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Marianne at the Beach: The French Burkini Controversy and the Shifting Meanings of Republican Secularism

Dimitri Almeida

Department of Romance Studies, University of Göttingen, Göttingen, Germany

ABSTRACT

This paper critically examines the controversy surrounding burkini-style swimsuits that arose in summer 2016 in France. Through a comparative analysis of representations of the 'burkini' in political discourse and in Muslim online forums, I explore the contested meanings attached to full-body 'Islamic' swimsuits. Contrary to hegemonic French representations of 'Islamic' swimsuits as manifestations of a politicised religiosity, 'burkinis' are described by women who wear them as an opportunity to claim access to spaces of leisure while still obeying their belief in dressing modestly. The burkini bans, I argue, have contributed to weakening expressions of religiosity that seek to resolve tensions between religious belief and a secular understanding of leisure and sociability. Elaborating on the transformations of French republicanism, I explore how the burkini controversy is related to the rise of exclusionary conceptions of secularism.

KEYWORDS

France; republican secularism; Burkini; Islamophobia; gender; belonging; online discussion forums; diasporic communities online

In summer 2016, France witnessed a legal and political controversy surrounding the use of the full-body swimsuits (often generically referred to as burkinis or burqinis™) in public beaches. What can be considered as an iteration of the headscarf affairs that have punctuated French political debates on secularism and Islam since 1989 culminated in more than 30 municipalities enacting decrees banning the use of burkini-style outfits on their beaches. The justifications ranged from hygiene concerns, the protection of public order and security to the defence of secularism and the fight against Islamic fundamentalism. Efforts by the Collective Against Islamophobia in France – one of the leading Muslim advocacy groups in France – eventually resulted in one of these bans being deemed illegal by the Council of State (France's highest administrative court) in a much-publicised ruling that set a legal precedent for overturning similar decrees. However, the clarification did not appease tensions as several political leaders vowed to press for a law banning the use of burkini-style swimsuits.

The intensity of the burkini debate must be understood in light of the conjuncture of two propitious moments for eruptions of identity politics: the state of emergency decreed after the terrorist attacks of November 2015 and a pre-campaign for the 2017 presidential election that featured a primary election among right-wing candidates largely fought over

CONTACT Dimitri Almeida ✉ dimitri.almeida@phil.uni-goettingen.de 📧 Department of Romance Studies, University of Göttingen, Humboldtallee 19, 37073 Göttingen, Germany

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grand narratives of national identity. More fundamentally, the debate was one of the latest manifestations of sharply ethnicised readings of French secularism.

The purpose of this article is to explore the French burkini controversy by providing insight into the dynamics that have come to shape representations of Muslim identities in the public sphere. After a brief outline of the political debate that emerged in summer 2016, I map the contested meanings of burkini-style outfits and compare the frames of reference used to justify burkini bans to the representations of full-body swimsuits among French and Francophone Muslims in online forums. Most politicians that defended a burkini ban described their approach in terms of the fight against Islamic fundamentalism. However, narratives by women who report wearing full-body swimsuits suggest that, far from being an instrument of oppression or a politicised expression of religion, burkini-style outfits are a compromise between individual beliefs in dressing modestly and the desire to claim access to spaces of leisure. In order to understand the conditions that led to this controversy, I analyse the burkini bans in the context of exclusionary and gendered readings of republican secularism. The burkini controversy, I argue, was the manifestation of the discursive transformations of French *laïcité* and the difficulties in adapting republicanism to the cultural and religious pluralism of post-colonial France.

The French Burkini Controversy

Created in the early 2000s by the Lebanese-born Australian fashion designer and entrepreneur Aheda Zanetti, the two-piece bathing suit with an attached hood quickly gained popularity as a modern alternative to the full-body swimming attires known in Egypt and in Turkey as ‘sharia swimsuits’ or ‘swimming hijabs’ (Akou 2013). Originally developed as a solution for women who believe in dressing modestly to bathe in public, the burkini soon became a symbol of efforts to foster minority ethnic inclusion in Australian society. In response to the community tensions between Australian Muslims and non-Muslims that culminated in the Cronulla riots of 2005, the lifeguard association Surf Life Saving Australia (SLSA) and local and national authorities launched an initiative aimed at promoting inclusive practices on Australian beaches. In an effort to encourage Muslim women to volunteer as lifeguards, the SLSA asked Zanetti to adapt the design to suit the needs of lifeguards. In 2007, media reports contributed to extending the burkini’s popularity beyond Australia’s borders (Akou 2013).

The precise development of burkini-style outfits in France is difficult to determine. In 2009, Zanetti’s brand was presented at the biggest annual Muslim fair in France at Le Bourget. The same year, France witnessed the first controversy involving the use of a burkini when a 35-year-old French Muslim was refused access to a public swimming pool in Émerainville on the grounds that her swimsuit was incompatible with hygiene regulations (Shavit and Wiesenbach 2012: 53). However, the incident was soon eclipsed by the contentious debates over the niqab that led to the passing of the 2010 law banning face-veiling in public. Based on product ratings on online shops and on posts on Francophone internet forums, it is reasonable to assume that full-body swimsuits only began to gain momentum among French Muslims around 2011. By 2014, the French market for full-body swimsuits featured more than a dozen brands and several alternative designs.

The controversy surrounding the burkini arose shortly after the terrorist attack that killed more than 80 people in Nice on 14 July 2016, when the conservative mayor of Cannes issued the first ‘burkini ban’. The precise object of the ban was vaguely defined as any garment that did not comply with common morality, state secularism (*laïcité*) or hygiene and security regulations (Cannes 2016). Although the decree did not specifically mention full-body swimsuits, comments made by the director of the city’s public service department stating that, since the decree had been issued, no burkini had been seen in Cannes, left little doubt that the burkini was, in fact, the target (*Le Monde*, 11 August 2016a). The ban was couched in terms of the preservation of public order with the contention that the recent terrorist attacks justified temporary restrictions to the freedom to manifest religious belief (Cannes 2016). The argument presented in the decree’s preamble was that ‘ostentatious’ display of religious belonging could lead to unauthorised gatherings and jeopardise public order. The text went further by extending the justification to the principle of *laïcité*. The argument here was twofold: First, the decree identified the beach as a public service subject to the principle of religious neutrality applicable to public service providers. Second, it characterised beachgoers as public service users suggesting that these were subject to the same obligation.

Although this expansive conception of *laïcité* has enjoyed a growing popularity in French political debate, it contradicts the premises of French constitutional secularism. As the legal scholars Guy Carcassonne and Bertrand Mathieu pointed out in their hearings to the parliamentary commission on the wearing of full-face veils, the principle of religious neutrality cannot be applied to individuals in their capacity as citizens outside of very specific contexts (for example, in state schools since 2004) (Assemblée Nationale 2010: 546–559). Extending *laïcité* to interactions in public space would imply banning any sign of religious belonging. This, in turn, would constitute a violation of the freedom to manifest religious belief guaranteed in the French Constitution, in the 1789 Declaration of the Rights of Man and of the Citizen and in the 1905 Law on the Separation of the Churches and the State.

Despite the problematic legal basis for the Cannes burkini ban, a motion to suspend the application of the decree was dismissed by the administrative court of Nice on 13 August 2016. The dismissal was not based on an examination of the ban’s constitutionality (though it suggested that certain garments could pose a threat to public order), but on the argument that the conditions for an emergency ruling were not met (Tribunal Administratif de Nice 2016). Although the court did not judge on the merits of the case, the decision was interpreted as a confirmation of the legality of a burkini ban, leading other towns to follow the example set by Cannes.

By the end of August, 31 coastal municipalities had issued decrees banning access to their beaches to women wearing full-body swimsuits. Partisan preferences appear to have played an important role, since, in the vast majority of cases, the decrees were issued in municipalities governed by a right-wing majority – including two towns with a Front National majority (Fréjus and Cogolin). A noticeable exception concerned the small commune of Sisco in Corsica, where the socialist mayor decided to ban full-body swimsuits after a brawl between a Muslim family and several villagers. Initial reports presented the incident as having been triggered by the presence of women wearing a burkini at a small beach. As the prosecutor’s investigations revealed, the brawl had begun as a protest against the attempt of a Muslim family to privatise the beach amid a context of

community tensions and anti-immigrant resentment in Corsica (*Le Monde*, 16 September 2016c). Although the incident had nothing to do with swimming attire, the Sisco brawl contributed to the representation of the burkini as a threat to public order.

On 26 August, the wave of anti-burkini municipal decrees was brought to a standstill by the Council of State. Adjudicating on the ruling to dismiss a motion to suspend a burkini ban issued in the south-eastern town of Villeneuve-Loubet, the Council of State ruled that the decree was manifestly illegal, since it violated fundamental rights (Conseil d'État 2016). The decision was in line with previous rulings and opinions by the Council of State that upheld a high bar for restrictions on fundamental rights, such as the much-quoted opinion of November 1989 on the first hijab controversies in state schools in which the Council of State had emphasised the students' right to freedom of conscience (William 1991). In the matter of the burkini ban, the Council of State considered that the municipality had failed to prove that certain attire could pose a threat to public order. This view was followed by most courts called to rule on burkini bans, and, six months later, all but one of the decrees challenged in court had been ruled illegal.¹

The legal clarification did not, however, bring an end to the debate. In the context of the campaign for the centre-right presidential primary election, the burkini controversy became an opportunity for more rightward-leaning candidates such as former President Nicolas Sarkozy and former Prime Minister François Fillon to enhance their image as defenders of national identity against immigration and Islam. Addressing the unconstitutionality of burkini bans, Sarkozy argued that the constitution should be amended to allow the State to fight what he considered as provocations against 'the French way of life' suggesting he would press for a ban on the wearing of veils in public space (2016). This position confirmed Sarkozy's strongly rightward-leaning strategy on issues pertaining to national identity and Islam, as such a ban has been part of the Front National's programme since 2012 (Almeida 2017). Marine Le Pen's party was probably the political formation whose position on the issue was most consistent with previous programmatic commitments. In a statement, Le Pen (2016) reaffirmed her support for an outright ban on veils and kippot in public space.

The burkini controversy never reached the degree of political ecumenism that had characterised the heterogeneous coalition in favour of a ban on religious signs in state schools. Prime Minister Manuel Valls was, in fact, the only prominent socialist leader to step out in favour of a ban. Known for his restrictive interpretation of secularism and for his tough stance on law and order, Valls compared the controversy to previous debates on the headscarf and on the niqab, implying that a ban would be an appropriate response to uphold republican principles (2016). As Teeple Hopkins (2016) suggests, Valls's politicisation of the burkini can also be understood as an attempt to distract public attention from the labour law reform (known as the El Khomri law) that triggered a massive social movement of opposition to the Government's labour market policies. In fact, as Hopkins argues, the law shared a common feature with the burkini bans, inasmuch as it strengthened the possibilities for employers in the private sector to restrict manifestations of religious belief among employees – a measure that contributes to further marginalise Muslim women from participation in French society (see Teeple Hopkins 2015).

A fundamental mechanism underlying the politicisation of the burkini consisted of a process of cultural resignification through which a specific garment was disassociated from its context and re-contextualised as a symbol of subversive collective action. This

process had already occurred in 1989 during the first headscarf controversy in state schools when headscarves were erroneously referred to as ‘chadors’. As Amir-Moazami (2001: 312) notes, the references to the dark jilbab that had come to symbolise the condition of women in post-revolutionary Iran strengthened the representation of the headscarf as the visible sign of the rise of Islamism. Similarly, French debates about face-veiling in 2009 and 2010 tended to frame the niqab (most often referred to as a ‘burqa’) as a symbol of violent Islam, ignoring accounts on the motivations and beliefs of women wearing a face veil (Parvez 2011).

The dominant representations of the burkini among proponents of a ban were rooted in the discursive regime of the state of emergency. Described as a symbol of proselytism associated to a ‘lethal and retrograde Islam’ by Valls (2016), burkini-style outfits were framed as the visible signs of an invisible threat. Arguably, the sweeping denunciations of the burkini as a symbol of political Islam owed much to the term itself. Although the portmanteau word ‘burkini’ designates a referent that has little in common with the burqa, its connotation in French political debate was strongly influenced by representations of niqab-wearing women as alienated from their bodies by an extremist ideology (on this debate, see Selby 2011 and Bowen 2011). Thus, in a press release, Fillon (2016) described the burkini as an ‘avatar of the burqa’ stating that both should be considered as acts of hostility against civilisation corresponding to the logic of aggression that culminated in the terrorist attacks on French soil in 2015 and 2016. Similarly, the *Printemps Républicain* (Republican Spring) – an association with ties to the Socialist Party launched in early 2016 to defend a stricter conception of secularism on the Left – published a statement denouncing full-body swimsuits as the ‘new clothes of Salafism’ (Printemps Républicain 2016).

The idea that burkini-style outfits are part of a Salafi agenda to impose a puritanical or even a violent jihadist reading of Islam does not stand scrutiny. In line with the rigorist precepts that characterise Salafi movements, a number of French Salafi websites reacted to the controversy by posting fatwas vigorously condemning the burkini. Online sermons and posts on social networks by self-proclaimed preachers claiming adherence to Salafism emphatically warned ‘sisters’ about the evils of bathing in public describing the beach as a place of sin. Some online preachers went as far as to endorse the burkini bans as an effective way to protect the *awra* (those parts of the body considered as intimate) of Muslim women by keeping them away from the beach.²

Methodology

In her research on Muslim women’s participation in Australian civil and social life, McCue (2008: 102) suggested that the burkini represented an instrument of empowerment and inclusion for Muslim women who believe in dressing modestly and would otherwise refrain from swimming in public. Since then, a growing body of literature has begun to address the burkini – mostly from the perspective of Muslim consumer cultures (Khamis 2010; Miganti 2013; Tarlo 2016) and of social inclusion through participation in community sport (Limoochi and Le Clair 2011). However, there has been no research devoted to the particular meanings Muslim women attach to the burkini.

In order to understand how the burkini is represented among Muslim women in France, I draw on the threads devoted to ‘Islamic’ swimsuits in online forums identified

by Schiff (2010) as the most popular online communities among French and Francophone Muslims (*yabiladi.com*, *bladi.net* and *algerie-dz.com*).

The importance of asynchronous discussion forums for members of diasporic and minority communities has been well established (for an overview, see Trandafoiu 2013). In the specific case of Muslim women in Western countries, online interactions have been showed to play a significant role in coping with the challenges of living in a mostly non-Muslim society (Marcotte 2010).

The Francophone Muslim online sphere is mainly structured according to the nationality of origin. Thus, both *yabiladi.com* and *bladi.net* define themselves as portals for Moroccans abroad, while *algerie-dz.com* targets mainly Franco-Algerian users. Founded in 2002 by the young Franco-Moroccan entrepreneur Mohamed Ezzouak, the news portal *yabiladi.com* has developed into a full-fledged social network (Samak 2016). With 500,000 reported members and over a 1000 posts each day, its online community appears to be the most active of the 3 portals. The forums on *yabiladi.com*, *bladi.net* and *algerie-dz.com* cover a wide array of topics ranging from politics to dating and relationship issues. All three portals feature forum sections on religion and spirituality. The posts tend to suggest a very diverse approach towards religiosity among users that ranges from outspoken secular positions to more rigorist attitudes. Before summer 2016, discussions concerning full-body swimsuits have generally emerged either in sections devoted to religious practice or in sections focused on lifestyle and fashion. In the latter cases, the threads generally only feature users self-identified as female. This is particularly the case in *yabiladi.com* and *bladi.net* which include women-only discussion forums.

In addition to these diasporic community portals, I also include the forums *mejliss.com* and *forumislam.com* – the most popular Francophone religious forums in terms of reported members (respectively 100,000 and 40,000) Founded in 2001, *mejliss.com* began as the discussion forum of the main Muslim Francophone news portal *oumma.com*. After a controversy over allegedly extremist posts, the forum was formally separated from *oumma.com* in 2004. The very high number of spam and off-topic posts suggest that many threads on *mejliss.com* remain unmoderated. Like, *yabiladi.com*, *bladi.net* and *algerie-dz.com* the forum on *mejliss.com* features sometimes heated debates over what constitutes authentic Islamic practice and over who holds the authority to give religious guidance. In contrast, *forumislam.com* features a strongly hierarchical distribution of power among users with (mostly male) senior users delivering religious advice in the form of fatwa-like judgements. The posts on this latter forum suggest an online community attached to a rigorist and patriarchal reading of Islam. Although *mejliss.com* and *forumislam.com* also cover subjects that do not directly pertain to Islam, the most active threads focus on religious issues.

Admittedly, the use of forums as an empirical basis for research is fraught with potential pitfalls and ethical concerns. These difficulties are legion and, for reasons of space, I cannot review them all here. I refer the interested reader to the detailed discussion of these aspects in the case of online Islamic environments by Piela (2012).

My main interest is on how users self-identified as women that believe it is their religious duty to dress modestly view full-body swimming attires. Because online interactions are always embedded in relations of power in society, I am particularly interested in studying how forum participants reproduce, negotiate or contest existing norms of appropriate

behaviour and reflect on the contradictions between these norms. Like Marcotte's (2010) study on e-religious representations of gender and sexuality among Australian Muslims, my analysis essentially follows a critical discourse analytical perspective that considers online texts as a social practice.

Online discussion forums are contested terrains of power rather than strictly egalitarian spaces where each user can freely contribute her or his ideas. While the women-only sections on the forums *bladi.net* and *yabiladi.com* suggest a relatively unconstrained online environment with posts often highlighting personal experiences, desires and beliefs, this intimate personal disclosure is generally absent in mixed-gender forums. However, even in the former cases, users construct online personae that may differ significantly from offline individuals. I attempt to mitigate this problem by excluding posts from recently registered users and members with a low post count. Additionally, I do not consider users whose posts reveal inconsistencies such as gender swapping. In order to protect the confidentiality of forum users, I refrain from using verbatim quotes since these could be traced back to usernames (which, often, are not anonymised). The analysis focuses on all relevant threads long enough to produce interactions between participants. It encompasses the period between the first mentions of full-body swimsuits in 2008 until the first burkini bans in 2016.² The threads are cited with an abbreviation of the forum's name followed by sequential numbers that refer to a separate 'threads section' at the end of the article.

Emic Interpretations of the Burkini in Muslim Online Forums

The threads devoted to full-body swimsuits prior to the first burkini bans can be grouped into three thematic clusters: (i) the question whether a full-body swimsuit is a religiously appropriate attire for observant Muslims; (ii) the legal and political constraints for the use of burkini-style outfits and (iii) fashion and lifestyle discussions centred on different types of bathing suits, their price, comfort and availability. While the first two topics are present in all forums, the latter is generally restricted to women-only forum sections. In all forums, threads are almost always initiated by users self-identified as female.

On mixed-gender forum sections, threads generally come to revolve around the religious permissibility of full-body swimsuits. Views on whether the burkini can be considered as *halal* (permissible) vary considerably according to gender and religious opinions of online personae. Self-identified male users often rebuke the pertinence of the discussion by refuting the idea that Muslim women should be allowed to bathe in public altogether (F1, F2, F3, M4, M5, Y3).

In contrast, posts by members self-reported as female reveal a less dogmatic approach. They are often accompanied by photos of different burkini-style swimsuits and comments on which type of bathing suit is more appropriate to cover a woman's *awra* (M3, M6, Y4). Disagreement over this issue is mostly structured by different bodily representations of *awra* and how it should be concealed (A1, A2, M3, M5, Y3). Members self-identified as female whose posts suggest an adherence to a more conservative reading of Islam tend to denounce the burkini as *haram* arguing that, when wet, the fabric is too revealing of a woman's body shape (A1, A2, M2, M3, M6, Y4, Y5, B1, B3).

Unsurprisingly, the strongest opposition towards full-body swimsuits is expressed in religion-focused forum sections both by female and male users. Threads in these

forums are usually introduced by members that self-identify as converts or neophytes and seek advice on religious observance. The threads often delve into a Manichean opposition between true believers and pseudo-Muslims with women wearing a bathing suit confined to the latter category (M3, M4, M5). Users who cautiously defend the idea that burkini-style outfits may be a solution in order to reconcile religious precepts with individual needs for leisure and sociability quickly find themselves accused of diffusing unorthodox innovations (F1, F2, M3, M5, M6).

All online discussions on the burkini feature comments and questions pertaining to the legal aspects and political implications of the burkini. Threads focused on these issues were triggered by the first burkini controversy of Émerainville in 2009 and an incident involving two veiled women at a resort in summer 2010 (M4, M7). Discussions tend to polarise viewpoints between users that criticise what they consider to be a political campaign targeting Islam and Muslims and those that argue Muslims should avoid any practice that may be interpreted as a violation of *laïcité* and 'keep a low profile' (B3, Y3). Users that report wearing burkini-style bathing suits or consider buying one express a deep insecurity about the spaces where they may be allowed to wear these outfits. In several cases (A1, A2, A3, B3), the latter describe their reaction to this uncertainty as the decision to refrain from any water leisure activity or to only use their burkini during the summer holidays at the *bled* (the diasporic homeland).

Online interactions in the less hierarchical women-only forums *yabiladi.com* and *bladi.net*, but also in the mixed forum sections on *algerie-dz.com*, focus much less exclusively on the religious permissibility of full-body swimsuits. While religious observance is regularly touched upon as a subject, posts in these discussion forums more often consist of fashion-related comments and questions on different types of burkini-style outfits. Users who report wearing a burkini tend to praise the attire in terms of physical emancipation in the sense of being able to move freely in the water (A3, B4, Y1, Y2, Y4, Y5, Y6). The topic of physical emancipation is often coupled with that of social inclusion with users stressing the importance of being able to share spaces of leisure with their families and friends (A1, B2, B4, Y1, Y5). Some users state that, before they bought a burkini, they remained fully clothed at the beach and felt excluded from the experience of beach recreation.

These positive representations of the burkini as a means of empowerment are often nuanced by the apprehension of attracting too much attention from non-Muslims – an apprehension occasionally expressed in non-religious terms as a fear of ridicule (B2, Y4) or, more rarely, in terms of showing their *awra* to unrelated men (Y3). In these less structured forums, self-identified female users criticising the burkini do so mostly on secular grounds by denouncing traditional dress codes as outdated instruments of social control (B3, Y3, Y4). These judgements of the burkini tend to construct competing narratives of Muslim identity similar to those identified by Hoekstra and Verkuyten (2015) in their research on online discussions on the headscarf among Moroccan-Dutch women – one that emphasises the belief in avoiding public gaze, and one that conceives Muslim religiosity primarily in terms of individualised spirituality. However, more often, the posts by users who criticise the burkini insist on the need to respect different expressions of religiosity.

The analysis of online representations of the burkini reveals important aspects that have been omitted or misrepresented during the burkini controversy. First, it is important to

note that there are highly contested understandings of burkini-style outfits among Muslims. Most users who self-identify as observant Muslim women refute religious dress codes and report wearing one- or two-piece bathing suits at the beach. Others consider that it is their religious duty to stay away from spaces where they may be exposed to the gaze of others. In the accounts produced by users who report wearing a burkini, the choice in favour of a burkini-style outfit appears as a carefully negotiated compromise between the religious belief in dressing modestly and the will to engage in social and leisure activities. In many cases, emic representations of full-body swimsuits seem to correspond to dynamics that are diametrically opposed to the claims made by local and national politicians who pressed for a burkini ban in summer 2016. Far from being imposed on women by fundamentalist Islamic groups, the use of a burkini seems to involve a conscious critical evaluation of patriarchal norms that keep women away from certain spaces a priori defined as sinful. In fact, some users who report wearing burkini-style outfits explicitly criticise ultraconservative interpretations of Islam by putting forward alternative understandings of Muslim ethics that stress the importance of physical activity and of family leisure.

The Shifting Meanings of Republican Secularism

The conflation of burkini-style outfits with Salafism is not only a telling illustration of the misrepresentations of Muslim life in French political debate deftly described by Hajjat and Mohammed (2016: 115–133); it is also, perhaps more importantly, revealing of the changing nature of *laïcité*. As noted above, municipal decrees banning the burkini drew on an understanding of secularism that differed from the dominant legal conception of *laïcité*. The way secularism was interpreted in the anti-burkini decrees can be considered expansionary in the sense that it extended the obligation of religious neutrality that applies to public servants and to students in state schools to beachgoers. The logical endpoint of this reasoning would be an outright ban on any kind of garment in public space deemed as a conspicuous manifestation of religious belief.

Baubérot (2015: 103–118) considers this way of envisioning French secularism as a new conception of *laïcité* rooted in the idea of a culturally homogeneous nation bound by a state with the authority to define and to enforce norms of appropriate behaviour. This new reading of secularism has reframed the discursive pillars that sustained the secularism defended by parts of the republican Left in the first half of the Third Republic between 1870 and 1914. This form of secularism was contingent upon the existence of a clerical threat – a threat most often incarnated by congregations and Catholic schools. The latter stood accused of reproducing a counterculture that subverted republican efforts towards achieving unrivalled loyalty to the nation-state. Ultimately, the 1905 Law on the Separation of the Churches and the State was inspired by a more procedural interpretation – one that emphasised freedom of conscience and the free exercise of religion while affirming the religious neutrality of the State. As the spectre of clericalism gradually receded in the course of the twentieth century, so too did the appeal of combative secularism.

During the first headscarf controversy in 1989, *laïcité* began to mutate into a frame for an ethnicised debate on the place of Islam in French society. The clerical threat to the Republic was now the vague notion of a subversive Islam embodied in the veiled

Muslim woman. Based on survey data, Barthélémy and Michelat (2007) showed that a specific conception of *laïcité* associated with a negative attitude towards immigrants had emerged among right-wing voters. This shift echoed a change of paradigm in the political and cultural representations of *laïcité* with the emergence of an exclusionary reading of secularism.

This change must be understood in the context of the deep transformations of French republicanism since the 1970s with the rise of what Chabal (2015) has termed 'neo-republicanism' to refer to a new symbolic repertoire of French politics that reinterpreted republican traditions. Among these traditions, the idea of a citizenry united in its loyalty to the Republic that was a leitmotif of combative secularism has undergone a substantial resignification. From a political notion with civil religious traits (Nicolet 1982: 325–386), the idea that loyalty towards the nation-state must not be rivalled by other allegiances is increasingly mobilised in relation to the dangers of *communautarisme*. Originally an anathema to refer to manifestations of cultural ghettoisation, *communautarisme* has become a catch-all term for virtually any form of community-based group identification. As Laborde (2008: 186–188) argues, the denunciation of *communautarisme* emerged within the Left both as an alternative to the ethnic multiculturalism that had developed in parts of the antiracist movement in the late 1970s and as a political response to the ethnic differentialism of the New Right espoused by the Front National. In the course of the 1990s, colour blind assimilationism became part of the programmatic profile of the post-Gaullist Right. By the third iteration of the hijab controversy in 2003–2004, while the Left was still divided over the appropriate response to the issue, the Right was almost unanimous in its calls to ban conspicuous signs of religious belief in state schools in the name of *laïcité* and the fight against *communautarisme*. When the Front National began to systematically revise its profile in order to enter the realm of republican acceptability, the idea that the Republic should not recognise any community-based identity was used as the main theme to reframe the party's anti-immigrant stance in a way that would seem acceptable to larger segments of the electorate. Arguably, part of the success of Marine Le Pen's strategy to de-demonise her party has been the ability to claim ownership over a repertoire that had originally been developed to counter the ethnic nationalist narratives propagated by her own party.

On an abstract level, the main distinguishing feature of this new conception of *laïcité* is that it constitutes a doctrine defined through what it opposes rather than through what it asserts. While the type of secularism enshrined in the 1905 Law can be understood in Rawlsian terms as a procedural equality conception (Daly 2012), the neo-republican reading of *laïcité* is essentially constructed in opposition to a certain representation of multiculturalism. Hence, in its manifesto for the 2012 elections, the FN defined its understanding of secularism *ex negativo* as a counter-model to Anglo-Saxon multiculturalism which it accused of being a state-sanctioned form of discrimination against the 'white heterosexual male' (Front National 2012: 105–106).

Like the combative *laïcité* of the Third Republic, the legitimacy of this conception of secularism in political debate depends on the spectre of an imminent clerical subversion to the Republic (whether real or imagined). This doctrinal fragility has been a driving force of the ethnicisation of French politics since the first headscarf controversy in 1989. Political formations whose appeal has come to rely in part on neo-republican secularism are induced to construct narratives of clerical threats to secularism in order to sustain the plausibility of their discourse. That is not to say, of course, that this illiberal conception

of secularism has remained uncontested. On the contrary, as Lassalle (2011) argues, the years that followed the 2004 law banning ostentatious religious signs in state schools also witnessed calls for a more open conception of *laïcité*, one that recognises cultural and religious group specificities. However, in a context marked by growing anxieties over identity politics, these calls have largely gone unheeded.

Although framed in terms of colour blind egalitarianism, the type of *laïcité* invoked in the anti-burkini decrees of 2016 conceals an exclusionary logic. Contrary to what the text of the contested decrees suggested, the burkini bans were not about defining the beach as a space of religious neutrality. Indeed, several local politicians, including the mayor of Cannes, emphasised that the ban did not concern headscarves or other signs of religious belief, such as crucifixes or kipot (quoted in *Le Monde*, 15 August 2016b). Thus, fully clothed women with a hijab were theoretically allowed on the beach (unsurprisingly, however, there were several cases in which local law enforcement did not make a difference between burkini-style swimsuits and headscarves or other attires). In this regard, the burkini bans must be understood as something different from the will to secularise the beach.

As Khamis (2010) argues in relation to Australian beach culture, the burkini is disturbing, because it disrupts established representations of the beach. As spaces that are ‘intrinsic to articulations of national identity’ (Burdsey 2016: 104), beachscapes are contested spaces of identity politics with regulations that tend to uphold hegemonic constructions of gender and race. Although the presence of veiled women on French beaches has been politicised in the past (Burdsey 2016: 242), the question of whether headscarves should be allowed on the beach has never engendered a controversy comparable to that which arose over the burkini. The reason for this may be that women wearing a headscarf or a jilbab on the beach generally do not venture into the water. By remaining outside the symbolic boundaries of the beach experience, these women maintain the dominant representation of veiled Muslim women as passive and powerless victims of patriarchy. As conventional representations of Islam tend to confine visible signs of Muslim religiosity to specific urban areas – the *banlieues*, or what Dikeç (2007) called the ‘Badlands of the Republic’ – burkini-style outfits subvert patterns of spatial marginalisation by allowing women who believe it is their religious duty to dress modestly to claim full access to a space of leisure. This would mean that the collective anxiety surrounding full-body swimsuits does not rest primarily on the fear of otherness, but rather on the fear of seeing the socio- and ethno-spatial borders that structure post-colonial French society being transgressed.

Conclusions

Alluding to the controversies over the burkini in a speech on 29 August 2016, Prime Minister Manuel Valls referred to classical visual representations of Marianne – the personification of the French Republic – by declaring that ‘Marianne has a naked breast because she is feeding the people’. Valls went on explaining that Marianne was not veiled, because she was free and that the Republic should be conceived according to this image (quoted in *Le Nouvel Obs*, 30 August 2016). The comments were widely derided as misogynistic and historically nonsensical. However, they were revealing of how far the visibility of the female body is a contested semiotic field for defining the French nation (Scott 2007).

They were also revealing of the enduring colonial power relations in the policing of women's bodies – a legacy most infamously illustrated by the unveiling ceremonies staged by the French military during the Algerian War, in which the unveiling of Algerian woman celebrated the emancipatory project of French colonialism (Macmaster 2015). As Hancock (2015) convincingly argues, the exhibition of the female body epitomised in the undressing of Marianne is a key element in the master narrative of republican emancipation.

The controversy over burkini-style outfits was uniquely determined by the conjuncture of the state of emergency, large-scale protests against the labour law reform and the rise of exclusionary secularism amidst the growing difficulties to articulate post-colonial French identity in positive terms. Of course, it would be overtly reductionist to assume that the politicians who defended a burkini ban were driven by political opportunism or by an obstinate refusal to acknowledge the multi-religious and multi-ethnic nature of contemporary France. Some mayors who issued burkini bans were probably genuinely convinced that banning the burkini would be a strong statement against Islamic fundamentalism. However, this reasoning may prove dramatically counterproductive. As the analysis of online representations of the burkini among Muslim women has shown, full-body swimsuits have allowed certain Muslim women to access symbolic spaces that were previously off-limits to them and, thereby, to contest patriarchal and fundamentalist readings of Islam. By outlawing burkini-style outfits, the municipal decrees issued in summer 2016 have contributed to strengthening the discursive barriers between being a Muslim and being a full citizen of a secular Republic.

Online Threads

algerie-dz.com/forums: A1: 'Le mode vestimentaire d'un musulman à la plage [The dress code of a Muslim at the beach]', 13–18 April 2008; A2: 'Collection de maillots [sic] de bain (musulman) [Collection of (Muslim) bathing suits]', 20–22 June 2010; A3: 'le maillot hidjab vous pensez quoi[?] [What do you think of the hijab swimsuit?]' 26 August–7 September 2015.

bladi.info: B1: 'Piscine et hijab [Swimming pool and hijab]' 22 January–2 June 2011; B2: 'Je voudrais acheter un Burkini [I would like to buy a burkini]' 7–10 June 2013; B3: 'Quel est votre maillot de bain en 2014 [What is your bathing suit of 2014]' 30 August–4 September 2014; B4: 'Maillot et tunique de bain pudique [Modest swimsuit and tunic]' 27 August–5 September 2015.

forumislam.com: F1: 'Besoin de conseils [In need of advice]' 20–23 November 2015; F2: 'Que vous inspire cette photo? [What does this picture say to you?]', F3: 9 January–3 February 2010; 'Devenir une bonne musulmane [To become a good Muslim]', F4: 3 July 2009–2 May 2015.

mejiliss.com: M1: 'Allez à la piscine???' [go to the swimming pool]', 9–10 October 2008; M2: 'Le burkini est devenu chose normale aux Pays-Bas [The burkini has become something normal in the Netherlands]', 20 February 2009; M3: 'Maillot de bain halal pour femme [Halal bathing suit for women]', 16–24 June 2009; M4: 'Après la burqa, voilà; que le burkini est indésirable en France [After the burqa, the burkini is now unwanted in France]', 12 August–21 September 2009; M5: 'cherche burkini' [looking for a burkini], 29 July 2010; M6: 'Burkini?', 5 April–11 May 2010; M7: 'Aude: Deux femmes

voilées interdites de piscine [Aude: Two veiled women banned from swimming pool]', 22–23 July 2010.

yabiladi.com/forum: Y1: 'maillot de bain (hijab) pour la femme musulmane [(hijab) bathing suit for the Muslim woman]', 1 September 2008–24 July 2014; Y2: 'maillot pour les femme voilée [sic] [swimsuit for veiled women]', 13 June 2009–14 September 2011; Y3: 'Le burkini = pour ou contre? [The burkini = for or against?]', 13–23 August 2009. Y4: 'Vous pensez quoi du burkini[?] [What do you think of the burkini?]' 18–24 May 2010; Y5: 'Burkini = Le maillot de bain musulman [Burkini = the Islamic swimsuit]', 4 June 2012–12 May 2014; Y6: 'Burkini???' 29–31 August 2012.

Notes

1. The exception concerned the municipality of Sisco with the administrative court of Bastia ruling that the incident of 13 August justified upholding the ban (Tribunal Administratif de Bastia 2017).
2. See, for example, the online fatwas on the burkini published on the Salafist website salafidunord.com/tag/fatwas.

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Notes on Contributor

Dimitri Almeida is lecturer for French and Portuguese studies at the University of Göttingen, Germany. His publications include *Beyond the Permissive Consensus: The Impact of European Integration on Political Parties* (2012, Routledge) and *Laïcité im Konflikt: Politik und Religion in Frankreich* (*Laïcité in Conflict: Religion and Politics in France*, 2017, Springer). His current research focuses on the intersection of identity politics, representations of space and secularism in contemporary France.

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