



To Veil Or Not To Veil?

by Aletha Dale McCullough

For the past few decades the religion of Islam has been at the center of many international and controversial events. In the United States, the Nation of Islam and its leader, Louis Farakhan, advocate separatism based on religion and ethnicity. Thousands of Iranian refugees fled to Europe and the United States when the secular government of Iran was overthrown by Islamic fundamentalists. The continuing conflict in Israel pits Jews against Palestinians. Many acts of terrorism are linked to Muslims who advocate a radical or extreme form of Islamic worship; like the Taliban government of Afghanistan that helped Osama Bin Laden to destroy the World Trade Center and cause the deaths of thousands of American civilians and the terrorists responsible for the Madrid bombing in March 2004. The Western media tends to portray Muslims as rabid terrorists who oppress women and are against peace and democracy. Many Westerners are unaware of most Islamic religious practices and beliefs. The practice of veiling for Muslim women is one of the few Islamic practices that Westerners are aware of, and for Westerners unused to this practice, it is seemingly associated with the seclusion and oppression of Islamic women ("Education- On Allowing" 2; Landor 1). In recent months this practice of veiling has received much media attention since the French government passed "Article 141-5-1 of Law No. 2004-2008", which bans the wearing of religious clothing and symbols in public schools (Kramer 3). Despite the fact that this law also prohibits the display of crosses, yarmulkes and Sikh turbans, the law is informally referred to as the 'veil law', since its main purpose is to prevent the wearing of veils or head scarves by female Islamic students (Kramer 3; Lerougetel 2; "Wearing The Veil" 1). The law faces both strong support and opposition. Supporters of the law feel that it promotes the secular principles of the French government and that its implementation will help to integrate Islamic students into French society, giving them a sense of French identity (Eisenberg 1; Melkonian 2). It is also felt that

the law will provide temporary respite from a cultural practice that is oppressive to those women who are forced to wear the veil by male relatives (Kramer 8). Opponents of the law feel that it robs students of their right to freely practice their religion and, if the ban continues, it could further marginalize and ostracize the Islamic community in France. The potential consequences for female Muslim students are also very grim (Eisenberg 2; Kramer 9; Richter 1).

While both sides of this issue present convincing arguments, it is clear that this controversial law obscures and neglects to address the political, economic and social problems that plague the Arab Muslim population in France and the French government's role in creating the current dire conditions that exist in these North African, Islamic communities (Derakhshan 1; Kawwas 1; Moniquet 3).

Historically, the French government practices secularism, which resembles the U.S. government's policy of the separation of church and state (Ajbaili 1). Prior to the French Revolution in 1789, the French Crown routinely persecuted people of minority faiths. The genocide of European Jews during WWII increased the French's belief in secularism or 'laïcité'. Secular laws passed in 1789, 1881 and 1946 were meant to foster a sense of national identity and pride in being a French citizen. The underlying philosophy of laïcité stresses that French citizenship takes pre-eminence over one's ethnicity or religion (Melkonian 1-2). The laïcité law implemented in September 2005 is designed to promote the goals of secularism in the French public schools (Eisenberg 1; Ajbaili 1). The law clearly states, "In public elementary schools, middle schools and high schools, it is forbidden to wear symbols or clothes through which students conspicuously...display their religious affiliation" (Kramer 3).

Although this new law prohibits the display of all religious symbols, its main targets are Muslim girls who wear the Islamic veil or head scarf. That is why the law is commonly referred to as the "veil law" (Kramer 3; Lerougetel 2). There are 5 to 6 million Muslims in France, and the government estimates that 50 to 80% of women in these Islamic communities wear the veil (Moniquet 1). Prior to the September law, 1000 to 2000 girls wore head scarves to school (Derakhshan 3). The number of women who wear the veil has noticeably increased in the last ten years. The French government feels that this increase in

veiling is linked to a growing acceptance of Islamic fundamentalism in Muslim communities across Europe (Bryant 2; Moniquet 1). Since 9/11 and the subsequent military occupations of Afghanistan and Iraq, French Muslims have become more vocal in expressing dissatisfaction with French government policies that affect them and Muslims in other parts of the world. An increase in acts of anti-Semitism, the formation of "Islamist political parties", the growing popularity of imams with strong fundamentalist beliefs and the increasing number of Muslim youth being arrested for terroristic activities, all indicate that the French government has a serious problem on its hands. French Intelligence estimates that out of the 300,000 Islamic fundamentalists living in France, 9,000 are "potentially dangerous" (Moniquet 2). French officials hope that this ban on the veil will remove the issue of religious identity from the classroom and help Muslim youth integrate and see themselves as French citizens. (Eisenberg 1; Kramer 4). In her article, "Taking The Veil", Kramer identifies the French government's secularist principles behind the 'veil law' and the role that the school environment plays in the integration of foreign students; "it begins with school, that "France" is an idea of citizenship, an identity forged in the neutral space of its public schools. ...There is really no place for religious expression or exceptionalism in those public schools" (2).

The 'veil law' also attempts to address the problems that school administrators encounter with a growing number of female Muslim students. Some school officials see the veil as symbolic of the oppression that these young girls face at home and in their communities. Due to the increasing popularity of Islamic fundamentalism, some girls are forced to wear the veil by male relatives and male classmates. Many of these girls are not allowed to study biology or participate in P.E., and will not read atheist philosophers like Voltaire (Bryant 2; Eisenberg 3; Kramer 7). Life is growing more difficult for these young women. In the Islamic ghettos or 'cités' unveiled young women suffer verbal and physical abuse, gang rape and even death at the hands of Muslim youth in their communities. Women are not allowed to be examined by male doctors and arranged marriages, polygamy and female genital mutilation are not uncommon in these 'cités' (Kramer 7; Moniquet 1). Many school officials and female politicians feel that the 'veil law' will give some temporary autonomy to female Islamic students, and liberate them from having to wear this symbol of their oppression. It is hoped that the implementation of the 'veil law' will send a message that Islamic practices

which exclude and oppress women are wrong and need to be challenged (Kramer 9). In Kramer's article "Taking the Veil", a French school principal states why she voted for the 'veil law'; "These children are not integrated. I see the veil as more about social exclusion...The time you're in school should be free. Muslim girls should be given the choice to be free young women. And the law was aimed at protecting the minds of those girls" (11).

Supporters of the 'veil law' present some convincing arguments for their position. The practice of secularity is supposed to ensure that state interests do not influence religious interests and vice versa. It also protects citizens' right to practice their faith without interference from the government. However, the French government is not completely uninvolved in its country's religious affairs and its policy of 'laïcité' is described as a 'myth' by Law professor, Jeremy Gunn (Ajbaili 2). Some of the French government's non-secular activities include its ownership of Catholic churches, providing over 80% of funding for private religious schools and acknowledging religious holidays as state holidays. The government has even provided funding for the construction of mosques in the Arab 'cités' (Derakhshan 2; Ajbaili 2). In addition, by prohibiting students from wearing religious clothing and symbols, the 'veil law' contradicts the secularist principles of "freedom of speech, belief and thought" and "freedom of religion and its expression in society" (Derakhshan 2). In recent months, many Muslim girls in France have gone to school wearing head scarves, as a way of protesting the law's violation of their religious freedom (Richter 3).

The government's wish to integrate Islamic youth into French society is also a commendable idea. Many French Arab youth feel excluded from mainstream French culture and to remove a visible difference like the veil may help increase their interactions with their non-Muslim peers. However, the 'veil law' could actually have the reverse effect of increasing the alienation and exclusion felt by many French Arab youth. Even the unofficial nomenclature of the law, the 'veil law' specifically targets Islamic youth and highlights their differences from other French youth. In this potentially uncomfortable environment, Islamic youth may continue to reject European values and mores and immerse themselves even deeper in the beliefs of Islamic fundamentalism.

The law does offer a solution for Muslim girls who do not want to wear the veil at school. And, in fact, some Muslim feminists and community leaders support the law (Bryant 2; Eisenberg 3). This opportunity to remove their scarves can be liberating

for the girls who face intense pressures to adhere to fundamental Islamic practices. However, some parents have forbidden their daughters to remove their scarves. These girls are suspended and are forced to leave school. Suspension from school denies these girls access to education and increases their "social exclusion" by confining them to the 'cités'. Some fathers want their daughters to drop out of school, so that they can marry them off to North African men, eager to gain access to French work permits and visas (Eisenberg 1; Kramer 9). When this occurs, Islamic girls are being doubly oppressed by their families and their schools. At home and in the community, they are forced to wear the veil and at school, they are forced to remove the veil. Under these conditions these girls are never "free" (Kramer 11).

In France, opponents of this law come from all sectors of the community. Many Muslim women in France feel that the 'veil law' prevents Muslim girls from practicing their faith. While it is true that some Muslim women are pressured into veiling by male family members, many Muslim women's choice to veil is self motivated and voluntary. These women veil because they feel the practice is a necessary part of their faith and symbolizes their "personal relationship to God" (Richter 1; Kramer 1). For some women, veiling is "a personal choice" and the 'veil law' infringes on their "personal freedom" (Bryant 2-3). In Eisenberg's article, "France's secularism: an uneasy fit", an American Muslim woman living in France feels that the 'veil law' ignores the mores and practices of Islamic women; "I'm upset and I'm outraged...I started wearing the veil because I thought it was the right thing to do...It serves to cover my hair and my ears and my neck. The idea is that a woman's beauty shouldn't be available for public consumption" (2).

The 'veil law' is indicative of Westerners' ignorance and fear of the Islamic religion and cultural practices. In France, many people associate the veil with Islamic fundamentalism and feel that Muslim women should not be allowed to wear the veil in public (Bryant 1). Germany's population of 3.2 million Muslims has to deal with laws that prohibit veiling in schools, public buildings and hospitals. Muslims that protest these laws encounter secularist arguments similar to the ones that the French Muslims face (Richter 1-2). The battle to wear the veil is being fought all over Europe with mixed results. The Danish Supreme Court ruled in favor of a business that fired a Muslim girl who refused to stop wearing her veil at work ("Okay To Sack" 1). The British High Court delivered a verdict that contradicts the 'veil law', when it ruled that a Muslim student could return to

school wearing a hijab ("Wearing the veil" 1). The Court's decision recognized that the student "had been unfairly excluded from school ...and that her school had denied her right to practice her religious beliefs", thus allowing her to return to school wearing a garment that indicates her religious beliefs (1).

The law is also being criticized by human rights activists and some French feminists. The 'veil law' is seen as restricting Muslim girls' freedom of religion and beliefs (Landor 2; Kawwas 2). Critics of the law feel that it goes against the policy of religious tolerance that is espoused by the European Union (Bryant 1). While many feminists support the law, some French feminists, including female politicians, feel that the law adds another layer of oppression to Islamic women who face tremendous pressure in their communities to wear the veil. The law's potential to deny Muslim girls an education is very real and so far 36 Muslim girls have been expelled from school (Eisenberg 3; Kramer 9).

The main criticism of this law is that it fails to recognize the French government's role in creating the problems that plague the Islamic ghettos or 'cités' of France. Immigrants from France's colonies came to Europe in the 1960's to fill the demand for cheap and unskilled labor. Most of these immigrants were African Muslims from Algiers. These people have always experienced discrimination and exclusion in France. Most French Arabs live in government housing projects that are essentially slums. Life in these Islamic ghettos is unbearable. High unemployment and crime, lack of higher education and a scarcity of social services is a way of life in the 'cités'. In the past the French government has done little to help these communities, much less integrate them into French society (Kramer 7; Monique 3). The ostracism and racism that these people have encountered in France has created a fertile environment for Muslim imams (theologians) who preach Islamic fundamentalism (Monique 3). Young Muslim men born in France, but who see no place for them in French society, are attracted to this fundamental form of Islam. This promotes practices that tend to seclude and oppress women, like polygamy, arranged marriages, female genital mutilation, female seclusion and the wearing of Hijab or head scarves for Muslim women (Kramer 9).

While the Quran does stipulate that Muslim men and women should dress modestly, it does not require women to wear a veil. The practices of veiling and purdah (female seclusion), were "social habits", borrowed from the patriarchal empires of Byzantium and Persia (Rippenburg 163). So the argument that veiling serves a religious purpose is debatable.

However, when one considers that Muslim women in Lebanon and more recently Turkey, wear the veil as an expression of cultural identity and to declaim Western Imperialism, one can understand how Muslim women in France may wear the veil as a form of social and political protest (Hijab 48; "Wearing the veil" 2). In recent months, Islamic girls who usually would not wear the veil have gone to school wearing the veil to protest a law that they feel persecutes and discriminates against the Arab Muslim community in France (Landor 3). The association between veiling and Islamic extremism is also unfair. The condemnation of Muslims for the kidnaping of French journalists by the Islamic Army in Iraq illustrates how many Muslims oppose acts of terrorism. The kidnapers' demand for the repeal of the 'veil law' in exchange for the journalists' release was met with disapproval from Muslim leaders in France and the Middle East, who, despite their opposition to the 'veil law', demanded the immediate release of the hostages (Lerougetel 2-3).

The 'veil law' violates International and European laws concerning freedom of beliefs and religion. The European Union's Court of Human Rights and the International Code of Human Rights both contain laws that guarantee religious freedom. A ban on the visible display of religious clothing and symbols is contrary to these laws (Bryant 1; Kawwas 2). The feminists who oppose the law recognize that expelling Muslim girls from school could increase their social isolation and exclusion, creating a situation, where even if they wanted to, they would have little choice but to accept cultural practices that were oppressive and harmful to women (Derakhshan 5; Eisenberg 3; Kramer 9). Feminist writer, Claude Servan-Schreiber was told by many Muslim girls, "If you forbid the veil, my parents send me away to North Africa to be married off" (Kramer 9). Statements like this have convinced many feminists to protest the 'veil law' which they view as harming rather than helping French Islamic girls.

The argument that the government is responsible for the dire conditions that exist in the 'cités' and the subsequent rise in Islamic fundamentalism is apparent when one looks at the French policies concerning its African immigrants. These immigrants who came to France in the 1960s, were never given the rights of full citizens, despite their claim to citizenship as a result of French colonization. The first groups of Algerian immigrants were not even allowed to bring their families. The 'cités' built by the French government confined the Arabs to the outskirts of French towns and effectively excluded them from French society. The French government did little to

integrate the Arab Muslim community or curtail the discrimination that they endured in France. Over 5 million Muslims live in France, yet they are very under represented in the French government (Kramer 7; Landor 2; Moniquet 3). In a Capitol Hill Hearing Testimony concerning the rise in Islamic extremism in Europe, Claude Moniquet, the head of the European Strategic Intelligence and Security Center admitted that the government's (lack of) social policies has contributed to the rise in Islamic extremism in Europe:

"Sadly we must observe that, historical or not, Muslim immigration was not welcomed in Europe. Racism and exclusion were a reality, ...until very recently (in fact the nineties) absolutely nothing was done to help them integrate. This is the European reality and the European shame. We must live with it and we are paying for it" (3).

In my examination of this issue, I have come to the conclusion that the 'veil law' has the potential to increase rather than decrease the social exclusion of the Islamic community in France. The law criminalizes the veil and this may increase the prejudice that already exists against French Muslims and encourage Muslims to further reject Western values in favor of fundamentalist beliefs and practices. If the government is worried about the increasing trend towards Islamic extremism, it needs to address and redress the social, economic and political inequities that the Arab community has endured in France. If oppressive cultural practices worry French politicians, feminists and school administrators, expelling students who wear the veil is going to harm young women by denying them education, increasing their chances of being victimized by these practices. It seems that the best way to promote integration and create a sense of French identity would be a policy of inclusion that accepts and tolerates Islamic people, their religious beliefs and practices. However, I do recognize the necessity of protecting Arab girls from the abuses they suffer if they do not wear the veil and from practices like female genital mutilation and marriages against their will, but these practices have more to do with culture than religion. Hopefully, as the Arab communities become more absorbed into the European community, they will abandon these harmful practices. The debate about the 'veil law' highlights the post-colonial effects of European imperialism and colonization. If this law had been implemented when the Arabs first came to Europe, the Muslim community may have been much more complacent and resigned to accepting it. However, in these post-colonial times, colonized peoples are using the tools of their oppressors, such as the media, political protest and social activism to demand

equality and a recognition that they have earned the same freedoms and rights as everyone else.

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