

Biannual Research Journal

OPEN ACCESS

ششماہی تحقیقی مجلہ

AL-IDAHA

Published by
SHAYKH ZAYED ISLAMIC CENTRE
UNIVERSITY OF PESHAWAR
PESHAWAR, PAKISTAN

ISSN (Print) : 2075-0307
ISSN (Online) : 2664-3375



www.al-idah.szic.pk

JAN-JUNE 2020
VOL:38 ISSUE:1

الإيضاح

شیخ زاید مرکز اسلامی جامہ پشاور

Islamic Headscarf Controversy in France: The Role of Culture as Explanatory Framework

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Article DOI: <https://doi.org/10.37556/al-idah.038.01.0611>

Abstract

The controversy regarding the French ban on wearing Islamic scarf in public spaces has divided the French public for at least two decades. This paper uses culture as an explanatory framework to underscore that the issue of the headscarf has assumed greater significance because it has come to be viewed as a symbol of French Muslim identity. Subsequently, Muslim groups view the exclusion of the scarf from public spaces as exclusion of Muslim identity as part of French social fabric. The paper argues that culture which is the source of the issue also has the potential to resolve the dispute.

Key Words: *France, Secularism, Headscarf Ban, Muslim Identity, Culture and Conflict*



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Brief Background of the Case:

In 2004, the French government passed a law that declared unlawful any clothing representing a student's religious affiliation. Although the law did not specify any particular religious group or symbol (a type of clothing), it was clear to most observers that the law was meant to prohibit Muslim girls from wearing headscarves in French public schools (Bowen, 2008, p. 1). The legislation merely appeared to be



an official endorsement to the growing opposition to Islamic veil and headscarf among significant section of French society and politics.

The issue of headscarves (referring to clothing covering hair and neck, unlike a burqa that also covers the face) in French schools, however, had existed for some time. The legislation merely recognized the validity of one of the two opposing opinions on the subjects. The earliest known instance of the expulsion of girl students from French schools based on their refusal to remove their headscarves took place in the town of Creil on October 3, 1989. The expulsion and the later chain of events involving arguments, counterarguments and protests are famously known as *affaires de foulard* – the scarf affair. In its attempt to resolve the issue, the French government established various commissions and working groups. However, most of these efforts did not bear fruit (Killian, 2003).

The 2004 legislation did not settle the issue of headscarves in schools. If anything, it aggrieved other communities, most notably Sikhs (Keaton, 2005). Muslim groups object to the legislation on the ground that it undermined the right of Muslim women to religious expression. For those supporting the ban, hijab is inconsistent with French culture and values. It was also seen as a refusal on the part of Muslim immigrants to assimilate into broader French society (Bronwyn, 2009, p. 7). The debate about headscarf in French schools presents an interesting case of conflict arising from associating different values and meaning associated with cultural symbols.

The Notion of Headscarf in Islamic Scholarship:

There is an ongoing debate within the Islamic academic and intellectual circles regarding the necessity, extent and nature of hijab and headscarf in Islam. Various scholars associate the practice with the notion of modesty. Islamic scholars assert that rather than being a symbol of oppression, the headscarf represents a particular distinction to women (Al-Bayhaqī, Aḥmad b Ḥussain (2003).

Islamic scholars often point to both the Holy Quran and the traditions and sayings of Prophet Muhammad (PBUH) in making a case for hijab. For instance, The Quran says:

“(O Prophet), tell the believing men to restrain their eyes (from looking at the other women) and guard their shameful parts; this is a pure way for them; surely, Allah knows full well what they do. Moreover, (O Prophet) tell the believing woman to restrain their eyes (from looking at the other men) and guard their shameful parts, and not to display their decoration except what is unavoidable. They should draw their over-garments close on to their breasts, and should not display their decoration except before their husbands, father, father-in-laws, son, step-sons, brothers, nephews (sons of brothers and sisters), their own women, male attendants lacking sexual urges, or boys who are not yet conscious of the feminine secrets.

Moreover, (tell them that) they should not stamp the ground in walking to reveal their hidden decoration (ornaments, etc., by their jingle)”. (Al-Qur’an:24: 30-31)

Similarly, The Prophet (PBUH) said: Those women who remain naked even after wearing clothes, allure others and are allured by others, and walk coquettishly with the head turned to one side, will never enter Paradise, nor even get its scent” (Muslim: 3:1680). In view of these injunctions, the headscarf is understood, often, as an emancipating rather than constraining influence by Muslims – including by women who wear it.

Parties to the Conflict:

The various components in either party to the conflict are only loosely related. The common ground between the various actors in either party is support or opposition to the ban on the headscarf. The reasons for support or opposition to the ban might vary for various actors within these groups.

Party A

Some Feminist groups: support the ban on the headscarf due to the latter’s significance as a symbol of the subordination of women.

French government: The government banned the headscarf for its perceived incompatibility with French notion of secularism.

School teachers: Support the ban because they believe that the display of religious symbolism affects the environment of neutrality in the classroom.

General Public: Various surveys suggest that a majority of the French public is supportive of the ban.

Party B

French Muslims and community organizations such as the more radical Collectif des Musulmans de France (CMF) and other organizations such as French Council of Muslims (CFCM) and The Union des Organisations Islamiques de France (Smith, 2004)

Organization of the Paper:

The first section of the paper discusses various analytical definitions of culture to arrive at a more complicated and nuanced definition. It deliberates the different ways in which culture results in triggering and intensifying conflict. The paper uses ‘cultural contestation’ model for explaining the cultural dimension of the conflict. The succeeding section discusses the issue of the headscarf in France through the analytical framework developed in earlier sections. In the light of the analytical framework developed through the cultural contestation model, the last part of this section suggests intervention for mitigating the conflict.

Defining Culture:

Geert Hofstede refers to culture as ‘collective mental programming’. This collective programming determines and highlights our differences with other groups (out-groups) and similarities with our own group (in-group). It is also pertinent to mention that not all members of a group (religious, national or ethnic etc.) behave the same in similar circumstances. However, culture can be viewed as the average of behavior around which individuals in that society vary (Hofstede, 1983).

Similarly, culture has been defined as ‘a system of shared meaning and meaning-making through semiotic practices’ (Ross and Kenan, 2008). The notion of shared

meaning-making also asserts that individuals that practice a single culture are more likely to interpret events and actions similarly. By juxtaposing two definitions, we understand culture as a collective mental programming through which individuals and groups ascribe meaning to opinion, behaviours and actions of their own and other groups. Understanding culture as a frame for understanding the world is essential to appreciate the potential of culture for inter-group relationship.

Culture plays an influential role in determining human behavior. However, culture often remains imperceptible at the surface. Therefore, culture is usually displayed and recognized through its symbolic displays. Every culture contains a set of symbolic messages that are known to the insiders but not to the outsiders. (LeBaron, 2003) These messages provide the lens through which people from a certain culture interpret the world around them. As in the case of the headscarf, the cultural messages determine what a specific group holds as important. Culture also provides the framework through which meaning is derived from behavior and actions of other groups.

Cultures are intrinsically linked to group identities. Display of one's cultural identity, therefore, can be perceived as an assertion of differences with another group, or sometime between sub-groups within a larger cultural group. It is also interesting that certain aspects of cultural identity gain greater significance when threatened. Groups often resist threats to the aspect of culture targeted by the opposing group and it becomes the defining characteristic of the group. The increased focus on a single dimension of culture can eventually become the focus of stereotyping from other groups. (LeBaron, 2003) The paper looks at the attitudes of French Muslims towards veil and headscarf in the face of the resistance to these symbols from parts of French society. It helps us understand the centrality of the headscarf for French Muslim cultural identity after political and legal opposition to it.

As mentioned, culture remains imperceptible but ever-present in group relations. Individual and groups are collectively conditioned to view 'in-group' and 'out-group' through the prism of their cultural experiences. Traits and symbols associated with other groups are given meaning in view of one's own culture. Such culturally defined attitudes can result in stereotyping and even hostility towards other groups.

Culture and Conflict:

Multiple factors cause conflict in varying circumstances. Very often, conflict is explained and understood in the backdrop of competing for material interests of the conflicting groups or individuals. This line of reasoning may not be necessarily wrong. Indeed conflict on many occasions is caused by material interests. However, as a multifaceted phenomenon, the conflict has to be viewed and analyzed in its other contexts especially in its cultural milieu. Even when conflict is not caused by culture, cultures can be viewed 'as the lenses through which the causes of conflict and mobilization are refracted' (Ross, 2009).

Why are cultural symbols important to groups? Why, for instance, are French Muslims resolute in their defence of the headscarf? This paper locates the answers

to these questions through the idea of ‘cultural contestation’ presented by Ross and Kenan. Their answer is that the acceptance of cultural symbols, in fact, represents inclusion or exclusion from the society (Ross and Kenan, 2008). A deeper analysis may reveal that the grievances of French Muslims are economic and/or political and not social or cultural. However, it is pertinent to note that the cultural issue of headscarf has assumed this significance because it is linked to the acceptance of French Muslim identity as a part of the French cultural identity. The issue provides us with the cultural lenses through which we can uncover the more deep-seated causes of this conflict.

The notion of group identity is central to cultural contestation framework. ‘Group identity is a collective process that connects individuals to groups and defines shared worldviews and interests’ (Ross, 2007, p. 2). Group identities are often expressed through cultural symbols that differentiate one culture from others. As markers of distinction, these symbols are ascribed a certain moral value. Due to their conflicting moral meanings for various groups, these cultural symbols are often the setting of contestation between competing groups (Ross and Kenan, 2008).

Cultural Contestation and Islamic Headscarf Controversy in France:

On account of its emphasis on cultural expression and symbolism, cultural contestation approach provides a useful framework for looking at the headscarf controversy. As indicated by the definition we adopted in the first section, wearing headscarf is interpreted (meaning-making) through the varying mental programming of the parties involved. For those who oppose it, headscarf and veil are interpreted as symbols primitivism and subjugation of women (Koklu, 2011, p. 39). Moreover, wearing the veil is also interpreted as contrary to the French secular tradition of separating religion from the public sphere. On the other hand, although a small minority of French Muslim women (14 percent) wears hijab, its approval or disapproval became a sign of inclusion or exclusion of Muslim identity in French society and politics. (Scott, 2010, p. 3)

In view of the analytical framework developed in the previous section, we can infer four general hypotheses from cultural contestation framework. These hypotheses are vital for establishing the relationship between culture and conflict. In the following section of the paper, we analyze the headscarf issue in France through the application of these hypotheses to the conflict. The fourth and last hypothesis provides us guidelines for intervention into the conflict.

First hypothesis: *Contestations around culture are deepest when “participants’ core identities are threatened”.*

It is interesting to examine how both parties project the threat to their ‘core’ values from the other side. Those supporting the ban on headscarves in school believe that the practice threatens the core French values of secularism. The supporters of headscarves contend that it is the right of a Muslim woman to be provided with a choice regarding wearing a scarf. Denying this right is tantamount to a negation of religious and gendered ‘self’.

The idea of French identity is considered to be essentially tied to the concept of secularism. In fact, France is the only Western European country that ‘uses the

term *secular republic* in its constitution' (Kuru, 2009, p. 4). The headmaster of the particular school involved in Foulard Affair claimed that he acted to enforce "*laïcité* - the French version of secularism" (Scott, 2005, p. 106). Although the action and the specific interpretation of *laïcité* were debated in the subsequent months and years, the idea of the primacy of secularism to French cultural identity was rarely questioned (Bowen, 2007).

Another important dimension of the debate is the place of education in reinforcing French identity. The highly centralized French education system has been established with the view to promote equality and national unity. It is considered the responsibility of teachers in France to "promote the republican ideas of liberty, equality and fraternity in an atmosphere of secularity and complete neutrality" (Limage, 2000). Teachers and school administrators believed that the display of religious symbols in the classroom had a certain proselytizing character to it (Wing & Smith, 2005). They objected that the girls were bringing religion into the public sphere by wearing headscarves in schools. The school authorities in these cases can be seen as working towards enforcing their conception of the French cultural identity rooted in secularism.

Interestingly, the French state has vigorously promoted the idea that French political community is a product of the French cultural community. In other words, it is not merely legal status/citizenship that forms the basis of political participation but more importantly, the membership of the national cultural community. Immigrant communities can only claim credible legitimacy in the French political sphere if they are able to establish their 'being French' in cultural terms. Therefore, if certain demands (like the headscarf issue) raised by immigrant communities "are considered illegitimate within French political field, it is because they are in conflict with this ideology" (Beriss, 1990).

Those who oppose the ban argue that the conception of culture and citizenship, and the boundaries of the public sphere are dynamic. The processes involved in cultural integration are complex and mutually interactive (Soysal, 1997). For multiculturalists, education is a means to help "the new citizens value and maintain their languages and cultures of origin" rather than assimilating them into a preexisting static cultural identity (Al Sayyad & Castells, 2002, p. 11).

For many French Muslims, the purpose of the ban is to prevent the formation of a French Muslim identity. It forces Muslims in France "to adapt to French culture and adopt a solely "French" identity". Some Muslim women object to the process of French cultural assimilation by asserting that in doing so their other core identities as 'Muslim' and 'women' are ignored (Croucher, 2008). As for the proponents of the ban, headscarf goes against the core French values of secularism, for these French Muslim women, it challenges their core identities and cultural representation as women and Muslims.

Second hypothesis: *Intense conflict is caused by the interpretation of cultural expression, and not by mere cultural acts.*

As mentioned, the cultural act, of wearing a headscarf or the ban imposed on it, in itself does not cause conflict. It is the manner in which either participant in the conflict interprets the act that causes conflict. Culture, in this sense, can be

understood as “a system of meaning that emphasizes how people make sense of the world in which they live and interpret the actions of others” (Ross & Kenan, 2008). Similarly, the issue of the headscarf and the subsequent ban elicited opposing interpretations.

After the initial incident at school in Creil, multiple commissions were formed by the French government to explain and potentially resolve the conflict arising from the headscarf controversy. The commissions ‘kept running into the issue of its [headscarf’s] multiple meanings’ (Scott, 2005). The supporters of the ban claimed that veil and headscarf symbolized the subordination of women. Even right-wing politicians, who had been opposed to the parity movements’ demands for greater women participation in French political life, asserted that gender equality was a fundamental element of French secularism. Further, they interpreted it as part of the Islamic movement far beyond the boundaries of France and Europe.

The opponents of the ban contested the idea of Islamic Hijab as a symbol of oppression. Gaspard and Khosrokhavar who conducted interviews with hijab-wearing girls in 1994 concluded that there were three types of meaning associated with headscarves by these women. All three perspectives were distinctly French. The scarves could either symbolize their native cultural ties within a multicultural French society, a sign of modesty or an assertion of their religious identity – sometimes even against the will of their families (Scott, 2005). Paradoxically, some women expressed that wearing a headscarf gave them greater access to public space (Blank, 1999). If the proponents of the ban interpreted scarf as a rejection of French cultural identity, the opponents of the ban considered it a part of the assimilation process into French society.

Third hypothesis: Culture is often employed as a tool for articulation of political demands. However, in many cases culture is more than a mere instrument for political demands, and the demands are in fact cultural in nature.

In many cases culture is more than a mere instrument for political demands, and the demands are in fact cultural in nature (Ross & Kenan, 2008). The controversy over hijab can be viewed as an expression of broader political issues, such as opposition to immigration, and the fear of Islamism on the one hand and of the Muslim sense of marginalization and exclusion on the other. Nevertheless, cultural symbols themselves are important indicators of acceptance into broader society.

The controversy around headscarf has to be viewed in the broader sociocultural and political setting. Anti-Muslim particularly anti-Arab “violence and sentiment have been on the rise in France for more than two decades” (Keaton, 2006, p. 3). Attempts by Muslims to become “visible and naturalized” in France have been repeatedly thwarted. Most immigrants in France reside in *cités* which are termed as the “zones of economic and social exclusion”. Many individuals from these communities, including Muslims, respond to this exclusion by “becoming more devout in the practice of their religion as a peaceful anchor, providing solace in a culturally and religiously alien environment” (Wing & Smith, 2005). Ironically, the act of reasserting their cultural identity by acts such as wearing headscarves only reinforces perceptions regarding their refusal to integrate into French society.

The ban, on the other hand, reaffirmed their sense of exclusion from the broader French cultural identity. The vicious circle of the sense of exclusion leading to actual exclusion becomes a self-fulfilling prophecy to which culture is an omnipresent catalyst.

Fourth hypothesis: *Culture does not always divide individuals and groups. Cultural expressions can be drawn on to resolve disputes.*

Before going into the details of how cultural expressions can be employed to resolve disputes, it is important to understand the limitations of arbitrary measures to resolve cultural contestations. Conflict resulting from “cultural contestation can rarely be resolved through reference to higher order authorities or a shared set of standards since typically these do not exist or are not accepted by all sides” (Ross and Kenan, 2008). Banning cultural symbols through legislation is a reference to such higher order. Instead of resulting in greater cultural assimilation, it might prompt a boycott from schools. Such an eventuality will result in only greater “sense of alienation and rejection, even among those Muslims who do not veil” (Werbner, 2007). If anything, the banning of scarf points to the failure of French republicanism and secularity to “respond to difficult and pressing issues” (Scott, 2005).

Cultural contestation model also outlines the features of irresolvable cultural conflicts – also termed as *psycho-cultural dramas*. Such cultural conflicts involve claims and differences that are non-negotiable due to their centrality to a group’s identity. The term psycho-cultural indicates the depth to which the conflict affects identity of parties to the conflict. In such culturally rooted conflicts, it is difficult to resolve the conflict completely since the core values causing the conflict continue to exist. The first step to mitigate such conflicts, therefore, is to “mutually acknowledge” the differences (Ross and Kenan, 2008). The lack of success to resolve the conflict over headscarf through legislation points to the failure of appreciation of the deep-rooted cultural and historical contexts. The first step to alleviate the conflict should be the acknowledgement of a French Muslim identity by French society and authorities. Similarly, the leaders within Muslim community need to acknowledge the French fear of losing their culture in the wake of Muslim immigration.

Cultural contestation model proposes the importance of rituals as mechanisms for conflict mitigation. Rather than reinforcing the differences, commonalities can be emphasized through “transformation of disputes over competing interests into ritual actions emphasizing what the parties share” (Ross and Kenan, 2008). In France, for example, there has been an ongoing debate about the nature of secularism with two dominant arguments: combative secularism (*laïcité de combat*) and pluralistic secularism (*laïcité plurielle*). While the former aims to limit varying cultural and religious expressions to the private sphere, the latter emphasizes multiculturalism. The banning of the scarf in certain French schools and the legislation in 2004 was mostly attributed to the pressure from combative secularists (Gökariksel, & Mitchell, 2005). The existence of the pluralistic secular narrative needs to be translated into state rituals emphasizing multicultural French identity, not only for assimilating Muslims but the broader recent immigrant

communities in France. The rituals can include celebration of certain symbols associated with Muslim cultures as French symbols on important national days. Framing is another important dimension of social contestation framework for mitigation and resolution of the conflict. Parties in cultural conflict use cultural fames to give meaning to the symbols and actions of other groups, and of their own. In order to reduce the emotional intensity around cultural symbols, there is a need to shift the frames (Ross, 2014). Community leaders have greater agency in shifting frames through participating in rituals of the other groups and by referring to the more inclusive symbols and rituals from their in-groups. In the French case, the government needs to frame the debate around headscarf by referring to not only the French values but more importantly through the frame of the universal human value of individual control over their bodies. Such a shift will also allow the French government to guard against families compelling girls to wear veil against their will.

Lastly, as Ross points out, “sometimes a dominant narrative leaves no room for negotiation” (Ross, 2014, p. 192). Certain narratives need to be questioned by all sides in this conflict. As noted, for instance, a vast majority of French Muslim women do not wear headscarf. Therefore, the narrative around headscarf needs to be shifted from its symbolic value as a representation of Muslim-ness. Rather it should be viewed and presented as an individual-choice issue. Similarly, the narrative that an individual can only have one principal identity is not logically and empirically established. Therefore, in the long run there is a need to make room for and embrace and accommodate more cultures into French identity.

Conclusion

The paper explores various elements of the conflict through the lens of culture as an explanatory framework. It concludes that the issue of the headscarf is more than just about an article of clothing. The conflict over the scarf indicates a broader controversy regarding the nature of French secularism and about the compatibility of Muslim identity with the French identity. Drawing on cultural analysis, we argue that taking legislative or other governmental actions to suppress the headscarf has not worked in other contexts. Such action can not only escalate the headscarf controversy but it can further alienate the French Muslim population. The paper proposes that the French government and the French Muslim leaders look to those aspects of culture that promote meaning to religious symbols compatible both with the French as well as with the Muslim identity.



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