

**Unveiling (post)colonial *République*:
Gendered Islamophobia in France**

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Abstract

Moving from the new draft law aimed at banning the wearing of the hijab by underage Muslim girls in France, this contribution aims at tracing a genealogy of the long struggle of the *République* against Islamic veils. Adopting an intersectional and postcolonial feminist perspective, we are interested in questioning the continuities and discontinuities with the colonial past and, at the same time, with the sequence of various *affaires du foulards* over the last thirty years.

Through a mixed-method analysis, we want to critique the political and mediatic instrumental use of arguments such as *laïcité* and feminism to justify discriminatory and exclusionary laws. A series of semi-structured interviews with French Muslim women, along with the use of textual productions by concerned subjects, allow us to adopt a perspective that speaks next to concerned Muslim women.

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1. Introduction

To explain how escalation of gender violence works, Italian Women's shelters often use the metaphor of the boiled frog into a pot: none of us would tolerate a punch in the face on a first date. But if the water temperature in the pot slowly rises, even before we realize we have no way out, we would also have time to enjoy the cuddly warmth. If European Union is witnessing nowadays measures aimed at directly sanctioning a religion for the very fact of being such, without any authoritative voice being raised up, it is because the situation is the same one of the poor little frog.

Since 1989, France has been the scene of a succession of laws aimed at restricting, sanctioning, and banning the use of the veil¹ in public space: *hijabs* in schools, full veils in public space, *burkini* on beaches. In 2021, a law could become effective², prohibiting underage Muslim girls from wearing the veil at any time throughout the country. The argument would be to prohibit "the wearing by minors of any dress or garment that would signify the inferiority of women over men"³.

Over the last thirty years, several studies have been produced about the so called *affaire du foulard* (the scarf affair) and its political and sociological consequences: so why do we have to deal with veils once more? According to the

¹ For practical reasons - knowing that there are many differences between veil's types according to traditions, contexts, social classes etc. - I will use the terms *veil* or *foulard* to refer to *headscarf/hijab*, namely the veil that covers head and neck exposing the face; I will use the term *full veil* to refer to *niqab*, *burqa* or other form of veil covering the face.

² It was already approved by the Senate, but it is still waiting to be passed by the *Assemblée Nationale*.

³ See http://www.senat.fr/amendements/2020-2021/455/Amdt_146.html. All the links in this article have been verified last time in May, the 28th, 2021. All the translation from French to English in the text were done by the author.

Turkish sociologist Meyda Yeğenoğlu (1988, 40), the veil “has no privilege [...] as an object of study but it can be a tool to investigate the complexity of postcolonial implications”. This implies, on the one hand, that analysis looking for different meanings of the veil among Muslim women - although they are relevant to mutual understanding within contemporary multicultural societies - have been criticized as reproducing the orientalist obsessions of unveiling (*Ibidem*). On the other hand, as stated by Joan W. Scott (2007, 88-89) “despite recent attempts to efface it, the legacy of colonialism persists [...], its traces are visible today in debates about the status of ‘immigrant’ Arab/Muslim populations”. The French narratives and the laws concerning the veils are, indeed, a “symptomatic moment of crisis” (Delphy 2008, 140) of the much claimed Republican universalism (Ghumkhor 2020). Moving from the new draft law, this contribution aims at tracing a genealogy of the long struggle of the *République* against Islamic veils. Looking at this story diachronically allows us to understand that the one being discussed right now (spring 2021) is just the latest in a long line of other measures.

This contribution, through a mixed-method analysis, therefore, proposes a case study which, by analyzing the question of the veil in France, seeks to investigate the ways in which Orientalism (Said 1978) is reproduced in contemporary discourses against *les issue.e.s de l’immigration coloniale* (people with an immigrant background). In this sense, the study adopts an intersectional and postcolonial perspective. For that reason, it is fundamental to name race as “social construct” (Bernacchi 2018, 34): in doing so, the aim is certainly not to affirm the existence of biologic races. On the contrary, according to the analysis of Black, Chicana, postcolonial and decolonial feminists, this contribution aims to demonstrate how the social construct named ‘race’ acts as a control mechanism, producing social exclusion (Naseem and Adnan 2019). In that regard, studying the *affaire du foulard* from the standpoint of Muslim French women is an excellent way to deconstruct the essentialist and dichotomic paradigm othering Islam.

Therefore, a series of semi-structured interviews with French Muslim women⁴, along with the use of textual productions of concerned subjects⁵, will allow us to adopt a perspective that speaks next to concerned Muslim women, and not in their place.

2. Writing a history of French postcolonial veils

As regarding sources and methodologies, this section will present the main resources employed to develop this research and the qualitative analysis undertaken. In the first place, I conducted an exploratory analysis to frame the phenomenon, crossing different data sources: institutional sources, such as laws and documents from the *Conseil d'État* (State Council); media sources, such as newspapers, newscasts from the *Institut National de l'Audio Visuel* and documentaries; academic and political production of French concerned subjects. Subsequently, an empirical analysis was carried out by conducting a series of in-depth interviews with a group of Muslim women defining themselves as feminists or as women's rights activists. I chose to adopt a research's standpoint focusing on Muslim women's political engagement (Joly and Wadia 2017), due to the epistemological intention of considering French Muslim women as autonomous political subjects (Benhadjoudja 2015), acting independently from the discourses produced *about* them (Abu-Lughod 2001).

The selection of people to be interviewed, at the beginning, has faced several problems: I had to face great difficulties to meet Muslim French women defining themselves as feminists or as women's rights activists. In accepting silence as a fact of the research, I wondered about the reasons that caused it, starting from

⁴ All the interviews in the article were conducted in Paris and the surrounding *banlieues* between September 2015 and December 2016.

⁵ By concerned subject I mean women of color, women with an immigrant background, and Muslim feminists.

the question posed by Anna Sheftel e Stacey Zembrzycki (2016, 354): “why should people in vulnerable positions participate in a project which did nothing to improve their actual lives?”⁶.

Among the main reasons for this silence, there was the ambiguity and controversy about the definition of ‘feminism’. On the one hand, some Muslim women were reluctant to define themselves as ‘feminists’ since the term was sometimes perceived as an indicator of western and colonial attitudes. The interference by some English and French feminists⁷ in the processes of colonization was so widespread that it has been defined as “colonial feminism” (Ahmed 1992, 151), meaning the use of feminism “against other cultures in the service of colonialism” (*ibidem*). On the other hand, this same attitude is reproduced nowadays in what Françoise Vergès (2019, 12) refers to as “civilisational feminism”. Indeed, the notion of ‘feminism’ has been exploited in French political discourse, to exclude and stigmatize women with an immigrant background (Delphy 2008) as we will see throughout the article. Institutional feminists, claiming to want to free Muslim women from veil’s oppression, embodied a paternalistic attitude, not listening to the demands of Muslim and secular women’s movements that claimed a plurality of emancipation’s ways (Ali 2012)⁸.

Finally, I managed to meet and interview seven women politically involved in different contexts, mostly *issues de l’immigration coloniale et postcoloniale*, between 23 and 74 years old, all living in Paris or in the *banlieue*. Five of these women are Muslim with an immigrant background, one is a native white French woman who has been converted to Islam for thirteen years; one of them is an

⁶ This vulnerability was related to feeling constantly under attack especially in media discourse, but also to the fact that the Charlie Hebdo (January 2015) and Bataclan (November 2015) attacks had just happened when the interviews took place. See Joly and Wadia (2017) about the backlash against Muslim communities in Europe after Islamic terrorist attacks in the West.

⁷ The case of Italian colonial feminists, which remains little explored, is also significant. See Papa (2009).

⁸ For further discussion on Islamic feminism, see Wadud (1999), Mernissi (2000), Pepicelli (2010), Iannucci (2013) and Scudieri (2013).

atheist but she was born into a Muslim family. Three of them are students, three are employees and one is a former teacher in retirement. Not all of them are veiled, since the fact of being veiled was not a prerequisite for being interviewed: the discourses about the veil, in fact, created imaginaries that affected both Muslim women and non-believing women, assigned as Muslim only because of their immigrant background. With all of them, I have carried out in-depth interviews, with a semi-structured approach.

3. *Islamo-gauchisme*: the battle of standpoints

According to the Italian Islamic scholar Anna Vanzan “women are the thermometer to measure the level of civilization reached by a people” (2006, 45). The neo-orientalist obsession with the veil and women’s bodies (Yeğenoğlu 1998), in fact, often overshadows other equally important issues. The amendment that would include a ban on the wearing of headscarves by underage Muslim girls in France, in fact, is part of the more general *Loi confortant les principes de la République* (also known as the law against separatism), which is currently being debated in French Parliament. The law would establish several measures to tackle ‘radical Islam’, including increased control of Muslim associations, which would be prohibited from “holding speeches contrary to the Republic”⁹; such associations would also have to sign a “contract of republican commitment”, otherwise they would lose credibility and be accused of Islamic fundamentalism¹⁰. The other sections concern education at home and in private schools, as well as controls and

⁹ See https://www.assemblee-nationale.fr/dyn/15/textes/l15b4078_projet-loi. Several associations that in recent years have been involved in the fight against Islamophobia, including the CCIF (*Collectif Contre l’Islamophobie en France*), have already had to shut their doors under the pressure of Islamophobic attacks.

¹⁰ *Ibidem*.

sanctions against virginity tests, polygamy, forced marriage and more generally against forms of psychological or physical pressure.

The law, criticized by several international actors including Amnesty International¹¹, in effect institutionalized good Muslim/bad Muslim rhetoric (Mamdani 2002; Maira 2009). In this respect, it is interesting to note two aspects: firstly, these barely veiled attacks on Islam are not organized by an openly racist government, as the Marine Le Pen *Rassemblement National*¹². These attacks arise from the ‘neither left nor right’ government of President Macron and his party *La République En Marche!*, namely in response to the recent Islamist attacks in the country. This fact should provide an opportunity to reflect not only on the general shift to the right in European politics and on widespread populism, but also on the influence that the presence of a party like the *Front/Rassemblement National* in the French political spectrum for over forty years has had in legitimizing racist discourses and policies (Laxer 2018; Peker 2021). Secondly, it is also interesting to note that while French State is approving the most drastic measures against Islam ever seen in the hexagon, there is an ongoing attack - legitimized by the very same government - against critical race theory, decolonial, post-colonial and Islamic studies: namely, the critical studies questioning the behavior of the French republican State itself. The Minister of Higher Education, Research and Innovation Frédérique Vidal called the alleged *islamo-gauchiste* ideology a “cancer of society”, which should be eradicated from university¹³.

According to the *Parti des Indigènes de la République*¹⁴, “Islamism is only the enemy’s word to ward off the new resistances to the racist and liberal order”¹⁵.

¹¹ See <https://www.amnesty.org/en/documents/eur21/3912/2021/fr/>.

¹² New nomination since 2018 of the former *Front National* party.

¹³ See <https://www.cnews.fr/videos/france/2021-02-16/frederique-vidal-lance-une-enquete-sur-lislamo-gauchisme-luniversite>.

¹⁴ A movement formed in 2005 that declares to be based on the history of anti-colonial emancipation struggles.

¹⁵ See https://qgdecolonial.fr/2021/02/19/islamo-gauchistes-de-toutes-les-universites-unissez-vous/#_ftnref4.

The CNRS (*Centre National de la Recherche Scientifique*), which the Minister had asked to investigate the spread of *islamo-gauchiste* theories in academia, claimed that the expression has no scientific validity¹⁶. More than 600 university professors and researchers signed an appeal published in the newspaper *Le Monde* denouncing the “witch-hunt” being carried out; moreover, expressing concern at the “threat of intellectual repression”, they called for Vidal’s resignation¹⁷.

Without denying the importance of a rigorous methodological procedure to ensure the scientific validity of our works, as a researcher myself, I believe that *standpoint theory* is a practice which, thanks to the work of women of color and feminists (Mohanty 1984; Haraway 1988), should be increasingly prominent in social sciences. It is crucial for the author to refer to their own subjectivity and to take it into account when carrying out their research, precisely to distance themselves from the illusion of the neutral subject or, as stated by Spivak (1999, 248), of a “concealed subject pretended it had no geo-political determinations”.

As a researcher, the multiple identities that I experience (white, middle class, with citizenship, queer, feminist) do not disappear simply because I stand behind a computer; just as I could be accused by some of *islamo-gauchisme*, I could also risk appropriating and distorting knowledge produced not to advance my academic career as to radically change a society that in various ways gives me a privileged role. I am trying in various ways to cope with these contradictions in my research: certainly autoethnography (Queirolo Palmas and Stagi 2017) is a very useful tool, as it is standing beside (Djebar 1980) the intellectual work and political activism of French Muslim women, to pursue the work of deconstruction and decolonization of a public, academic but also militant discourse that at the same time essentializes Islam and feminism (Ali and Tersigni 2009).

¹⁶ See https://www.lemonde.fr/education/article/2021/02/17/islamo-gauchisme-lecnrs-condamne-l-usage-d-un-terme-qui-ne-correspond-a-aucune-realitescientifique-frederique-vidal-sous-pression_6070331_1473685.html.

¹⁷ See https://www.lemonde.fr/idees/article/2021/02/20/islamo-gauchisme-nous-universitaires-et-chercheurs-demandons-avec-force-la-demission-de-frederique-vidal_6070663_3232.html.

4. The colonial foundations of *République*

To better understand the genealogy of contemporary debates, this paragraph will examine the Orientalist processes of domination put in place by French government during the Algerian colonization. This is not only because Algeria is a Muslim majority country, but also because it is a specific case: whereas Morocco and Tunisia were French protectorates, Algeria was effectively administrated as an integral part of France.

According to the contemporary French activists claiming a connection with decolonial struggles, the relationship between *République*, Islam and Muslim population has been structured based on colonialism, so much that they refer to it as *République Coloniale* (Vergès *et al.* 2006). The expression underlines the continuity between colonial regime and republican universalism: until the decolonization, French government justified the colonization as a responsibility arising directly from *République's* vocation to universalism, what has been called “*universalisme racialisé de la pensée colonial*” (Costantini 2008, 16). Even in contemporary times, France’s relationship with its colonial past is not entirely resolved: just think about the 2005 law that called for school textbooks to celebrate the “positive role” of the French presence in the colonies¹⁸.

In the specific case of Algeria, the Native Code (*Code de l'indigénat*), in place between 1881 and 1945, ratified a distinction among French citizens and indigenous subjects, whom had no access to civic right (Karami and Scarcia Amoretti, 2015). The *Code* listed as “specific violations” acts which were not penalized by the French code and punished the already existing ones with harsher penalties (Costantini 2008). The Othering process toward the colonized subjects

¹⁸ See <https://www.legifrance.gouv.fr/jorf/id/JORFARTI000002059357>. After controversy, the concerned article was amended.

was produced based on their faith, other compared to the colonizer's civilizing mission. The *Code de l'indigénat* itself established the difference between Algerians and French *de souche* (native-born) for religious reasons: despite imposing French nationality to Algerians, the *République* refused them the complete access to citizenship, arguing that this was a way to respect the specificities of Algerians' religious groups (Ivi, 61). The only way to have access to citizenship for Jews and Muslims - as stated in the *sénatus-consulte* of July 14, 1865 - was to renounce individually to the "personal Islamic status"¹⁹, abandoning the religious practices judged by the French legislator as incompatibles with the *République's* values (Ivi, 63-64).

According to Frantz Fanon (1970), starting from 1930 French colonial administration wanted to suppress every reference to Algerian national unity to breakdown anti-colonial resistance: in this respect, Algerian women's veils²⁰ became "the bone of contention in a grandiose battle" (Ivi, 22). In the colonial perspective, to conquest local women meant to conquest Algeria itself²¹. The climax of the anti-veil campaign occurred on May 13, 1958, when the *Mouvement de solidarité féminine* organized a public ceremony in Algiers main square: as a sign of emancipation (conceived as westernization), a little group of Muslim women was led on-stage where - on the cry of *Vive l'Algérie française!* (Ivi, 67) - their veils were torn and then burned before the crowd. Since then, especially during the Algerian war of independence, those kinds of ceremonies continued to be organized (Boggio Éwanjé-Épée and Magliani-Belkacem 2012). Because of those ceremonies, which had to demonstrate women subjugation to colonial power,

¹⁹ The set of rules, based on Islamic law, governing relationships among families and genders. It is noteworthy that the colonial administrator did not attempt to separate local law from religious interferences and even the *laïcité* law - enacted in 1905 in the *metropole* - did not apply to Algeria (Touati 2006).

²⁰ The *haïk*, the traditional Algerian women's veil.

²¹ Both Fanon (1970) and Yeğenoğlu (1998) emphasize the colonial discourse's assimilation between conquering the lands and women's bodies.

Algerian women (re)started to veil themselves in opposition to that power (Fanon 1970; Dayan-Herzbrun 2005). According to such a use, the veil has been identified as a tool “to assert subjectivity and agency” (Yeğenoğlu 1998, 558)²².

The will of white French feminists in the colonization was to present themselves as “the only group potentially able to penetrate the colonized’ domestic sphere” (Boggio Éwanjé-Épée and Magliani-Belkacem 2012, 21). Wanting to achieve their goals²³, French feminists preferred to demonstrate to their male compatriots their own ability in the civilizing process rather than to support Algerian women. Hubertine Auclert, the founder of French radical feminism, can be taken as an example of this colonial feminism: according to her, the complete assimilation of the indigenous women (*femmes indigènes*) could have been achieved only when “French women would be mandated by colonial State to serve as cultural mediators and as door-to-door activists; only women could introduce the civilizing mission into private spaces enclosing Arab women” (Clancy-Smith 2006, 37).

5. From the ban of “conspicuous religious symbols” to the fury against the veils

The 2004 law, forbidding the use of *hijab* in middle and high school, was voted by French Parliament fifteen years after the first exclusion from high school of three Muslim girls refusing to remove their veils (Gaspard and Khosrokhavar 1995). Albeit the 2004 law and the subsequent circular forbid all symbols and outfits “that result in immediate recognition of one’s religious affiliation such as the Islamic scarf, the kippa or crosses of clearly excessive size”²⁴, between 1989 and 2004 the focus of media and politic debate regarded *de facto* only the Islamic veil (Tévanian 2005). It is becoming increasingly evident that such a generalization is no longer possible:

²² According to Bullock (2002) this is the case even nowadays, since the veil is used as a “means of resisting and subverting dominant Eurocentric norms of femininity” (Zine 2006, 243).

²³ In that moment, among all, the right to vote.

²⁴ See Circulaire N° 2004-084 du 18-05-2004, in JO du 22-5-2004.

in the contemporary repercussions of the law, in fact, ‘symbols’ in general are no longer considered, but only a precise one²⁵.

Throughout this article, we will often refer to the 2004 law for several reasons: it has been the model for all subsequent discussions, as if it were the tipping point, impossible to question; moreover, this law, and the ensuing debate, has served as a model and inspiration in other countries (from Belgium in 2011 to Switzerland in 2021). Nevertheless, we know that this is not the only measure taken by the French State against Islamic veils. In 2009, President Nicolas Sarkozy stated that religious face veils were “not welcome in France” because “we [cannot] accept women prisoners behind a screen, cut off from all social life, deprived of all identity. [That is] not our idea of freedom”²⁶ (Akram 2018, 442). The law against full veils, generally known as the ‘burqa ban’²⁷, was approved by the French Senate in September 2010 with an overwhelming majority (246 votes in favor, only one against). One of the interviewees tells of the astonishment she felt on hearing the discussion about full veils in France:

I was very surprised when they started talking about it because [...] I have hardly ever seen the full veil, except, you know where? In high-class *boutiques*. Because they are Middle Eastern women who come to shop in Europe. [...] And the famous burqa even less, I have never seen it in my life, except on TV or in magazines. Well, if it exists in France... and I say to myself it must exist, but where?? (Ibtissam, 36 y.o., employee).

²⁵ The institutional evaluation of the law is significant: if 140 veiled girls left the school after being excluded or deciding to quit, only three Sikh guys were expelled in the first year after its introduction. See “Application de la loi du 15 mars 2004 sur le port des signes religieux ostensibles dans les établissements d’enseignement publics”.

²⁶ See <https://www.theguardian.com/world/2009/jun/22/islamic-veils-sarkozy-speech-france>.

²⁷ Another of the strategies anti-veil rhetoric is to shift the discourse on the veil *elsewhere*, referring to the imposed veils in Afghanistan, Iran, and Algeria during the civil war. The aim is to convey the idea that it represents something intrinsically *other*, different, foreign. See Bonfiglioli (2005).

Controversies over the wearing of headscarves frequently erupt in France, not only when laws must be passed. In March 2016, for example, two clothing brands (H&M and Dolce & Gabbana) released advertisements offering ‘modest fashion’ collections aimed at women who wear the veil. Laurence Rossignol, the then Minister of Families, Children and Women’s Rights, denounced on live television the irresponsibility of these brands and the idea of society conveyed by veiled women, “militants of political Islam who want to impose the veil on all women” (Lazrak-Toub 2016). When asked by the journalist about the self-determination of those who voluntarily decide to wear the veil, Rossignol declared: “Of course, there are women who choose, eh, there also were African negr... American negroes who supported slavery”²⁸. The statement immediately generated reactions of anger and indignation: a collective of veiled women wrote a text in which they claimed their right to speak as subjects of discourse:

Do not liberate us, we’ll take care of it! Enough of referring to women only in their biological or aesthetic dimension. Whether wearing a miniskirt or a headscarf, liberation and emancipation belong to women in their plurality and diversity. [...] Women, Black, North African, Muslim, veiled, and others..., we are accumulators of all exclusions. In addition to our position as women, there is the intersectional convergence of all struggles against negrophobia, Islamophobia, sexism, and racism in all its forms²⁹.

A few months later, in August 2016, yet another controversy over Muslim women’s bodies crossed French borders: in the south of the country, two municipal ordinances prohibited the wearing of religious clothing on the beach, referring to the use of the so-called *burkini*, a swimming costume that covers the body and

²⁸ See <https://www.france24.com/fr/20160330-ministre-rossignol-negres-esclavage-voile-islamique-gouvernement-racisme-france>.

²⁹ See <https://blogs.mediapart.fr/edition/les-invites-de-mediapart/article/060416/pour-en-finir-avec-le-controle-politique-du-corps-des-femmes>.

head. Although the costume leaves the face uncovered, thus not breaking the law on full veils in public places, the ban is justified on the grounds of “danger to public order” at a time when “France and places of religious worship are currently the target of terrorist attacks”³⁰. At the end of August, the *Conseil d’Etat* has pronounced itself against such municipal ordinances, describing them as contrary to the 1905 law on secularism, as well as infringing the principle of equality, freedom of expression and conscience; moreover, the *Conseil* argued that there was nothing to suggest a risk to the disturbance of public order³¹.

6. Instrumentalising *laïcité* and feminism

One of the major arguments employed in the approval process of the 2004 law was the concept of *laïcité*³². However, since the adoption of the 1905 law many modifications occurred to the notion of *laïcité* itself (Abdellali and Marwan 2016), to such an extent that various authors have described this process as a “media construction” (Tévanian 2005) and its result as a “fake *laïcité*” (Baubérot 2014).

Between 1880 and 1886 the Ferry-Goblet’s law, about public school’s *laïcité*, was discussed and approved: the duty of neutrality was imposed to teachers, schools, and schools’ programs, whereas no indication was established for students (Chouder *et al.* 2008). The 1905 law, however, had and still has lots of

³⁰ See <https://lmsi.net/devoilements>.

³¹ See <http://www.conseil-etat.fr/Actualites/Communiqués/Mesure-d-interdiction-des-tenues-regardees-comme-manifestant-de-maniere-ostensible-une-appartenance-religieuse-lors-de-la-baignade-et-sur-les-plages>.

³² The concept “does not exist in any other European’s language [and jurisdiction] and its usually translated as *secularization*” (Bonfiglioli 2005, 99). It was elaborated between 1880 and 1907 to regulate the separation between Christian Church, State, and public schools. Republican school, indeed, was conceived as a guarantee of the national unification (Gaspard 2006, 84), appearing therefore as the place to shape the imagined community (Anderson 1983).

contradiction: it was not applied in Alsace³³, French Guyana³⁴ and pre-independence Algeria (Touati 2006). Religiously affiliated schools, mostly Catholics, still receive public funding (Gaspard 2006) and educate half of the student population (Ivi). One of the most prominent problems concerns an agreement, signed in 1981 between France and Morocco governments, which established - until the 1990 - the *Mudawana*³⁵ as the family code for Moroccan citizens living in France (Hamel 2006). Moreover, the drafting of the *laïcité* law happened at the pick of colonial expansion, accomplished in the name of the “civilizing mission” (Bonfiglioli 2005, 102-103): this is explained by Varikas (2006) as the consubstantial construction of nation-states within Europe and colonial empires outside it (Ahmed, 2004; Borghi, 2020). One of the interviewees agrees on the fact that the notion of *laïcité* have totally been turned upside down:

right now, we are in a post-1905 schema, we are no more in a logic for which the government is not concerned with religions, and public space can be different/multicultural. The brand-new rhetoric is that the government does not want to see differences anymore, everybody must be identical, but Christians have some more rights... because, you know, we [as France/Europe] we were Christians before...³⁶ (Ines, 25 y.o., student).

³³ 1905 law on *laïcité* is still not applied in Alsace. The issue has recently re-emerged in the French public debate after the case of the Strasbourg Mosque, for the construction of which the municipality has allocated 2 million euros. See https://www.lemonde.fr/societe/article/2021/04/06/financement-public-d-une-mosquee-a-strasbourg-la-prefete-saisit-la-justice_6075772_3224.html.

³⁴ See Christine Delphy’s intervention at Québec University, at the conference *Liberté et Multiculturalisme*: www.youtube.com/watch?v=nd3PHs1oMOQ.

³⁵ The Moroccan family code, inspired by Islamic law, which legitimated repudiations and polygamy.

³⁶ Despite a public discourse presenting *laïcité* as an achievement of civilization and Enlightenment, the interviewees underline a “hierarchical dichotomy” between Islam and Catholicism (Sanna 2011).

Despite the circular signed by the French minister of education, François Fillon, stated that “the law does not concern students’ parents”³⁷, the law was improperly applied to Muslim veiled women requiring to go with their children on class trip since 2004 (Chouder *et al.* 2008). In March 2012, the parental exception measure was institutionalised by the circular of the Minister of National Education, Luc Chatel³⁸. Moreover, the consequences of 2004 law spread beyond the school: at the end of December 2004, during the delivery of naturalization’s certificates at Seine-Saint-Denis Prefecture, three veiled women were requested to unveil³⁹. In 2017, even the European court of justice ruled against the wear of *hijab* in workplace⁴⁰. This alteration process makes Sonia (23 y.o., student) feel confused:

I do not know what it is [the *laïcité*]. Seriously, after all the discussions about it, I do not know what it is no more. I think right now it means you do not have to demonstrate you belong to a religion; you do not have to talk about it. At the very beginning *laïcité* was conceived to protect religions, not to forbid people to have a religion, or to transform it into a private question.

Not all the interviewees were veiled, but all of them have experienced the consequences of the veil *affaire*: Miriam (27 y.o., student) thinks that the very notion of *symbole ostentatoire*⁴¹ was linked to the willingness of French government to make religions invisible. Visibility became indeed the criterion by which one can or cannot live their own faith (Guénif Souilamas 2003): there is no

³⁷ Circulaire N° 2004-084 du 18-5-2004, in JO du 22-5-2004, *Port de signes ou de tenues manifestant une appartenance religieuse dans les écoles, collèges et lycées publics*.

³⁸ See http://www.education.gouv.fr/pid25535/bulletin_officiel.html?cid_bo=597.

³⁹ According to the sub-prefect, the veil was a symbol of communitarian attitude (in French, *communautarisme*), incompatible with the integration to *République*’s values. See <http://www.yabiladi.com/forum/exclusion-femmes-voilees-prefecture-bobigny-2-420866.html>.

⁴⁰ See <https://www.theguardian.com/law/2017/mar/14/employers-can-ban-staff-from-wearing-headscarves-european-court-rules>.

⁴¹ Overt religious symbol, as mentioned in the law. Loi n°2004-228 du 15 mars 2004, see <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000000417977/>.

formal ban of following religious beliefs, but the practice must be limited to the private sphere. This informal rule establishes *de facto* “an exception to the principle of differences’ invisibility before the law” (Bonfiglioli 2005). According to Sandiaa (32 y.o., employee), this process led to an emancipatory⁴² function conveying a “pervert effect: we will have the impression that we finally achieve to free the Muslim woman [since there will be less veiled women into the public space] but in fact we will only achieve to enclose women that use to have a social and working life”.

The idea of ‘saving women’ - besides *laïcité* - was largely employed by government and media’s narratives to justify veil’s ban in schools: the ban was presented as an action to free young Muslim women from religion’s oppressions. In fact, with the purpose of approving the law of 15 March 2004, concerning the wearing of symbols which show religious affiliation, the very notion of feminism has largely been manipulated (Delphy 2008) in a process established by Sara Farris (2017) as ‘femonationalism’. According to Farris the Western crusade against Islam reactivates the Marxist category of “reserve army of labour” (Ivi, 177) with respect to Muslim women and migrant women from the Global South employed in domestic and care work. In her interview, Sonia highlights this aspect, affirming that “the worst aspect [of this process] is the exclusion from work: you can’t live without, you can’t pay your rent. And that is how you remain in your family home, and your only occasion to get through it, it’s to get married”.

The activists of French political antiracism reputed the use of a self-proclaimed feminist argument a reiteration of the orientalist discourse (Ouassak 2015), in the same way of the emancipator claim (“the white man burden toward oppressed brown women”) used in colonial time to control, discipline, and subjugate colonized populations (Spivak 1983). Moreover, Inès (25 y.o., student) thinks that

⁴² The very concept of emancipation is constructed, for the European subject, as antithetical to Islam. See Mahmood (2005) and Farris (2017).

the biggest problem in the *affaire du foulard* was the manipulation of feminist discourse and women's body: "those women [white mainstream feminists] do not care about what Muslim women should say (...) I think that is simply marvellous that [acting that way] they reproduce a hierarchy, sexism, racism, patriarchy and, as a result, they are no more in a feminist process". In Inès opinion, who describes herself as a Muslim feminist, it is difficult to be accepted by mainstream white feminism, "especially for veiled women. I think that, once more, for a veiled woman is much more difficult to be recognized as a feminist comparing to a not veiled Muslim".

Muslim feminists and women oppose to the feminist myth of universal sisterhood (Mohanty 1984) - only valid if every woman adapts herself to the Eurocentric way of emancipation - the standpoint theory inherent to intersectionality. In doing so, they unveil the racism, the Islamophobia, and the neo-Orientalism of white mainstream French feminism:

I know that I'm not a feminist if one says, "ok, we will reach an agreement on a definition. This is feminism". I think that, if there is a feminism, there must be as many feminisms as women (Miriam).

7. Islamophobia and national identities

In February 2004 Human Rights Watch condemned the draft of law on religious symbols⁴³, considering it discriminatory, contrary to the unalienable right to religious practice and racist towards Muslim people (Tévanian 2005). In 2008, the United Nations Commission on Human Rights denounced the rise of islamophobia in France and the law intolerance, inviting France government not to exclude veiled students (*Ibidem*). Moreover, in 2018 the same UN Commision, together with

⁴³ See <http://pantheon.hrw.org/legacy/french/docs/2004/02/26/france7670.htm>.

the European Court of Human Rights, declared that, although it is legitimate to require facial recognition for security reasons in certain circumstances, a general ban on facial occultation is a too radical requirement, and an act of discrimination on religious grounds⁴⁴. Such statements are useful to look at Islamophobia not only as a sporadic form of discrimination against individuals, but as a form of structural racism (Law *et al.* 2019; Proglia 2020)⁴⁵.

The origin of the term islamophobia dates from the early XX century: it was invented by a group of French “administrators-ethnologists”, specialized in West-African Islam studies (Abdellali and Marwan 2016, 20). The concept, disused throughout the twentieth century, was resumed and renovated after the 9/11 attacks. The new climate of the so called “clash of civilization” (Huntington 1996) produced, indeed, a monolithic and essentialized vision of Islam, namely a numbers of neo-Orientalist rhetoric. As Orientalism “was not just about representations or stereotypes of the Orient but about how these were linked and integral to projects of domination that were ongoing” (Abu-Lughod 2001, 105), similarly neo-Orientalism looks like a political ideology which can legitimize and construct a postcolonial domination project.

Islamophobia has been defined as a “respectable racism” (Bouamama 2004) since Islam has been stigmatized and Othered as intrinsically sexist and patriarchal (Guénif Souilamas and Macé, 2004): in Ibtissam opinion, “the real stigmatization is not toward a religion, but toward a group instead. This is because even atheists⁴⁶ Arabs would be assimilated... if I walk down the street, people will think *this girl is Arab, she is certainly Muslim*”. Talking about islamophobia with the

⁴⁴ See <https://news.un.org/en/story/2018/10/1023872>.

⁴⁵ According to some French commentators, it is even a form of State racism. See <https://www.contretemps.eu/a-propos-de-devoilements-du-hijab-a-la-burqa-entretien-avec-pierre-tevanian/>.

⁴⁶ To better understand what Étienne Balibar calls “a systematic confusion of ‘Arabness’ and ‘Islamicism’” (Balibar and Wallerstein 1991, 24), I have decided to meet an atheist woman born and raised in Belgium from a Moroccan Muslim family, Ibtissam precisely.

interviewees, many women declared to have had much more problems in relation to their family origins (mostly from the region of North-Africa known as *Maghreb*) than because of their religion: “the problems I’ve experienced wasn’t about my religion but about my origins... once a woman explained me, I was only an outsider [original expression: *être une pièce rapportée*]. Since my parents have immigrated, I’m not a real French” (Inès)⁴⁷.

Regarding Muslim women, the concept of gendered islamophobia was defined (Zine 2006, Perry 2014): whether generally Eurocentric discourse judged Other societies’ backwardness based on their attitude towards women (Sanna 2011), this rhetoric increased considerably regarding Islam, especially after 9/11 (Pepicelli 2012). Muslim religion is considered, indeed, in a neo-orientalist narrative (Said 1981) as the patriarchal and anti-modern opposite to a West/Europe/France cradle of women’s emancipation and human rights (Khalid 2014). This process has been described as “gendered Orientalism” (*Ibidem*), representing Muslim women as “wholly oppressed” to rescue (Abu-Lughod 2002) and Muslim men as violent terrorists (Puar 2007). By contrast, feminism - intended as gender equality - is represented as an inherently western concept, completely removing the historic struggles to achieve women emancipation milestones conducted by western feminists, and the contemporary daily attack on women body rights happening (not only) in Europe and in the United States defined by Melinda Cooper (2008 and 2017) as “western neo-fundamentalism”.

Muslim woman, locked up by walls and veils (Salih 2006), is ‘the’ oppressed to rescue (Mirza 2013). In this regard, the question of visibility in public spaces is directly connected to the essentialization process of Muslim people, which is profoundly gendered: Muslim men are considered, as a matter of principle, “most

⁴⁷ Here we can see what Farad Khosrokhavar (1997) called the *malentendu* (misunderstanding) between immigrants’ descendants and French society: France does not want to accept them, but it cannot “send them home”, since France itself is their home (Delphy 2008).

dangerous than Muslim women” (Ibtissam)⁴⁸. This distortion produces, for Muslim men, discriminations in recruitment, and for Muslim women the possibility to be assaulted everywhere in public space:

Islamophobia touches for 70-80% Muslim women⁴⁹: since they are more visible, they are also most likely to be aggressed. In my family, after the attack to Charlie Hebdo, one of my aunts wanted to go shopping at Lidl market in front of her house, but she did not dare because she is veiled, and she was scared to be assaulted (Inès).

If on the one hand French Muslim women claim a plurality of identities (Muslim, Western, Maghrebi, French), on the other hand they reflect on how French national identity is defined and structured. In this regard, Miriam says:

when I am in Morocco people consider me as a French, when I am in France, they consider me as a Moroccan, I’m always a foreigner you know... Sometimes when you see a veiled girl in France, the first question is “where do you come from?”, I say “I am French”... and people often say: “No, no, I mean, where do you *really* come from”... They tell you, you do not look French, but what does it means?

The short-circuit regarding race, origins and integrations is revealed in Sandiaa experience: born in Mayotte, overseas France, she did not obtain French citizenship, neither her parents nor grandparents have immigrated. Simply,

⁴⁸ In this regard, see Puar (2007).

⁴⁹ The percentage is confirmed by the data of CCIF (*Collectif Contre l’Islamophobie en France*) and ENAR (European Network Against Racism). See ENAR report “Forgotten Women. The impact of Islamophobia on Muslim Women in France” - <http://www.enar-eu.org/Forgotten-Women-the-impact-of-Islamophobia-on-Muslim-women>.

Sandiaa is Black, Muslim and (occasionally) veiled: those elements make her a foreigner who need to be integrated.

It happened to me... when I was in Rennes “we are in France - someone told me - if I want to be French, I need to act as French” and I answered: “Oh that’s interesting... especially because I was born French and I’ve always been French (...), what do you mean for *being French??*” (...) it happened because of the scarf, it never happened when I wore a hat or something like that, to get controlled by the police (...) “routine security check madam”. Except that we were three, and the only one who got checked was the veiled one... That’s it. Because we look foreigners (Sandiaa).

Veiled Muslim women disappoint republican and universalist values of neutrality and *laïcité* in public spaces because they make visible, with their bodies, postcolonial contradiction otherwise forgotten or completely repressed. In fact, Ines thinks: “everyone has this idea, this image, that if a French is not white well, s/he is not French⁵⁰ and what is funny is that when a white woman converts to Islam, well she loses her whiteness”.

The experience of “exclusion from constructed whiteness and [...] the privileges attached to those positions” (Jakku 2018) resonates in the testimony of Jeanne (74 y.o., retiree) who converted to Islam a decade earlier and choose to wear the veil sometimes:

Once I was driving the car, I was passing a truck [...] my window was open, he insulted me and then he pressed the truck against the car. [...] I was really shocked, it’s true. Moreover, a big truck dominates you and the driver on top of it yells at you... “You dirty whore!” or I don’t know, whatever, I don’t know

⁵⁰ See the interviews carried out by Danièle Joly and Khursheed Wadia (2017) to French Muslim women engaged in various form of activism, about been accepted as members of French community (lvi, 206).

what he called me but... for no reason. There's a violence, a hatred [...] (Jeanne).

8. Conclusions

This article tried to propose a study of the *affaire du foulard* through the analysis of French Muslim women narratives to unveil French neo-Orientalism. Indeed, behinds the well-known arguments against veils, since 1989 to 2021, we can see the structures of postcolonial domination, discipline, and control, based on the lines of gender, race and class.

Moreover, French Muslim veils make visible the still existing gender oppressions in the bosom of French society, despite all the *République* efforts to appear as the cradle of female emancipation and human rights (Ahmed 2004). As stated by Joan Scott in an article appeared at the beginning of 2016, the French *politic hysteria* (Terray 2004) about the veils can be explained with an “unconfessed contradiction, still enduring among political equality and sexual difference”⁵¹. In a public school pretending to be the emblem of republican values - in which, however, gender mixed classes have been introduced only from 1968 (Dayan-Herzbrun 2005) - the veil is the symbol of a gender discrimination which is non-neutral compared to others symbolic and practical typical West types of female oppressions (Guillaumin 1995).

To conclude, Muslim women and feminists call into question the supposed universalism of Western feminism, proving all its limits (Al-Hibri 1999; Touati 2006). For that reason, the most important conclusions of this research are: the necessity to decolonize our research perspectives, decentralizing the European gaze (Chakrabarty 2000; Grosfoguel *et al.* 2006); the invitation to reconsider

⁵¹Joan W. Scott, “Cette étrange obsession française pour le voile”, *Orient XXI* - <http://orientxxi.info/magazine/cette-etrange-obsession-francaise-pour-le-voile>,1309.

feminism/s in an intersectional perspective, since it is no more possible nor acceptable to theorize or to practice a feminism which is also racist, classist and imperialist (Mohanty 1984; Abu-Lughod 2002; Vergès 2019).

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