law. I will return to this subject when discussing the role of coercion and when discussing the growth of fundamentalism, but for now it is sufficient to note that when confronted with a choice between absolute protection of individual agency and prevention of religious influence on the state, the Declaration of the Rights of Man places a higher priority on the latter.

The Law of 1905 continued along this trajectory, formally separating Church and State.²⁹ Under the law, the French government was no longer allowed to fund any religious groups and all religious buildings became the property of state and local governments. This law also banned any religious sign or emblem on public buildings or monuments. It is with this law that secularism evolves from a purely theoretical and philosophical idea into a fixture of daily life. More important, it represents the first instance of the law expressly prohibiting religious symbols and dress code in public spaces. In many ways, it laid the groundwork for laws that would be passed some one

²⁹ **Taylor, Tristan. "The Influence of the Catholicism Before During and After the French Revolution."**

hundred years later prohibiting the veil in all public schools. The law also states that the “*Republic ensures freedom of conscience. It guarantees freedom of worship limited only by the following rules in the interest of public order.*” The law ostensibly maintained individuals’ freedom to practice the religion of their choosing, but because of the broad interpretation of what constitutes a disturbance of the public order in France, in many cases the law opened the door for restrictions on religious practice. The law of 1905 manifested the French principle of *laïcité*, the meaning and understanding of which constantly evolved throughout 20th century French politics.³⁰

In *Politics of the Veil*, Joan Wallach Scott describes *laïcité* as a uniquely French branch of secularism and the “cornerstone of French republicanism.” According to Scott, what makes *laïcité* so uniquely French is the “role of the state in protecting individuals from the claims of the religion.”³¹ In other words, one must obey state laws regardless of religious affiliation. In her article, “Freedom of Religion and the Transformation of Public Order in France”, Rim-Sarah Alouane looks at the state’s role with a critical lens. She argues that there is “no clear definition of *laïcité*”, and that France uses this principle as a means of justifying any restriction of wearing religious symbols, as well as freedom of speech. She also traces the evolution of the concept of *laïcité* and how it eventually became part of the definition of French Nationalism, a “protection of a shared identity”.

³² This shared identity requires religion to be kept separate from society, so that it cannot

³⁰ "The Law of 1905." *Muse Virtuel Du Protestantisme*. 2014. Accessed March 11, 2016. <http://www.museeprotestant.org/en/notice/the-law-of-1905/>.

³¹ Scott, Joan Wallach. *The Politics of the Veil*. Princeton: Princeton University Press. 2007. 90-98.

³² Alouane, Rim-Sarah. "Freedom of Religion and the Transformation of Public Order in France." *The Review of Faith and International Affairs* 13, no. 1 (February 24, 2015): 31-38. Accessed March 11, 2016. <http://www.tandfonline.com/doi/pdf/10.1080/15570274.2015.1005909>.

become a divisive force to the French identity. It is in its ambiguity that the concept of *laïcité* assumes its potential power as a political tool. Scott describes the history of *laïcité* in French schools, illuminating President Chirac's hypocritical rejection of Stasi's commission to add Jewish and Muslim holidays to the public school calendar. The fact that "Christian holidays don't violate the principle of secularism [is] proof to critics of 'laïcité' that it is not universal at all but is, rather, intimately bound up with the dominant Catholic religious culture of the nation".³³ Instead of *laïcité* opposing religion, it instead is proven to be practically *generated* from religion. Considering that France's attitude towards shared identity was founded in the 17th century hardships of practicing Catholicism, *laïcité* is clearly intrinsically tied to religious circumstances. Scott's analysis not only supports Alouane's claim and critique of *laïcité*, but also provides greater insight regarding France's first noted conflict with the veil in 1989.

In 1989, a principal at a French public school told three Muslim female students that they could not come to school with a head cover. The press quickly picked up this story, sparking public outrage and debate. A New York Times article describes the incident as follows: "the debate has resulted in public spectacles like the appearance of two deputies at the National Assembly in women's scarves and demonstrations in the streets of Paris," (Ibrahim, *The New York Times*).³⁴ The Education Minister Lionel Jospin responded by saying, "fundamentalist girls should be 'persuaded' to take off their veils in class," but not forced to because that would be considered discrimination. Although this statement is certainly less strict than the 2009 court ruling, it still harbors

³³ Scott, Joan Wallach. *The Politics of the Veil*. 101.

³⁴ Ibrahim, Youssef M. "Arab Girls' Veils At Issue In France." *The New York Times*. November 11, 1989. Accessed March 10, 2016. <http://www.nytimes.com/1989/11/12/world/arab-girls-veils-at-issue-in-france.html>

the seeds of discrimination supported by *laicite*. Jospin's choice of words categorizes the hijab-wearing women into a singular group and identity, creating a sense of otherness. What he is really saying is that Muslim women need to be persuaded to give up their visible Muslim identity (as in the veil) in order to be accepted as French. Only with this surrender of certain aspects of their private life could they become one with the public identity. Although he argues against outward discrimination, he calls for Muslim women to reject their identity. These policies were created or designed in order to integrate Muslims into French society and the French way of acting and thinking.

The reaction to the 1989 veil issue created a schism among France's political left. One group took a softer approach, thinking along the lines of, "the veil...no problem because a small fundamentalist minority cannot threaten a secular society of 55 million people," (Ibrahim, *The New York Times*). The other group of French leftists considered the veil a serious problem because they believed it was an attack on the principals of women's emancipation and feminism. This view tends to strip Muslim women of their agency, assuming the veil is something that was forced upon them and not something that they would choose to wear to express themselves and their identity. This view, although claiming to empower women, only succeeds in enforcing the stereotype that Muslim women are passive, a stereotype which has no foundation in fact. The first view is inherently xenophobic as it assumes those part of any fundamentalist group automatically constitute a threat. The only reason why they are not worried about the veil is because the Muslim population is too small to affect change in society. Again this harps back to *laicite*; do what you want as long as you do not disrupt the public, or the society. There is not a major group that seems to be actually defending the rights of Muslim women as

individuals. To truly demonstrate just how far this goes, even the founding member of France's anti-racism organization considers the veil, "a sign of imprisonment that considers women to be subhumans under the law of Islam," (Ibrahim, *The New York Times*). Considering the French sentiment around the veil in 1989, it does not come as a surprise that the laws following this event only became more and more strict and repressive to Muslim women and their chosen dress. However, these anti-Muslim sentiments are not solely rooted in French secularism, but are also a reaction to the postcolonial aftermath of the fall of the French empire in the 20th century.

The New Veil Movement has arisen semi-independently in a number of countries around the world, but it shares certain core characteristics in each of its incarnations. The movement follows a period in the Muslim world wherein the veil had decreased in prevalence, especially among urban, educated populations and often in conjunction with broader societal programs aimed at modernization.³⁵ This fact is important in understanding the ideological valence of the New Veil movement in that it shows the discontinuity between the old cultural practice of wearing the veil and the new one. Muslim women who wore the veil in the 1970s and those who wore it in the 1930s might use the same symbolic garb, but they do so under markedly different circumstances.

Focusing on the re-veiling movement as it has appeared in Egypt, Katherine Bullock identifies several different motivations for women who have joined the New Veil movement: an expression of politics, an expression of faith, a bid for "continued access to the public sphere," and a "statement of personal identity."³⁶ In Egypt, the political

³⁵ Bullock, Katherine. "Challenging Media representations of the veil: contemporary Muslim women's re-veiling movement." *American Journal of Islamic Social Sciences* 17, no. 3 (2000): 23.

³⁶ Bullock, Katherine. 24.

motivation of the New Veil movement was centered specifically around the country's colonial legacy, with its mandate that cultures in occupied territories be subsumed into the culture of the occupiers.³⁷ The nature of colonialism necessitates that native populations be made into political minorities, if not demographic ones, in their own countries, and the legacy of that form of cultural domination shifts the terrain of social contests over legitimacy. This effort explains the break between the groups advocating the veil in previous periods and those executing a revival. In the past, the veil represented the influence of a political majority in Egypt, but occupation by Western powers shifted it, at least in the minds of some Egyptians, to a symbol of a political minority. In this manner, the movement to adopt the veil anew represents a demand for cultural recognition.

The religious motivation that animates the New Veil movement demonstrates a somewhat different character than the political motivation does, although the notion of resistance to dominant social strictures is common to both. Bullock describes Muslim women who stated that they wore the veil for religious reasons, rather than as a statement of political autonomy, as tending to cite an immutable standard of Islamic morality, and tending to view other Muslims who do not wear Islamic dress as out of sync with that standard.³⁸ The universalist way that respondents speak in the studies to which Bullock makes references seems on the surface to indicate a continuity between the conservative Muslims of the past who advocated the veil and those among modern revival movements. The environments of these different groups, however, show a marked discontinuity that may not be visible when viewing the movements in isolation. Indonesia, for example, had

³⁷ Bullock, Katherine. 25.

³⁸ Bullock, Katherine. 28-29.

not previously adopted the veil as a tradition, but a number of women there have nevertheless taken to wearing the veil there as a symbol of piety.³⁹ This practice contradicts the existing social mores of their society, and is often portrayed as “not being part of ancestral traditions, which are very important in Indonesia,” but rather as a “foreign, Arab import, out of sync with local customs.”⁴⁰ The expressions of continuity based on Islamic principles of morality in this case do not match the reality of stark cultural discontinuity associated with the adoption of foreign modes of dress. A number of different causes might be identified for the growth of the New Veil movement in Indonesia, such as a growing prominence of Islamic identity over ethnic identity, but which of those causes actually dominates in society is irrelevant. Regardless of the movement’s sources, it represents a demand for recognition among Muslims in a society where they feel that their group identities are not adequately represented by public institutions.

Furthermore, the religious motivation underlying the New Veil movement acts along a unique social gradient. Although the movement has spread across multiple social strata, younger and relatively poorer women were more likely to re-veil than their older and richer counterparts, often stating as a justification that the veil acts as a leveling mechanism, mitigating some of the visible representations of social inequality by establishing a uniform mode of dress among women from different backgrounds.⁴¹ The veil thus constitutes a symbol of resistance to an economic system as well as a political one.

The motivation from access to the public sphere that Bullock identifies acted in a

³⁹ Bullock, Katherine. 29.

⁴⁰ Ibid.

⁴¹ Bullock, Katherine. 28.

multifaceted way among Egyptian women, with different responds pointing to different specific functions that the veil played in granting them greater autonomy. In some cases, the veil served as an equalizing measure in the same way that it did for women claiming a religious motivation, while in others it acted as a marker of traditional Islamic norms wherein the husband in a marriage acts as the primary breadwinner, to which some women gravitated when Egypt's economic downturn put enormous economic pressure on working women. In still others, the practice of wearing the veil functioned as a countervailing force for women who wanted to reap the benefits of secular liberalism, such as the ability to work without stigma, but also wanted to assuage doubts among traditional relatives.⁴²

Arlene Elowe Macleod makes a similar point in a study of women in Cairo who have adopted the veil independently, placing a heavy emphasis on the veil as a symbol of self-advocacy among women living in a changing society. Faced with growing economic and social stresses associated with Egypt's push to employ women in the civil service, many of the women Macleod discusses saw wearing the veil as a means to express discontent with a system that they felt put undue pressure on them. The use of a symbol carrying heavy traditional associations acts as a method to slot women's advocacy into a social framework that ordinarily places them in a subordinate role.⁴³ Here, the discontinuity between women who re-veil and their past counterparts is especially stark. Women among the New Veil movement face new societal and economic pressure, and enjoy new opportunities, imbuing the veil with a different sort of social significance.

⁴² Bullock, Katherine. 30-31.

⁴³ MacLeod, Arlene Elowe. "Hegemonic relations and gender resistance: The new veiling as accommodating protest in Cairo." *Signs: Journal of Women in Culture and Society* 17, no. 3 (1992): 550-552.

CHAPTER IV THE NEW VEIL MOVEMENT, A TRANSNATIONAL PERSPECTIVE

The veil as an expression of personal identity hews quite directly toward the sort of group recognition that Taylor and like-minded thinkers identify. When addressing this motivation, Bullock shifts her focus more towards Muslim immigrants and their descendants living in the West, where the veil interacts heavily with the desire for recognition by public institutions. Women in many of these cases choose to wear the veil against the wishes of spouses and families, the type of relations that would normally have advocated the veil in its older cultural context.⁴⁴ When describing their reasons for wearing the veil, respondents appealed directly to the sort of identity-based interest that one might express from the group-centric view of multiculturalism. One second-generation British Asian woman said that “My cultural background and my family’s roots are in another part of the world. These things are very important to me and make me feel special. It is important to me not to lose these parts of my life.”⁴⁵ The need to display publicly a symbol of Muslim identity is in this case expressly derived from a sense that such identity is both personally important and in danger of decay, as public institutions, whether formal or informal, fail to recognize it.

The issue at hand stems from two major problems in constructing a liberal secular society, the first a clash between liberalism and secularism and the second an apparent contradiction within the bounds of liberalism alone. The first issue arises in attempting to reconcile the desire to maintain the separation of Church and state with the desire to

⁴⁴ Bullock, Katherine. 35.

⁴⁵ Ibid.

safeguard freedom of expression. At least on the surface, these goals appear to be entirely complementary. After all, in France and many other parts of the world the move towards a strong separation of Church and state began with the recognition of a hegemonic Church wielding unchecked power in nearly every corner of society, often with government officials complicit in or actively contributing to the system run by a political Church. Establishing a liberal democracy would require that no segment of the government be allowed to make its own rules and that no agency of the state would endeavor to mete out rewards and punishments based on the beliefs of citizens. The solution to the problem seems clear: the state should never enact a law stating that some religious activity is forbidden or some other religious activity is compulsory, nor should the powers of government every be granted to a religious organization. Simply put, a secular government would not afford special status of any sort to religious groups but would instead treat them the same way that it treats all other groups in society. Before long, though, this sort of policy runs into trouble some corner cases. How, for example, should the state treat individuals who break secular laws for religious reasons, as in the 1990 *Employment Division vs. Smith* case in the United States, or treat organizations that cite religious objections to government mandates, such as in the 2014 *Burwell vs. Hobby Lobby Stores Inc.* case? At a certain point, it becomes impossible for the state to keep its hands entirely clean in dealing with religion; either it must leave in place a law that has a direct impact on the practice of religion or it must carve out special circumstances for religious groups based on their beliefs. From the liberal viewpoint, individuals should not be restricted in the types of choices they make or the reasons that they make them assuming that they do little or no harm to their peers. From the secular standpoint,

though, the promotion of particular religious practices, or religion in general, cannot be promoted by the state in any form. The government may be bound by laws and regulations that skirt the issue of religion, but the state itself is still composed of people who may have preferences from one religious practice or another, and if they are allowed to integrate that preference into the apparatus of the government, the secular directives that underpin the institution are meaningless. Differences in the specifics of a given religious practices only compound the problem, as they can narrow the effect of a law to a specific religious group even if it makes no explicit reference to that group. For example, if we were to indulge the 2004 law's proponents and make the extremely generous assumption that the singling out of Muslim girls occurred because the *hijab* is a much more visible talisman than a cross or similar object that can be concealed underneath a person's clothes, the outcome of the law would be unchanged and our conundrum would persist.

In different contexts, liberal secular governments have applied different solutions. In the United States, courts of skirted around the issue wherever they can and made compromises when the issue was unavoidable, arguing that where the burden on the public is relatively small, special allowances for religious groups are acceptable. The French government and others like it have largely taken the opposite approach, and no clear consensus has emerged about which is generally preferable within the ideological framework of secular liberalism. It should be noted that this manner of ambiguity opens the door in many ways for minority groups to be targeted. Insofar as such groups are perceived as an others with foreign practices and ethics, casting their behavior as harmful to the secular order rather than foundational to the liberal one can be easier for advocates

of religious restrictions than it would be for more widely recognized groups whose activity is more broadly normalized. That is, because liberal secularist might be divided on which sort of policy satisfies their norms, the injection of national or ethnic animus could easily tip the scales. If the issue lent itself to clearly delineated positions either in support of or in opposition to liberal ideas, a policy with heavy shades of islamophobia might at the very least trigger some cognitive dissonance among the majority population. With that potentially cross-cutting issue removed, however, ethnic ties take center stage.

With the issue framed in this way, it becomes clear that the New Veil movement is not necessarily a wholehearted rejection of liberal secularism as an ideology but rather an assertion of a particular position on an internal contradiction intrinsic to liberal secularism. That is, in wearing the veil as a mark of individual agency, adherents of the New Veil movement emphasize the liberal over the secular.

The role of individual agency in the issue of the veil ties into the second problem engendered by liberal secularism, that of coercion. This contradiction does not require the secular aspect of the philosophical framework to which the French state adheres, but the secular aspect intensifies the issue given the potential for coercion built into most religious groups. Ostensibly, a liberal government should seek to minimize coercion within its territory to the greatest extent possible. The constraints of a stable constitution work to achieve this goal on the public level, preventing the government from executing power overreach by suppressing dissent or limiting mechanisms of accountability. It quickly becomes clear, however, that preventing coercion by the state is not enough. Private companies, community organizations, and civic associations can be coercive as well when left unchecked, although they often use different methods than the state does,

frequently preferring to control their members through social ties and economic dependency than through force. Even so, in certain areas the measures that the state can use to curtail coercion by private entities are usually uncontroversial. At least in liberal democracies, laws mandating that a person cannot be killed for refusing a marriage or thrown in a debtor's prison do not tend to trigger mainstream opposition in the modern world. Problems begin to arise when the state must regulate otherwise unrestricted behavior in order to safeguarding the rights of individuals, in fact to regulate the behavior of those same individuals whose rights are ostensibly being protected. Ordinarily, accepting the liberal perspective would imply that as long as an individual makes informed consent to participate in a practice of any sort, it is not the place of the state to intervene, provided that the individual is not doing significant harm to him or herself or others. The presence of a sufficiently cohesive and socially pervasive community, however, complicates this principle. That is, even if the threat of violence is absent, and individual who chooses to wear a veil, enter a marriage, or remained in a cloistered community might do so in response to a threat of social ostracization or simply because he or she has been raised from a young age to accept certain strictures as given. Under those circumstances, the argument goes, the individual's choice is not meaningfully free even when it appears so. Under the assumption that the choice is thus restricted, the state can only counteract the coercive influence of the community by forbidding the practice that would otherwise be required.

The problem with a policy along these lines is intuitive. It would require that at some point the state make determinations about when decisions are truly free and when they are merely an endpoint in a chain of coercive systems that have exerted a persistent

effect on the agent's psyche. Furthermore, it would require that the state make a determination about when socialization by a given community does and does not qualify as coercive. For example, a Muslim community in France might contend that it teaches young girls to respect their bodies by wearing the veil while agents of the state argue that it coerces them by inculcating notions of shame and submission in them from a young age. In many scenarios, liberal governments have decided to err on the side of nonintervention when it comes to this manner of issue, albeit with the exception of certain heavily restrictive practices; most liberal democracies would not allow a person to sell him or herself into slavery, for example. In the case of the ban on religious symbols in France, however, the government has decided that Muslim women do not have the freedom to choose their attire due to the traditions of their community and must have the choice made for them.

It is important to mention here the close relationship between the veil as a symbol and the identities of the women who wear it. Afsaneh Najmabadi points out that the veil as a physical object cannot be considered separately from the veil as a symbol that permeates all modes of expression for the women who ascribe to it. She writes "The production of a new verbal language went along with production of a new bodily language...before the physical veil was discarded, it was replaced by an invisible metaphoric veil."⁴⁶ That is to say that the veil is representative of a deeper set of cultural norms that are not really subject to government policies. Even insofar as a government can prevent Muslim from physically wearing the veil, the symbol that it represents cannot be fully purged from their cultural identity or social discourse.

⁴⁶ Najmabadi, Afsaneh. "Veiled discourse-unveiled bodies." *Feminist Studies* 19, no. 3 (1993): 487-518.

As before, it is important to note here that the issue of otherness plays an important role in shaping the discourse about coercion in the case of Muslim women and the veil. In addition to the complex issue of power and submission tied up in discussion of the New Veil movement, in the West, the veil is a stronger symbol of ethnic and religious difference to many than of specifically gendered power dynamics. Wendy Brown addresses this idea in discussing the changing role of tolerance in liberal Western societies. The term tolerance, she argues, has been adopted as the antithesis of violence and bigotry in the liberal democratic context, but has in practice retained many of its troubling aspects. Specifically, it necessitates an asymmetry of power whereby the dominant group magnanimously allows subordinate groups to exist, with the implicit understanding that which behaviors are permitted depend solely on the will of the dominant group.⁴⁷ In this context, prohibition of the veil takes on an additional societal implication, namely an assertion of agency by a subgroup in opposition to the opinion expressed by the majority.

⁴⁷ Brown, Wendy. *Regulating aversion: Tolerance in the age of identity and empire*. Princeton University Press, 2009.

CHAPTER V THE REACTION TO ISLAM IN FRANCE

The discourse on secularism and the evolution of legislation from Catholic versus Secular to Muslim versus Secular can largely be pinpointed to the immigration of North Africans to France during the 1960's and 1970's. This immigration was part of the aftermath of the collapse of the French Empire. Prior to this point, France colonized Tunisia, Algeria, and Morocco, and occupied Lebanon. When these countries destabilized as they sought independence from France, people started to flee to France for protection and although they were born in the colonies, they considered themselves fully French. For these immigrants, preserving the French identity was not only how they grew up, but also essential to fitting into France and not being seen as outsiders.⁴⁸ The veiled Muslim immigrants in the 1960's and 1970's did not cause outcries from the French society. According to Mahmood Mamdani, this occurred due to the "culturalization of political conflict: 'It is no longer the market (capitalism) nor the state (democracy), but culture (modernity) that is said to be the dividing line between those in favor of a peaceful, civic existence and those inclined to terror.'" ⁴⁹ In post political societies, where social political life or state rule is more involved in rational administration and not debate about the economy, all conflicts are politically neutralized. They are no longer perceived as politico-economic conflicts, but restated as cultural conflicts. Thus, the French point of view changed and according to Joan Wallach Scott, "the language of conquest is

⁴⁸ Dr Nigel Ashton, review of *Western Imperialism in the Middle East, 1914–1958*, (review no. 575) <http://www.history.ac.uk/reviews/review/575> Date accessed: 10 March, 2016

⁴⁹ Mahmood, Mamdani, *Good Muslim/Bad Muslim: America, the Cold War, and the Roots of Terror* (New York: Pantheon, 2004), 18.

reversed...Muslims became an enemy within, neither entirely foreign nor yet fully members of the nation- an unassimilated, unassimilable presence.”⁵⁰ In other words, there is this pressing need in the late 20th century French society for Muslim immigrants to be “integrated” and “tolerated”. But what does tolerance mean in the French context? It is the late subjective fear of the proximity of *the other*. In the case of France, the word “tolerance” conceals a very intolerant intention, working as a name for its opposite. The very fact that it is used so often means that clearly the French society has difficulty tolerating the proximity of the immigrants.

The growth of the New Veil movement has proven of particular interest in France, where the strong secular traditions of the state frequently clash with the religious underpinnings of the movement. The doctrine of Laïcité governs the core of secular policy in France, creating a strong separation between church and state, considerably stronger than the separation in the United States. While the process of secularization began after the French Revolution, the term Laïcité and the policy embodied in it truly came into their own beginning in 1880, when the French state implemented a number of policies aimed at giving to the state a number of powers to regulate religious organizations. Two such policies arrived in the form of restrictions on the Society of Jesus and a requirement that all congregations apply for “legal recognition.”⁵¹ The latter of these policy resulted in raids on several religious institutions and the expulsion of several thousand clerical figures. Other similar policies followed, sanctioning citizens who had a religious education and banning certain religious practices at public event such

⁵⁰ Scott. *The Politics of the Veil*.

⁵¹ Gunn, T. Jeremy. "Religious freedom and Laïcité: A comparison of the United States and France." *BYU L. Rev.*(2004): 440.

as funerals.⁵² A 1901 law extended the requirement for religious organizations to register for the state, requiring all congregations to apply for authorization from parliament, opening up those that did not apply or were not approved to seizure of property.⁵³ While this law was later replaced, the history of Laicite in France demonstrates the French state's strong commitment to secularism.

Combined with general friction between native-born French citizens and immigrants, the secular policy framework that has characterized the French state's approach toward religion has generated a number of rhetorical clashes between French Muslims and their government when the former display public assertions of their religious identity or make demands for recognition. In March of 2017, for example, the European Court of Justice dismissed a complaint from a French Muslim engineer whose employer fired her after she refused to remove her headscarf.⁵⁴ This ruling forms a basis for employers generally to restrict what types of religious symbols their employees can and cannot wear. The French Court of Cassation issued a ruling with similar implications with another French Muslim engineer was dismissed on nearly identical grounds. In this case, the court decided that private companies do have the right to restrict employees' religious practices, but only in instances where the employee has direct contact with clients and where religious restrictions are codified in writing.⁵⁵ These types of restrictions highlight the inherent tension between a secular state that sees removing religious identity marks as a necessary step towards equality and a movement for cultural

⁵² Ibid.

⁵³ Ibid.

⁵⁴ "A company may prohibit the wearing of visible religious symbols, according to European justice." *Le Figaro*. 03/14/2017.

⁵⁵ Poingt, Guillaume. "Companies Can Now Ban Religious Signs With Two Conditions." *Le Figaro*. 11/23/2017.

recognition that sees the free display of cultural marks as a necessary condition of equality.

Of course, the conflict over what level of latitude French Muslims should have in the exercise of their religion does not only play out in the courts. Bans on the display of religious markers have also become an object of controversy in schools, with a policy adopted in 2004 banning the public display of religious symbols by students. In this case, advocates on either side of the debate cannot agree even on the scope of the controversy, with advocates of the policy claiming that students of all religions have quickly become acclimated to it and critics arguing that it continues to inflame tensions. Moreover, advocates of the policy have begun to argue that it should be extended to include additional articles of clothing and to cover parents as well as students.⁵⁶

The debate over what stance the French state should take towards French Muslims and their religious practices has formed along the fault lines of multiculturalism, making this civic clash a test case of how it can and cannot mesh with liberalism. In a forum on civic issues, French Senator Laurence Rossignol verbalized the clashes between French secularism and religious revivalism in direct terms, warning that the forces of religious fundamentalism were threatening the foundation of French society and potentially undermining the “emancipation of citizens.”⁵⁷ The senator’s language makes specific reference to the sort of liberal assertions that run counter to Taylor’s conception of multiculturalism, often hewing toward Kymlicka’s conception of internal restrictions within groups being more in line with liberal thinking that external protections of those

⁵⁶ Graveleau, Severin. "The School Veil Law Has Not Solved the Issue of 'Conspicuous Religious Symbols.'" *Le Monde*. 10/10/2015.

⁵⁷ Rossignol, Laurence. "Secularism, Our Republican Foundation." *Le Monde*. 12/8/2017.

groups. In the senator's remarks, the subjugation of members of minority groups, especially women, are identified as clear harms of allowing groups to write their own rules. A series of editorials in the French Press displayed the level of animosity between the two sides of the debate over secularism in no uncertain terms. Journalist Guy Coq claimed that greater recognition of religious groups by public institutions, in particular schools, would "manifest not the spirit of 'reception for each individual in himself, as a simple human, but the sign of the closing of each community against others.'"⁵⁸ In response, writer Leila Sebbar described Coq's argument as a "panic," calling his claims "grotesque."⁵⁹ Proposed bans on Burkinis on French beaches displayed in stark fashion the line between a type of social framework that subordinates multiculturalism to liberalism and one that subordinates liberalism to multiculturalism. In this case, advocates of the ban defended their position by claiming that they were acting in the interest of Muslims rather than against them, that the ban would defend the individual autonomy of the majority against the imposition of specific dress codes by the minority.⁶⁰ One French mayor even stirred up controversy by issue a veil and Burkini ban after such measures were struck down in court.⁶¹ The issue of religious freedom extended to the conduct of elected officials with a ban on religious garb among members of the National Assembly this year, which mandated that members of the assembly must wear only "neutral" garb.⁶²

While the strong secular tradition in France plays a major role in creating clashes

⁵⁸ Van Eeckhout, Laetitia. "Retrocontroverse: 1989, the Secular Republic Facing the Islamic Headscarf." *Le Monde*. 8/2/2007.

⁵⁹ *Ibid.*

⁶⁰ "Ban the Burkini in the Name of Secularism?" *Le Monde*. 8/31/2016.

⁶¹ "French Mayor Reignites Burkini Row After Banning Muslim Swimwear at Leisure Park." *The Local*. 7/28/2017.

⁶² Rescan, Manon and Cecile Chambraud. "Religious Signs 'Ostensibly' Prohibited in the Chamber of the National Assembly." *Le Monde*. 1/25/2018.

between French Muslims and the French state, the role of Muslim immigrants specifically should not be understated in discussing this issue. The movement of Muslim immigrants into France first stirred controversy in the 1970s and 1980s when a combination of economic pressure and poor housing policy created serious tensions between native born workers and migrants entering the country in growing numbers, giving ethnically-motivated nativists an opportunity to cast the issue as a threat to order and prosperity. Later on, this issue grew with the sense of immigrant from the Middle East and North Africa as a form of post-colonialism, fueling some on the left to criticize the government for treating migrants as second-class citizens and some on the right to regard immigrants with suspicion and fear.⁶³ The disquiet around immigration, both as an economic issue and as a cultural one, has exacerbated ideological clash regarding liberal secularism and Islam, and that tension in itself helps to explain why the New Veil movement has gained a foothold in France. Demands for recognition are especially potent with the minority group making them sees evidence that public institutions will not represent them when left to their devices. As a result, the motivations based on expressions of personal identity and access to the public sphere would have notably greater force in a context like the situation in France where immigrant identity is a point of heated contention.

As in the other countries where the New Veil Movement has been studied, the ideological cargo associated with the veil in France differs across groups, including among Muslims. A study of North African Muslim women in France that even among those who agreed on opposition to a ban on the veil showed marked differences in how

⁶³ Breville, Benoit. "Where Do You Come From?" *Le Monde Diplomatique*. February, 2015.

they justified their positions. Younger, more educated women tended to defend the veil on liberal grounds, as an expression of free thought and cultural agency that the state has no right to regulate, while older and less educated women did not.⁶⁴ For many, the debate itself on this subject represented a contested avenue of personal expression for those involved. Another study of French Muslims found that while views on specific policy provisions, varied among respondents, many expressed displeasure with a discourse that they felt was stifling and coercive.⁶⁵ Some such respondents told researchers that they did not want their private religious views interpreted by others, while others felt that the political movements claiming to act in their interest treated their actual preferences reductively.⁶⁶ The reaction of French Muslim women to the debate over the veil demonstrates the way in which the veil as a cultural symbols can become a proxy for cultural agency more broadly. At least for some French Muslims, the policy substance of the debate is subordinated to the need to define one's own cultural identity rather than adopting an identity constructed by others. The modern context of the New Veil movement makes the veil as an expression of individual agency an especially important element of the discourse. With the various cultural and political changes that have come to define its environment, the veil represents not just a marker of gender relations but also of ethno-cultural, specifically anti-colonial ideology, as well as a marker of class, as movements toward different modes of dress have often been led by those with the resources to interface with public institutions.⁶⁷

⁶⁴ Killian, Caitlin. "The other side of the veil: North African women in France respond to the headscarf affair." *Gender & Society* 17, no. 4 (2003): 567-590.

⁶⁵ Wing, Adrienne Katherine, and Monica Nigh Smith. "Critical race feminism lifts the veil: Muslim women, France, and the headscarf ban." *UC Davis L. Rev.* 39 (2005): 748-749

⁶⁶ Ibid.

⁶⁷ Hamel, Chouki El. "Muslim diaspora in Western Europe: The Islamic

Looking at the progression of French law, it becomes stricter against religious symbols, specifically Muslim religious symbols as we near the end of 20th century and early 21st century. In 1994, ministers said that schools can in fact ban ‘ostentatious’ religious signs. Shortly after, in 1995, the Conseil D’État accepted the expulsion of three students wearing such “ostentatious” signs, and finally, in 2004 the vote supports a ban on any religious symbols in schools. Within the span of a decade, the whole situation escalated immensely and the court system made it very clear what their stance was on the issues of religious attire in communal areas. Over the course of ten years, religious symbols became absolutely unacceptable in public schools and principals were given the right to protect this by the termination of any students who challenged this law.⁶⁸ Taking this into consideration, the rulings of 2009 Human Rights Court should come as no shock. Legislation had been steadily ruling in favor of a ban of the veil in public schools, and reactions had quickly become less concerned with the fundamental principles of secularism, but more with a fear of *the other*.

The 2009 Human Rights ruling was not without repercussions, and the consequences were felt on a global scale. Following the ruling, instances of racism increased in France as well as elsewhere in the West. Where in some cases it sparked a media storm, political discussions, and debate, France instead saw numerous cases of violence against veiled women. A 2010 newspaper article gives the account of a woman who was attacked, “ I felt a big blow and thought the merry-go-round had stopped. It was only when I saw this man saying: *Now you’re respecting the law that I realized what had*

headscarf (hijab), the media and Muslims' integration in France." *Citizenship studies* 6, no. 3 (2002): 293-308.

⁶⁸ Ashton, review of *Western Imperialism in the Middle East, 1914–1958*.

happened—he had pulled my veil violently,”

The veil had suddenly become an issue of human rights, and this unfortunately allowed French citizens to deny Muslim French women, their own people, the human right to freedom of religious expression. In a sense, it gave legal support and backing to the demonstration of racism and discrimination. Elaine Sciolino writes how “Westerners became sensitive to the image of faceless Muslim women largely through the use of the burqa by the Taliban to oppress women in Afghanistan,” (Sciolino, *The New York Times*)⁶⁹. It is an interesting paradox because as the veil’s presence in France was “seen as a sartorial rejection of the values of the French republic,” it not only gave permission to the non Muslim French to think of Muslim French women as separate from the nation, but also to see the rest of the Muslim world as faceless entities that represent fear, oppression and terrorism. Once again the next law passed in France, however radical, comes to us at no surprise.

In April 2011, the French government banned the wearing of the full-face veil in public places. The irony is of course, that women who wear the full-face veil only do so in public and remove the veil when they are at home or in private. Although there were doubts about whether the law would be enforced, it created a greater sense of hostility towards Muslim women. Although this law was passed in order to “protect French culture”, urging “separatist Muslims” to dress according to French societal norms, it operated just to alienate them more. The law was plainly a reaction to fear of Muslim radicalism spreading throughout France. It set off protests by Muslim women and men

⁶⁹ Sciolino, Elaine. "The French, the Veil and the Look." *The New York Times*. April 16, 2011. Accessed March 10, 2016.
http://www.nytimes.com/2011/04/17/weekinreview/17BURQA.html?_r=0.

throughout Paris and interestingly, ten women were reported to say” they started wearing the niqab as a response to the political controversy,” (Erlanger, *The New York Times*).⁷⁰

⁷⁰ Erlanger, Steven. "France Enforces Ban on Full-Face Veils in Public." *The New York Times*. April 11, 2011. Accessed March 11, 2016. <http://www.nytimes.com/2011/04/12/world/europe/12france.html>

CHAPTER IV

THE NEW VEIL IN FRANCE

Although other European and Western countries such as the United States did not go to such lengths as to ban the wearing of the hijab or niqab, the sentiment surrounding Muslim women is on par with France's recent political turn. In *Do Muslim Women Need Saving?* Lila Abu-Lughod introduces the idea of the Western point of view on Muslim women at around the same time of these issues in France. She argues that the United States did not pay attention to the plight of the Muslim woman until the wars in Afghanistan and Iraq. Saving Muslim women became a "cultural and moral mission", and part of reason to go into countries like Afghanistan and Iraq. Laura Bush said, "the fight against terrorism is also a fight for the rights and dignity of women."⁷¹ TIME magazine puts the battered face of a young Afghani girl with no nose on the cover of its magazine, with the headline "What Happens if We Leave Afghanistan?"⁷² This diverts the public's attention from the destruction that the United States military has caused in Afghanistan during its war since 2001.⁷³ Although the United States and France's opposition to the veil is rooted in very different political and historic events, they both have, in effect, the same goal, which is to alienate Muslims from their own culture.

The Western media uses the burqa to portray the Muslim as an "other". In Maryam Khalid's 2014 essay, '*Gendering Orientalism*': *Gender, sexuality, and race in post- 9/11*

⁷¹ Abu-Lughod, Lila. *Do Muslim Women Need Saving?* Harvard University Press, 2013. 32.

⁷² "TIME Magazine Cover: What Happens If We Leave Afghanistan- Aug 9, 2010. *Time*.
<http://content.time.com/time/covers/0,16641,20100809,00.html>

⁷³ Abu-Lughod. *Do Muslim Women Need Saving?* 27.

global politics' ties gendered colonialist thought to the core concepts introduced in Edward Said's *Orientalism*. "Otherness" is another way of separating the East from the West, an idea central in *Orientalism*. Khalid reviews the Bush administration's tactics post 9/11 as "representations of the world, drawing on stereotyped images of 'us' and 'them' as 'civilized' and 'barbaric', and an artificial division of the world into 'East'/'West' and 'good'/'evil', are made intelligible because of (historical and contemporary) racialized, and gendered discourses."⁷⁴ The image of a woman in a burqa, or fully in black in a niqab juxtaposed to Holly Madison or Paris Hilton clad in a bikini is an example of the "binary oppositions" prevalent in Western media during the Bush administration. The burqa was used to define a Muslim woman explicitly as an "Other". When Western media defines Muslim women as an "Other", it prevents these women from being able to define themselves. Their existence is only in relation to how they are different from the Western woman. Any attempt at this point for a Muslim woman to define *herself* falls on deaf ears as the West attempts to take control of her reality.

The issue takes on deeper implications when linked to the sense of fundamental identity that the veil embodies for many who wear it. Specifically, the veil acts in many circumstances as a representation of identity that complicates the liberal perspective. Slavoj Zizek characterizes this phenomenon as involving "pseudo-choice." That is, for Zizek, the very idea that a choice about wearing the veil can and should be made would constitute a choice to embrace or renounce a core element of certain Muslim women's cultural identity. He writes "the moment a woman dons the veil as the result of personal choice, its meaning changes completely: it is no longer a sign of belonging to the Muslim

⁷⁴ Khalid, Maryam. " 'Gendering Orientalism': Gender, sexuality, and race in post-9/11 global politics." *Critical Race and Whiteness Studies*. Spec. issue of *ACRAWSA*. 10.1 (2014): 1-18. Web.

community, but an expression of idiosyncratic individuality.”⁷⁵ Thus, the choice to wear the veil is meaningful not only as a determinant of individual agency but also as a core element in determining what the veil itself actually represents. In *Politics of Piety*, Saba Mahmood makes a similar point, arguing that the expression and exercise of power involved in the decision to wear or not to wear the veil is more complex than a binary contrast between power and submission. She points out that eschewing the Islamic power structure associated with the veil often means accepting a western one, and as such the decision to wear the veil cannot be clearly interpreted as relinquishment of power to a male authority.⁷⁶ This analysis highlights critical elements necessary to understand the implications of the New Veil movement in terms of ascribing societal power. That is, cultural symbols, including the veil, are context-specific in their meaning. In the context of a society where Islamic norms of piety and female modesty predominate, the decision to wear the veil for the most part indicates adherence to authority. Where the existing cultural power structure favors an opposing set of expectations however, wearing the veil indicates resistance to authority and an assertion of cultural independence.

The issue of power asymmetries plays a critical role in discussing the role of the New Veil movement in modern society. That is, it is on this particular dimensions that the New Veil movement identifies itself as clearly a reactionary and not a traditionalist movement. That is, the New Veil movement has come into being specifically in reaction to the modern formulation of secularism that has cast the veil as a sign of oppression. Although the movement invokes existing ideas, its emphasis on adhering to tradition

⁷⁵ Žižek, Slavoj. "Against human rights." *Wronging Rights?: Philosophical Challenges to Human Rights* (2005): 152.

⁷⁶ Mahmood, Saba. *Politics of piety: The Islamic revival and the feminist subject*. Princeton University Press, 2011.

comes in a time and place where those traditions represent resistance to the dictates of the state. In this way, the New Veil movement is not a continuation of an existing cultural institution or even really a revival of an older institution in a meaningful sense. Rather, it is a distinctly modern phenomenon; without the tension between the modern secular state and the symbol of the veil as a fixture of Islamic ideals, the New Veil movement would have no reason to exist. As such, the veil in the context of the New Veil movement represents individual and cultural autonomy. This point becomes clearer if the specific connotations of the veil are set aside for the moment and the decision in question is considered on its own. In the context of the New Veil movement, the decision to wear the veil is made in opposition to established cultural forces, as a refutation of the assertion that Muslim women are passive and incapable of forming their own identities.

In *Accommodating Protest* Arlene Elowe Macleod gives us insight into how Muslim women were able to use the veil to empower themselves socially, spiritually, and politically in a time of economic hardship in Cairo, Egypt. Macleod points to a change in Muslim women's dress during the 1970's and 1980's; both women who did not normally dress conservatively to put on the veil, and a change in the function of the veil for women who already wore it. Although Islamic groups in universities heavily influenced the new veiling movement in Cairo, it evolved into an attempt for Muslim women to change and interact in their society, facing issues of class, gender inequality, and colonialist modernity. Macleod also identifies important cultural differences between Western and Islamic values that shape women's roles in society. Western values and the early feminist movement celebrate the advent of the "working woman", who sheds her domestic duties for a career. A woman is no longer defined by her family, but as an

individual in the workplace, as is a Western man. Islam values family and community over individualism. So the necessity for Muslim women to leave the house to work is due to financial stress, and work is not seen as an outlet in which to shape one's sense of self. But it was a reality that Muslim women were leaving the house to work, and putting on the veil was a way for them to be taken seriously at their job and be respected. This very act of wearing a form of "armor" to work was not specific to Egypt, but was happening in Western fashion as well. This use of the veil is analogous to Western women wearing pantsuits with shoulder pads to make them look more masculine, sending a subconscious symbol to the other men in the office. Macleod does acknowledge that for some women, the veil was purely symbolic of their faith, but also that the new veil provided "a new way to be a woman in changing Cairo."⁷⁷ The veil is a bridge between modern and traditional values in Cairo because it "provides a sense of continuity and security in what have become controversial culture decisions. These cultural and social connotations seem more important than purely religious feelings."⁷⁸

Issues surrounding veiling in the 1980's were not localized in only France and Egypt. In 1983 female students were banned from their university in Turkey because they were wearing headscarves. Although the veil's significance was unique to the complicated social and political history of secularism in Turkey, we can find similar threads of symbolism looking at this movement. In *The Forbidden Modern*, the author urges us to look at the veiling movement as a social movement and as the major source of conflict between secularists and Islamists in Turkey. The veil is so divisive because of its

⁷⁷ Macleod, Arlene Elowe. *Accommodating Protest: working women, the new veiling, and change in Cairo*. New York: Columbia University Press. 1991. 97.

⁷⁸ Macleod. *Accommodating Protest*. 110.

association with women's rights, as women wearing the veil are seen as submissive, thus representing the revival of Islamism. Yet in order to understand the new veiling movement in Turkey, according to the author Nilifur Gole, it is necessary to look at the "local constructs of Western modernity in which women have an edificatory role".⁷⁹ With the rise of Kemalism, Turkey's branch of secularism, which focused on shedding "alla turka", Eastern traditions for Western ones, the veil was no longer accepted as suitable for the "modern" woman. The word *modern* becomes associated automatically with *Western* or *European*, and the values that come along with it. With an emphasis on women's visible role in society, Kamalism encouraged what Islam prohibited; the mixing of genders in public spaces and displays of public affection such as holding hands, tight European-fitting clothes (and a figure to match) over loose fitting ones, and a general sense of bringing what was private and sacred in women, their "*mahrem*" to the public sphere. So the natural conflicting questions surrounding women and their sexuality in Turkey are more about "critical dependence of modernity" rather than loyalty to Islamic religion. Like Macleod, the author seems to think that the veil is more of a sociopolitical issue rather than a religious one.

The new veiling in Turkey was called "*the turban movement*". This term *turban*, as Gole explains, differentiates itself from the term used to describe the traditional headscarf. Such distinction is inherently symbolic of how this is a new movement, and not just a return to traditional ways. In Turkey, a country that embraced values of Western modernity, but used it to promote its own nationalism, all the while maintaining a Muslim majority, defining identity is tricky. The new veiling movement for Muslim

⁷⁹ Gole, Nilifur. *Forbidden Modern: Civilization and Veiling*. Ann Arbor: University of Michigan Press, 1996.

women “represents the public and collective affirmation of women who are searching for recognition of their Muslim identity through its expression—that is, through Islamism.”

⁸⁰ Putting on the headscarf at this time is an active political re-appropriation versus a passive custom, which was passed down by their mother over generations. The veiled students, educated by the secularist education system, are self-empowered and they combine their knowledge of Islam with their knowledge of history and politics. With women’s involvement with Islamism through the new veil, comes female empowerment and some critique of Islamist ideology, provoking “disorder in Islamic gender definitions and identities.”⁸¹ Therefore, as is the case with Egypt, the new veil allows women to become more visible as an individual, but at the same time, become part of a the collective identity, challenging women’s role in both Westernized “modernity” and traditional Islamism.

The new veiling movement was present in the United States, more notably after the 9/11 terror attacks, when tensions surrounding Muslims were high. Leila Ahmed describes Annia Raja, a student at University of Texas who, “taken up the hijab after 9/11 precisely as a way of ‘negating’ the wide spread stereotypes about the hijab and Muslims.” Ahmed finds most interesting how Raja used the term “liberated” to describe how the veil made her feel. This is an example of someone embracing such the “otherness” of her religion, symbolized by the hijab, and reutilizing it as a liberating display of her identity. Again in Leila Ahmed’s accounts, we see the same terminology of the veil making women visible, instead of covering or shielding them, and that “wearing hijab had given her strength and had made her visible not only to the majority community

⁸⁰ Gole. *The Forbidden Modern*. 21.

⁸¹ Gole. *The Forbidden Modern*. 22.

but also to the handful of the women in hijab she saw on her way to work.” In this case, it was not just a personal sense of liberation that Raja gained by wearing the hijab, but also a sense of inclusion of a larger community and a powerful connection with strangers. Leila Ahmed compares the new veiling in Egypt and America, saying that in “Cairo, it was resistance to mainstream society’s perceived materialism and corruption, in America it was resistance to perceived discrimination and prejudice and to being seen as “terrorists.”. One could make the argument that the new veiling movement in Turkey, was a resistance to imposed Kemalism in every day society. The underlying link between all three as we start to look at France is best said by another American Muslim Ahmed quoted in her book, “ I am an educated Muslim woman in the West, and even though I have no idea what’s its like to be an Iraqi, Bosnian, Somalian, or Palestinian, I know that we share an identity through Islam and through the hijab.” With the outbreak of social media, and world wide connectivity, the veil can no longer be seen as a local issue in certain Western or non Western countries, but that the new veiling has global power, with the hijab as its “sign and banner of a call for justice.”⁸²

⁸² Ahmed. *A Quiet Revolution*. 209- 210.

CONCLUSION

Considering the history of legislation in France, it is undeniable that the Muslim woman has been forced to choose to whether she wants her *public* identity to be French or Muslim. We looked at how Western media portrayed veiled Muslim women as the “Other” and how Muslim women in countries like Egypt, Turkey, and the United States have then turned to use that otherness to spark a “Quiet Revolution”, as Leila Ahmed calls it. It would make sense that a new veiling movement in France could occur, as the veil is so intricately woven into society’s current politics and secularist history. Eventually, we look at France with anticipation, if these laws continue at the rate they seem to be moving at, will it not only provoke more “new veilings” in France? How are these laws *effective*? In *Politics of the Veil*, Scott describes the Levy sisters, unique because these women were not originally Muslim, but recently converted. For these sisters, the decision to convert “seems to have been an individual one, contrary to the explanations offered by those who sought to ban the foulard in order to liberate women from the control of Islamist men.”⁸³ Based on this research, I would predict that there will be more and more stories like this, if there aren’t already are, in France. In societies that have fought so hard for their own “branch” of secularism like France, secularism in turn becomes a *generator* for fundamentalism.

The types of social classes that have sprung up around the New Veil movement should serve as an indication that liberalism in its purest form is insufficient to establish a workable multicultural society. That is, if reformers hoping to construct public

⁸³ Scott. *The Politics of the Veil*. 31.

institutions such that they foster meaningful cooperation treat each individual separately, group identities will reassert themselves through oppositional avenues. Rather than attempting to study these sorts of reactions as backsliding towards antiquated norms and attempting to govern by suppressing them, researchers and policymakers should work to construct institutions around them. The exact structure of those institutions will vary from one society to the next. Muslims who ascribe to the New Veil movement in Egypt have different needs than those who ascribe to the movement in France. Even so, the need for recognition of groups and guarantees of free agency in constructing cultural identities should be treated as a element of working public institutions that should be reflected across multiple states.

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