Veil: Mirror of Identity

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Pour Catherine, toujours
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There has been an outpouring of books on the Islamic headscarf lately. The most intellectually impressive is anthropologist Saba Mahmood’s *Politics of Piety* (2005), which is an ethnographic study of female mosque goers and activists in Cairo, Egypt. It captures (and buries in academic jargon) the paradox that the headscarf, even if freely chosen, cannot but signify submission, notionally to God, but in reality to men. Most books on Europe are about the mother of all European headscarf controversies, France. Anthropologist John Bowen’s *Why the French don’t like Headscarves* (2006) confirms what Jürgen Habermas once said, in an informal setting, about American academics at large: ‘And then comes an American to clarify everything.’ Of all European headscarf books, Bowen’s is my favorite. You find in it a crisp synthesis of French republicanism and of the French (‘laic’) way of dealing with religion which obliterates most of the wordy treatises that have piled up on the topic, especially by French authors. *The Politics of the Veil* (2007), by the noted feminist scholar Joan Wallach Scott, is not trailing far behind. It includes a brilliant (if far-fetched) interpretation of the French headscarf obsession as a ‘clash of gender systems’, because, not just for Islam but for difference-blind French republicanism too, the female body is prickly disturbing. However, calling the Islamic repression of female flesh ‘recognition’ and the French exteriorizing of flesh ‘denial’ is a touch too slick, and one wonders whether the world outside Princeton works that way. The one notable French production on France is *Secularism Meets Islam* (2007), by leading Islam specialist Olivier Roy. It is the best (and deceptively misleading) exculpation of Islam that you can find,
written from a sane perspective of ‘political liberalism’ which is stunningly exotic for a French pen.

So why another headscarf book? With the exception of legal scholar Dominic McGoldrick’s *Human Rights and Religion – The Islamic Headscarf Debate in Europe* (2006), few have noticed that other European countries also had headscarf controversies. In Germany, for instance, there has been anti-headscarf legislation almost simultaneously with that of France. This is an obvious invitation to compare – which in fact first raised my interest in the topic. But most of the headscarf books cited above are not just geographically but conceptually limited. Especially the French headscarf books, even when written by American academics, are too parochially French – they fail to see, and at best to take more seriously, that French republicanism is a variant of liberalism. So, in addition to broadening the horizon beyond France, the ambition of this book is to investigate the work that liberalism does in the reception of the headscarf. Liberalism, as John Gray (2000) brilliantly observed, has two faces: that of a modus vivendi for reconciling many ways of life; and that of a way of life in itself – one that is conducted autonomously and rationally. At the risk of simplification, one could say that French republicanism is liberalism as a way of life. Prohibiting the headscarf in the name of republicanism is thus within the ambit of liberalism. This is what all French headscarf books overlook.

Accordingly, the distinct angle of this book is to see the Islamic headscarf as a challenge to liberalism. As liberalism has two faces, two opposite responses to the headscarf are equally possible within its ambit: toleration of the headscarf, as in Britain; or its prohibition, as in France. Comparing France and Britain, this book throws into sharp relief the two liberalisms’ difficulties with the headscarf: in its ethical variant (France), liberalism risks to turn into its repressive opposite, whereas in the procedural variant (Britain) liberalism encourages illiberal extremism.

But there is a third possible way to respond to the headscarf, which falls outside the confines of liberalism. I take this to be (in part) the German response, which completes the canvas of cases considered in this book: the Islamic headscarf is
selectively rejected in this case because it is Islamic; conversely, the Christian headscarf is accepted because it is part of ‘our’ culture. There is a difference in kind between the German and the French and British responses: if you are Muslim – the Germans seem to say – you cannot expect to be included on equal terms, because our society is ‘Christian–occidental’. The French and British responses to the headscarf are, in different ways, liberal responses: they offer equal terms of inclusion (or of exclusion). The German response is, not in name but in substance, nationalist, in that it draws a particularistic distinction between ‘us’ and ‘them’ as differently situated groups that cannot mix. The reader will now guess where the author stands on the headscarf debates: he finds the British and French responses equally legitimate (though one may quarrel about which one has less desirable consequences), yet he finds the German response deeply wanting in a Europe which fifteen million Muslims call home and which may fashion itself as a Christian Club only at its own peril.

This book continues my long-standing interest in the role of liberalism in western states’ immigration, citizenship, and ethnic minority (as a shorthand: membership) policies. In Selecting by Origin: Ethnic Migration in the Liberal State (2005), I have explicated how liberalism has made western states’ immigration policies less ethnically and racially discriminatory and thus more universalistic in the past half-century. In the present book I turn to liberalism’s home ground, which is the containment of religious conflict. The book builds and expands on a recent article of mine, ‘State neutrality and Islamic headscarf laws in France and Germany’ (2007a). The article contrasts neutrality and multicultural recognition as opposite ways of dealing with cultural difference. The present book is more about variants of liberalism and their impact on the reception of Islam in Europe.

Moreover, as is flagged by the title, I take the headscarf as a ‘mirror of identity’ which forces the French, the British, and the Germans to see who they are and to rethink the kinds of societies and public institutions they want to have. The liberal and the national themes are closely intertwined: as the headscarf is an affront to liberal values, the identities reflected in
it are liberal identities. Even the German self-definition as ‘Christian–occidental’ is a liberal identity, albeit one that unduly particularizes liberalism by confounding genesis and validity, so that Muslims qua Muslims (that is, qua people with different origins) cannot be part of it.

It is time to stop denying that Islam constitutes a fundamental challenge to liberalism. No matter how liberal states and societies respond to this challenge, they cannot but violate some of their own liberal precepts – repress religious liberties, as in the French and German banning of the headscarf, or encourage illiberal views and practices, which seems to be the result of British toleration.

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1 The Islamic Headscarf in Western Europe

Islamic headscarf controversy is no longer a peculiarity of France, whose classic Foulard Affair dates back to 1989. In fact, there is no country in western Europe today which does not have its own headscarf controversy. And, one must add, each country has the headscarf controversy it deserves. In France, the innocuous bandanna has stirred debate for two decades now, a debate culminating in the 2004 law against ‘ostensible’ religious symbols in public schools. In Britain, which had long considered itself immune to the religious cloth struggles of the continent, it is the more extreme wear of the jilbab and niqab that has recently tested the limits of its multicultural leanings. The Netherlands, site of Europe’s most draconian retreat from multiculturalism, has predictably attempted the most draconian anti-veiling measure of all, proposing a law in 2006 that would prohibit the wearing of the face-covering veil in all public places (though it never went beyond the conceptual stage). More moderately, Germany, in a series of sub-federal Länder laws passed in 2004 and 2005, prohibited public school teachers from dressing up religiously, but made a curious exemption for the adherents of the Christian faith.

The European proliferation of headscarf controversies raises at least two questions. First, why is there controversy at all? Secondly, why has it gone to different lengths in different countries? Both questions require different frames of reference. On the side of commonalities, there are certain liberal norms, most notably gender equality, which seem to be violated by the ‘submissive’ headscarf. On the side of variation,
national legacies of relating religion to the state fare centrally, among other factors.

However, at a deeper level still, the Islamic headscarf functions as mirror of identity which forces the Europeans to see who they are and to rethink the kinds of public institutions and societies they wish to have. Not by accident, the recent headscarf controversies coincide with a busy reassessment of the meaning of ‘French’, ‘German’, ‘British’ or ‘Dutch’ and with mobilizing law and public policy to make immigrants and ethnic minorities fit these definitions (see Joppke 2007b, 2008). As the challenge is to central precepts of liberal states and societies – the neutrality of the state, individual autonomy, and equality between men and women – it is no wonder that the responses tend to be identical as well: ‘we’, the French, German, British and Dutch, are first and foremost ‘liberal’, cherishing the equality of women and the autonomy of the self, and this may require excluding and banishing from the public realm the affront to liberal self-definition for which the Islamic headscarf stands today above all. Liberalism now does the ‘exclusionary’ work which, at an earlier time, had been done by racism or nationalism (on exclusionary nationalism, see Marx 2003). This does not mean that assertive liberalism does not come in distinct national colors – ‘republican’ in France, ‘Christian–occidental’ in Germany, ‘multicultural’ in Britain – up to a point where liberalism may submerge under resurgent nationalism. The submersion of liberalism by nationalism seems to have happened, in different ways, in France and Germany, reflected in their respective anti-headscarf laws. But notably it has not happened in Britain, where what has come under attack is not the Islamic headscarf as such, but only a particularly extreme version of it.

But why is it only European countries, not the United States or Canada or Australia, that have headscarf controversies? Obviously a facile equation of headscarf opposition with assertive liberalism will not do, because then one would expect similar (if not more) conflict in these other liberal places. With respect to the United States, in the American headscarf controversy that never was, an Oklahoma school district which had excluded a Muslim headscarf girl in March 2004 was
immediately opposed by the Federal Department of Justice, which would ‘not tolerate discrimination against Muslims or any other religious group’ because ‘such intolerance is un-American, and [...] morally despicable’.

This is part of the larger paradox that the country which, together with Israel, is the most reviled one in the Muslim world has no domestic problem with integrating Muslim minorities. Instead, as Aristide Zolberg and Long Litt Woon (1999) memorably pointed out, ‘Spanish’ is to the US what ‘Islam’ is to Europe on the immigrant and ethnic minority integration front. The reasons for this are manifold and can only be touched on briefly here (for a good overview, see Foner and Alba 2007).

First, state and religion are more strictly separated in the US than in Europe – even than in France, where Christianity and Judaism enjoyed certain privileges and corporate status which have only recently – and haltingly – expanded to Islam. Secondly, in a curious counterpoint to this, European societies have become thoroughly secularized in the past half-century or so, now constituting the main exception to religious revivalisms around the world. By contrast, American society has become even more religious over time, up to a point of becoming the most religious society of the western world. In such a pious setting, Muslims’ religious claims raise fewer eyebrows than in Europe. Finally and perhaps most importantly, there is less potential in the United States than in Europe for the Islamic headscarf to become a ‘stigma symbol’ (Göle 2003) through which a sign of oppression is re-fashioned into one of resistance. This is because Muslims in the US are not as socio-economically deprived as in Europe. Their smaller numbers, dispersed settlement, and elevated socio-economic status and education make American immigrant Muslims less attuned to the globally politicized Islam which is, ultimately, the driving force behind the proliferation of the headscarf (see Skerry 2006).

The Meanings of the Headscarf

If some western societies like the United States have no problem with the headscarf, on the part of organized Islam
and many a Muslim the headscarf seems to carry a broadly anti-western meaning. Hans Küng, in his monumental study of Islam (2004: 739), even flatly holds that the headscarf is a ‘symbol of religious–political conviction [. . .] for Islam and against the secular state’. This has not always been so. Originally the Islamic headscarf bore neither political nor religious meaning. It was instead a symbol of status which stood for the ‘protection of the private sphere of the wives of Mohammad’ (Küng 2004: 738). Accordingly, the Koranic prescriptions for the female wardrobe are in terms of ‘societal conventions’, not of ‘religious obligations’ (ibid.). This situation has changed with the headscarf revival in Iran and in the Middle East a quarter-century ago, which in the meantime has caught up with the young second and third-generation Muslims across Europe. Here is how a noted anthropologist reflected on more than twenty years of fieldwork in Egypt: ‘I cannot think of a single woman I know, from the poorest rural to the most educated cosmopolitan, who has ever expressed envy of US women, women they tend to perceive as bereft of community, vulnerable to sexual violence and social anomie, driven by individual success rather than morality, or strangely disrespectful of God’ (Abu-Lughod 2002: 788).

In one of the first studies of the headscarf revival, observing a ‘new Egyptian woman’, college educated or in the process of becoming so but ‘completely “veiled” – face and body’, Fadwa El Guindi (1981) noted that the ‘immodesty’ which the veil repudiates is ‘associated with westernism’ (quotes from p. 465 and 476). Is it then far-fetched if, some twenty years later, a French president perceived the Islamic headscarf as a ‘kind of aggression’? Grosso modo, today’s Islamic headscarf stands for the rejection of ‘western materialism, commercialism, and values’ (El Guindi 2001: 110) whether this is intended by its wearer or not, and this is why there has been controversy surrounding it.

However, the Islamic headscarf is a provocation which cannot be suppressed unless the West denies its own values, such as tolerance and religious freedoms. This is the central paradox of all headscarf controversies: the headscarf is an
affront to liberal values, but its suppression is illiberal also and as such a denial of these same values.

It has become commonplace to stress the modernity of the headscarf, conceiving of it not as something imposed by traditionalist milieux but as a self-chosen sign of female emancipation (the paradigmatic statement of this view is Göle 1996). But it is a highly truncated kind of modernity, which has been well captured in Saba Mahmood’s ethnography of the women’s mosque movement in Egypt (Mahmood 2005). This study gives profound insight into the ‘Islamic revival’, which is at the same time modern, anti-western, and in search of a pure, de-ethnicized essence of Islam. The women’s mosque movement, which began in the 1980s, has grown out of opposition to an increasing ‘secularization’ and ‘westernization’ of Egyptian society as a result of which Islam had been reduced to ‘custom and folklore’ (Mahmood 2005: 44). As a female Mosque activist put it, the point was to ‘make our daily lives congruent with our religion’ instead (ibid., p. 45). And the true essence of this religion was to be retrieved from its original revelation, the Koran. As archaic as it sounds, the prerequisite for this was a modicum of modernity – public education and urbanization that made ‘modern Muslim citizens [...] well versed in doctrinal arguments [...] hitherto confined to [...] religious specialists’ (p. 79). But particularly the fact that women made these claims attests to the modernity of the Islamic revival: reference to a pure Islam was these women’s way of claiming a place in public, outside their home.

However, the rub is that pure Islam, at least in the form it has been retrieved by the revival, underwrites patriarchy. As Mahmood concedes, ‘piety’ (which is the ethos of the female mosque movement) ‘and male superiority are ineluctably intertwined’ (p. 175). And the most pertinent sign of male superiority is the headscarf itself. The famous headscarf verse of the Koran prescribes: ‘Enjoin believing women to turn their eyes away from temptation and to preserve their chastity; not to display their adornments [...] to draw their veils over their bosoms and not to display their finery except to their husbands (and other male kin).’5 This entails the reduction of women to their sexuality, which represents a ‘danger [...] to the sanctity