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Scarves and Schools

NONE of what I have said so far explains why the appearance of Muslim schoolgirls wearing headscarves in public schools has caused such uproar. Consider how “public” (in all senses) Islam has become in France. The French state and municipal governments have endeavored to aid Muslims in building mosques, to provide graveyard space for Muslim burials, and to create a quasi-state Muslim council. When they do so, they give official recognition to Islamic bodies. The state will certainly recognize and subsidize Islamic private schools by the end of the first decade of the twenty-first century. It has promoted the teaching of “the religious” in public schools. Government ministers have tried to coordinate the training of imams and to channel foreign funds to mosques through a state-created foundation. Why, then, did scarves in public schools create a scandal?

Scarves, of course, are not in and of themselves the problem. Scarves in silk, wool, or other fabrics are staples of a French woman’s wardrobe. When in the 1960s and 1970s women from North Africa settled in France, the fact that some wore headscarves caused no outcries. Theirs was a common Mediterranean costume, little different from that worn by Catholic women in the south of Italy, Spain, or France itself.

It is less surprising that the crisis, if one there was to be, would take place in and around a school. The public school, or rather the idea of the public school, has for at least a century been the privileged and most sensitive site for debates about religion and the Republic. But when scarves first appeared in schools, teachers and intellectuals might have reacted otherwise: they might have ignored the scarves, or used the occasion to teach about Islam and religious toleration. They were under no legal obligation to react negatively; no one contended that the law of 1905 constrained *pupils*.

Teachers and principals reacted as they did more because of events taking place in France and elsewhere in the world than because of the niceties of laws and rules about *laïcité*. By late 1989, many in France saw Islam as a new threat and Muslim students as its carriers. They saw Islam this way because of two simultaneous developments: the children of Muslim immigrants in France were proclaiming Islam as their identity, and political leaders in other countries were proclaiming Islam to be their guide. Since 1989, conjunctures of events at home and abroad—war in Algeria, the attack on the World Trade Center and the Pentagon, problems in the poor suburbs—have continued to shape the rhythm of the headscarf story as it has exploded into or drifted out of public awareness. It is never just about scarves.

A MORE PUBLIC ISLAM

Although the large Muslim presence in France is far older than in other countries of Europe, the ways in which Muslims chose to publicly affirm their identity underwent a noticeable shift in the 1980s. That shift—away from an identity as immigrants and toward an identity as Muslims—is a large part of what made scarves the source of scandal rather than fashion.

France was the first European country to develop a policy of active labor recruiting abroad. Beginning in the late nineteenth century, the state and private companies worked together to bring men from overseas, and overwhelmingly from French Algeria and the protectorates of Morocco and Tunisia. Through World War II these men worked for short periods and then returned home. Algerian colonists made sure that metropolitan France did not keep for itself the labor-power the colonists needed for agricultural production. But after the war, laborers (many of them now French citizens) increasingly settled in France, often with their families.¹

But the French state continued to act as if the workers' stays were temporary. Families as well as single workers were housed in large projects built in poor suburbs or in industrial enclaves, where they remained isolated from the French cultural mainstream. The state offered the children instruction in "languages and cultures of origin" in order to facilitate their expected "return home."

Two things went wrong with this policy. First, the reception turned sour. The bloody Algerian War ended with independence in 1962. Millions of French colonists and soldiers returned to metropolitan France, bitter over the loss of Algeria. Recession in France (and elsewhere) followed just over a decade later. Algerian workers in France came to be viewed as former colonial subjects who now—especially after the recession of the mid-1970s—were taking jobs away from native French.² The far-right National Front was nourished on these colonial memories and economic fears—its leader Jean-Marie Le Pen had fought as a paratrooper in the Algerian War.

Second, Algerian independence accelerated the demographic transformation of the immigrant population from male temporary workers to resident family units. More families from North Africa came to France after 1962 than before, and when Algeria and France halted labor immigration in 1973–1974 it became difficult to immigrate unless one did so in order to “reunite a family.”

The children of these new families began to demand their rights as citizens or residents of France. Starting in the early 1980s, they presented themselves as a new generation of Arabs in France, as the *Beurs*. The word *beur* is a reversal of *arabe*, a transformation that follows the rules of French slang (*verlan*). The word became recognized throughout France in late 1983, when Beur men and women marched across France for their equal rights. They hoped that their “March for equality and against racism” would end racist violence and bring them into the French social and labor mainstream, but soon thereafter conflicts between immigrants and nonimmigrants erupted and many of the new Beur associations disbanded. The legacy of the Algerian War, the long-term suspicion of Islam, the visible difference that “native French” thought they saw between themselves and these new strangers prevented the repetition of the standard immigration story.³

The years following the disappointment of 1983 were the low point for many children of North African immigrants. Many felt caught between parents who never convinced their children that there was much to long for in a “home country” of bloody revolution, and native French who would never accept them into the club. In 1984, the writer Tahar ben Jelloun (1999, English translation) described them as “a generation doomed to cultural orphanhood and ontological fragility.”

At this point the Beur generation took two divergent paths. Some of the movement's leaders followed the route of previous immigrant groups and joined the Socialist party, where they campaigned for color-blind equality, notably in the organization SOS-Racisme founded in 1984 by Harlém Désir. Others, less hopeful that standard Socialism plus unions could close the identity gap with the French, looked for new sources of meaning. Some thought that Islam would offer an identity that would distinguish them both from their parents and from native French society, which did not seem to want them. They attended lectures sponsored by nascent French Islamic organizations and read books newly translated into French. They thought they had found a new way of living in France.

The growing sense that "true Islam" could provide a third possibility for constructing a subjective identity, beyond the undesirable "North African" and the unattainable "French," led some Muslims in the late 1980s to demand that they be allowed to practice their religion in a public way, by building mosques, carrying out collective rituals, and dressing in an Islamic way. Projects to construct "cathedral mosques" were put forward in Lyon and Marseille during the summer of 1989.⁴ These demands were not always welcomed by other French residents, and the resentment over economic competition that had fueled the Far Right in the 1970s now was reinforced by resentment over visible cultural difference, an unalterable newness on putatively ancient French soil. This general problem of visible difference appeared with respect to specific issues of the use of space and of bodies. Many in France saw large mosques as incompatible with the French built landscape, and late in the summer of 1989, one mayor even bulldozed buildings used by Muslims for prayer.⁵ Others were offended by the sight of Muslims praying in the street on feast days, when the available buildings did not suffice. But above all it was on the heads of three schoolgirls, in September 1989, that collective anxiety focused.

Hijâb, Foulard, Voile

Why did headscarves play a role in this search for identity? The terrain is confusing: Muslims and non-Muslims speak of *hijâb*, *jilbab*, *foulard*, *voile*, with little clarity as to the differences among these terms. The Qur'ân does not mention veils or headscarves at all, but speaks of the need to erect a "curtain" (*hijâb*) between women and men, which in specific contexts can mean keeping women separate from men in a house, or

wearing concealing garments. But this second use is explicitly introduced only with respect to Muhammad's wives, in a passage where the Qur'ân mentions the long flowing garment known as a *jilbab*: "O Prophet, tell thy wives and thy daughters, and the women of the believers to draw their *jilbab* close round them . . . so that they may be recognized and not molested" (33: 59). The use of *jilbab* in this way was closely linked in the minds of believers to Muhammad, such that the phrase *she took the jilbab* was used to mean that someone became a wife of Muhammad. Veiling already was practiced in some parts of the Middle East by higher classes, perhaps to signify the possession of sufficient wealth that the veiled or secluded woman did not have to work in the fields. In any case, it is nowhere prescribed in the Qur'ân. Only one verse is directed to all women, and it enjoins women to cover their private parts and throw cloths over their bosoms.⁶

In France today, *foulard* can mean simply "scarf," although some people today would use *écharpe* for a "non-Islamic scarf," given the strong associations between *foulard* and Islam (and the luxury store Hermès sells scarves only as *carrés*, silk "squares"). Although the 1989 incident was the *affaire des foulards*, in the 2000s the singular *le voile*, "the veil," has been used more frequently in the media. Many Muslims also speak of the *voile*, often as a translation of *hijâb*. The difference between *foulard* and *voile* does not correspond systematically to a difference between two types of garments. A woman referred to as wearing *le voile* might be wearing a simple scarf, or a combination of two head coverings, one covering the forehead and the other the top of the head and the shoulders, or a more unified garment including head covering, blouse, and skirt.

The two terms do differ, however, in their connotations. A *foulard* is a scarf, after all, and the plural, as in *l'affaire des foulards* suggests different types and colors of scarves, as in French society more generally. A *voile* is a veil, and it is nearly always used in the singular, suggesting a uniformity of garment, and perhaps a uniformity of thinking. For some people the expression brings to mind the veils associated with an older, more demanding form of Catholicism, to which most would not wish to return. To "take the voile" once referred to a woman's decision to join a religious order and cover herself as a sign of her submission and modesty. Additionally, it conjures up images of Afghan women with their faces covered, "veiled" in the more usual sense of the term.

In this book, I often use the expression *the voile* either when translating from a French statement or to refer to a general French way of speaking. I leave the expression in French so as not to suggest, by use of *the veil*, either that I am talking about face-covering veils or that I accept the confusions in meaning produced by the broad contemporary French use of *le voile*. This strategy has the drawback of introducing one more French expression, alongside *laïcité*, but it has the advantage of emphasizing that I am referring to French ways of talking about a social phenomenon.

In most ways of speaking about Muslim women's dress in France, the many elements that make up markedly Islamic dress—head coverings, blouses and tunics, skirts and trousers, and perhaps gloves—tend to be reduced in conversation to the matter of how, and how much of, the head is covered. Did the particular scarf cover the ears, leave the roots of the hair exposed or not, come down over the forehead? As we shall see, these degrees of head covering became, for many non-Muslims in France, important signs of the degree of religiosity or difference being signaled by a Muslim woman.

Who Wears Scarves and Why?

What has all this meant for Muslim women and girls in France? Since the mid-1990s, French sociologists have studied the lives of Muslims, particularly Muslim women, paying special attention to the roles played by headscarves.⁷ Drawing on interviews with women from a variety of backgrounds, they have traced the range and variation in motives and meanings attached to scarf-wearing. Either despite or because these studies showed these motives and meanings to be complex, to be quite different from one woman to the next, and to shift over a lifetime, they were completely ignored by the Stasi Commission and by politicians calling for a new law.

In one of the early studies, carried out in 1993–1994, two sociologists, Françoise Gaspard and Farhad Khosrokhavar, set out to interview girls and young women who wore headscarves.⁸ They found two major kinds of motives among these women. Some wore a headscarf as a way to satisfy their parents and ease their transition across the line of puberty and into late adolescence. Many of these girls adopted it during middle school years but then abandoned it during high school. They were not necessarily regular practitioners of their religion. But other, usually older

girls began to wear headscarves as part of a conscious effort to create a new identity as they entered or left high school. For them, wearing a scarf was part of two simultaneous processes: defining themselves in Islamic terms and entering the world of post-secondary education and work. These women tended to be educated and successful, and to regularly pray, fast, and observe dietary rules.

These two types, along with immigrant women who had begun wearing scarves in their lands of birth and were not the concern of the study, led the authors to speak of “three meanings of the voile.” They note that they did not find women with allegiances to political Islamic groups; to the contrary, all the girls and women emphasized their right to make their own decisions. Not that Gaspard and Khosrokhavar ignored the possibility that some of these girls would, even as they saw themselves as making free choices, find themselves caught up in a “neopatriarchy” of obedience to their brothers, their fathers, and eventually their husbands. But they saw a dialogue and “cold tolerance” as a better response by France than that of pushing these women out of French society and into social isolation.

Subsequent studies, most carried out toward the end of the 1990s, confirmed Gaspard and Khosrokhavar’s findings that young women chose to adopt Islamic dress, including the headscarf, as part of efforts to negotiate a sphere of social freedom and authority and to construct an identity as a Muslim, and that the relative weight of these two reasons depended on their age and social situation. Many of the women also drew explicit contrasts between, on the one hand, their own efforts to become better Muslims through study and regular prayer and, on the other, the ways in which their parents merely followed tradition, by, for example, fasting and sacrificing but rarely praying. Some distinguished between two ways of wearing a headscarf: “as in the old country” (letting some hair show), and wearing it in an Islamic manner (covering the hair).

Those who referred to themselves as “practicing Muslims” (*pratiquants*) always mentioned regular prayer, often in distinction to the practices of an older generation.⁹ As one woman said, “For example, when I am about to eat, I recite a prayer, and when I am about to leave the house, I recite another; my parents don’t know that. . . . It is a daily combat; I try to teach them the ‘true Islam.’ And because they have spent their lives in regrettable traditions they have a hard time accepting what I say!”¹⁰

These women who distinguished their parents' traditions from "true Islam" did not associate Islam with their "country of origin." One said: "I became a practicing Muslim thanks to France, because it provides structures so that we might learn Arabic and our religion. I am glad to have come to know my religion, true Islam, because 'back there' it is too traditional and troublesome."¹¹ These sentiments help explain why the idea of "country of origin," when applied to these young Muslims, born in France, would seem to them to be so unsuitable. "Origin," to these women, does not have to do with their language, or everyday lives, or religion: they speak French, not Arabic; they consider themselves French in culture and find that it is in France that they have learned "true Islam."

Because the later studies chose to interview Muslim women who did not wear headscarves as well as those who did, they expanded Gaspard and Khosrokhavar's typology to include a wider range of orientations toward Islam and French society. Jocelyne Cesari (1998) lists a number of types, from secularized Muslims through three types of actors within Islamic associations (children of the projects, social climbers, and transplanted intellectuals), but finds in several of these types a similar desire to replace the religious orientations of parents with a more self-consciously Islamic life, a desire that leads some of the women to adopt headscarves. Nancy Venel (2004) delineates four types of French Muslims born to North African parents, from those who adopt French Republicanism wholeheartedly to those who seek to create an Islamic "neocommunalism." She, too, finds that across these types young women achieve an Islamic legitimacy and familial authority by adopting the voile.¹²

Three Women, Three Trajectories

These studies show how variation in social histories (country of origin, age, education) shape differences in how younger Muslim women in France approach religious practice, family life, and the question of Islamic dress. They converge on the idea that women adopt scarves as part of an effort to become better Muslims and also as part of an attempt to negotiate their own authority with respect to their family, workplace, or society at large. By showing that distinct components of "Islamic practice" carry distinct meanings—daily prayer being much more closely associated with "true Islam" for these women than is fasting—they also provide an im-

portant counterpoint to the heavy public reliance on survey data, used to suggest a low level of religious observance among Muslims. These studies tend to sort people into socioreligious types, however, and by the very use of this approach play down the changes, ambivalences, and complexities that characterize many young Muslims' lives (and the lives of most of us).

I thought I might get a better sense of these complexities if I listened to younger Muslim women discuss their lives at length. In late February 2004, I met with three women above a small pizza restaurant near Paris's Institut Pasteur. All three agreed to have the interview filmed, and they reviewed this section of the book before publication. They were in their midtwenties and traced their roots to the Berber-speaking Kabyle region of Algeria. Fariba was born in France, grew up in Algeria, and returned to France in 2001 for advanced studies in American history. Maryam works in administration and lives in Paris. Her parents moved to France from Algeria in 1976 and she was born two years later. Fariba and Maryam are both single. Souad is married to a North African man and lives in the working-class suburb of Boulogne. She works for a communications firm. She was born in France, just weeks after her parents arrived from Algeria in 1976.

These three women are by no means a representative sample of young French Muslim women. They or their parents came from a largely Berber-speaking region of Algeria; they are completely fluent in French; they had been free to exercise a good deal of personal choice in their pathways; they were serious in their reflections on Islam; they are in a young age range. We would hear different stories and gain different impressions from older women, Turkish and Senegalese women, women who did not claim Muslim identities, or very young girls who wore the scarves at an early age on the orders of their parents.¹³ My goal was not to adequately sample Muslim women in France, but rather to give these friends a chance to talk about their paths through home, school, and work, and their choices concerning religious practices and the public display of religious identity.

The three have followed different paths in religion. Fariba grew up in a "practicing" family, from whom she learned Arabic and the Qur'ân, how to pray, fast, and so forth. She began wearing a hijâb (the term she used) at fifteen, and whenever I have seen her, she has worn a single-

piece, long garment that covers her head, neck, and shoulders. She received an excellent education in Algeria and now in France, and views her trajectory as in some ways ideal: “I was bathed in religion,” she explained, “but also in philosophy, so I asked a lot of questions. Fortunately, I also had the materials to answer those questions.” In the discussions she sometimes took on a pedagogical elder sister role toward the other two women, encouraging and explaining matters to them.

Souad’s life in Paris has been a “zigzag,” as she put it. “I was not brought up in Islam,” she told us. “All my parents knew was about Ramadan, to not eat pork, not drink alcohol, and not have sexual relations . . . before marriage” [they all laugh]. In high school she began to learn about Islam through reading books suggested to her by friends and began to pray. Because wearing any head covering was forbidden at her school, only after graduating was she able to wear a hijâb, “to please our Creator.” She wore a tight brown cap, over which a long light-colored scarf cascaded. In our discussions she emphasized the importance of acting on the basis of knowledge and not just from tradition or culture.

Maryam does not wear a headscarf. She observes Ramadan and avoids pork but no longer performs the prayer. “I am half-way between a practicing and a non-practicing Muslim,” she explained. She did begin regular prayer in 2001, and it made her feel respected, but gradually let it slide and now only recites some of the prayer before going to sleep. She insists that it is a matter of personal choice: “it is personal, concerns only me, *voilà*.”

The three women discussed their different experiences learning about social boundaries. Souad emphasized the role played by French schools. All through her middle school, teachers would ask students to write down their nationality, and she would always write “Algerian.”

Souad: Not before high school did a teacher ever say: “you were born in France, you have a French identity card, so you are French.” So it was in high school that I discovered that I was French, and it changed my life!
[Laughter]

Fariba: How did it change your life?

Souad: I don’t know: that I could vote? It just felt strange.

I then asked Souad how she was viewed by others; she and Maryam described how pupils self-segregated in school.

Souad: At middle and high school people sort themselves by group, as Maghrebins or as French. I felt that I shared more with Maghrebins than I did with the French. Already in the *sixième* [eleven years old] we felt the difference between those whose parents had money and the others. They put me in the advanced section because I had received a 20 in math the previous year [an unusually high grade]; they thought they perhaps had an intellectual. It traumatized me that they put me with the others [French]. There was one girl who said: “you, you’re Arab, don’t get close to me.” I was the “Arab of the classroom.” It was really a shock. I was the only one, and I found it very hard to make friends; I made one. You find yourself with people; you do not know their culture; you feel very bad, feel still more that you are not well integrated: “we don’t want anything to do with you, you are Arab, dirty.” They were taught this from their parents, the racism.

So the following year (*cinquième*) I came down to the ordinary level and was with people like me, of Maghrebin origin, and it was easier to get along, without the racism. And I really feel that the school system contributes to that because it is they who make the difference from the beginning, with only with French people at one level and all Maghrebins and others in the other already in middle school, so it’s normal that later on the racism will grow in people’s minds. So the schools have a responsibility.

Maryam: We were in groups, we felt a sort of complicity among ourselves.

We did tease among ourselves, “Oh, be careful, you’re Tunisian.” The Algerians did this even among themselves, Kabyles and people from Algiers did have a tension among them. But it was among us, friendly.

Fariba claimed to have had an entirely different experience because she grew up in Algeria.

I consider myself Kabyle, Algerian, French, European; I claim two continents. I attach myself to no single territory, but my culture is essentially Algerian. I have picked up things from French culture, American, because I study that, but I have not lived the same discriminations because I grew up with colleagues and professors who were Algerians, and I was in Kabylie, I was among Kabyles.

At one point she said she did not mind being called “Arab,” and I reminded her that she was not Arab. “In a sense I do consider myself Arab,” she replied. “I am Kabyle, thus Algerian and Algeria is an Arab country

and so I am Arab. I love the language; perhaps ethnically I am not Arab but culturally I claim that culture, it is a matter of pride for me to be Arab. Well, perhaps I am the only Kabyle Arab [they all laugh]. It is not a problem of identity, because my identity is outside of all that. I have many attachments.”

Fariba is unusual in her cosmopolitan ability to embrace different sources of identity. The relation of Algerians from the Berber-speaking Kabyle region and the Arab-speaking parts of Algeria often are not as harmonious. Rarely openly acknowledged, the identity of a particular actor as “Arab” or “Kabyle” is often mentioned in private as a way of explaining her or his actions. Frequently I heard from an Arabic speaker that someone’s allegiance to the state and to the ideas of strict *laïcité* was due to her or his Kabyle origins, and that the person wished to “settle accounts with Arabs.” I heard such “explanations” with respect to the mediations carried out in schools over headscarf incidents by Hanifa Chérifi (of Kabyle origins), or to the willingness of Socialist Party actor Malik Boutih to take strong stances against communalism and headscarves. These tensions grew out of French colonial policies that favored Kabyle residents, the high rate of Kabyle enrollment in French schools and emigration from Algeria, and hostilities between Arabic and Berber speakers in Algeria over questions of language and national identity.¹⁴

Both Souad and Maryam described a gradual process of coming to learn about Islam and hesitating over how to present themselves to the French world. Their renewed commitment to living publicly as committed Muslims came at the time that they were fashioning their own identities vis-à-vis those of their parents and their countries of origin. Their relation to headscarves played an important role in these processes.

Souad observed that she and others who “came from immigration” knew very little about religion.

Once I got to high school, friends told me about my religion, I discovered an aspect I did not know, I studied, I read books, I found that enriching.

It was clear to me that the headscarf was an obligation, and I felt the need to please our Creator, it was in that spirit that I wanted to wear it, but the social conditions at high school presented problems. I had to prepare to be rejected by others. I studied for my bac [the all-important school finishing exam] and practiced my religion but the voile was another thing. I

always did my prayer, that's something very important for Muslims, and I am proud of myself there. But there was always that desire to go higher in faith, to go closer to the Creator, to please him. So I put on a small hair band so that people would get used to it, because before I wore mini skirts, long hair, but never drank alcohol. In effect I was a bit of a tomboy and hung out with guys, who considered me their little sister and made sure I did not veer toward drugs and night clubs.

One day I decided to become a woman, not a boy, and I changed my behavior, because I had been very aggressive in my gestures and words. I realized that it is hard to live in society as a woman, because there is a lot of sexism, in French society as well. So, to return to the zigzag, my behavior as a woman, the fact that God asked me to do certain things, so I decided to go in that direction while adapting myself to the society where I live, and I succeed at this, for, when I am at work I wear the scarf not like I have it now but on top, swirled around like the Africans [makes gesture around her head]. That seems to work. I began wearing it as an intern and it worked. This shows that there are still people who are very tolerant. They knew me before and after the foulard, and their attitude did not change. They saw that my work did not change, even got better, and one said, if anyone criticizes you let me know and I will take care of it. I found that touching.

Maryam has never worn a headscarf, "even though I grew up with it around me." Her mother "wore a foulard but not the hijâb; there is a difference." Fariba broke in to clarify for my benefit what wearing a headscarf "in the Kabyle manner" would mean, tying an imaginary scarf behind her head rather than knotting it under the chin, as she and Souad did. Souad did not agree with the distinction made by Maryam: "We have to clarify that; an Eskimo wears a hijâb. There is no uniform; it does not matter how you hide the parts you wish to hide. So the way your mother wore a scarf was the hijâb, but in the traditional way, as in the mountains." They all laugh at this last remark. Then Maryam continued:

When I would ask my mother why she did not remove her scarf, she said she would feel she was going out completely naked. It was natural for her, wearing it outside was like taking her purse.

I do not know what I will do in the future. I did start praying, one person helped me begin and at work there were two practicing Muslims and I became close to them and they said it was the good path. I had seen my mother pray when I was young, and as I had lost my father I needed to find my own guideposts. My parents had not made me fast, they said you do it when you are ready, and so I started fasting a bit later than others in my group, at about fifteen years.

“At work there were people who told me to buy a small book to help me learn about Islam. It taught me prayer phonetically, because I do not speak Arabic, and for three weeks I studied the prayer and then began to do it. And it lasted one year. During that period, I do not know why, many things came to me, and I had the impression that people respected me: “Oh, you pray” [she opens her eyes wide as an admirer might]. Gradually I stopped praying, but regretted it very much; I felt I had returned to the beginning. And I have not forgotten the prayer, I still know it by heart and before falling asleep I recite some. And now I said I should go to where people say the prayer, so I have, and I met Fariba.”

Of the three women, Fariba had talked most frequently with non-Muslims about her own dress. People often asked her why she wore a voile.

Once I asked them: “why do you ask that question? Do I ask you why you wear that sweater or those jeans? Why is it I and not you who has to justify my choice?” They said, “well, but jeans are not a religious sign.” I said: “the voile is not a religious sign either.” I do not wear it to make evident my religious leanings. If I could wear the voile while hiding it I would do it. Because in religion it is clear that you should do things for God and not for people. It is not to show my affiliation with other people but my affiliation to God. Why does it bother others? That is their problem. They have ideas somewhere that are not the same as mine.

All three women objected to efforts by others to attach objective meanings to the voile.

Souad: The voile is in the heart; faith is in the heart.

Fariba: Yes, faith is in the heart, but I am against the idea that the voile is a religious sign, or a sign of religious excellence; it is not because I wear the voile that I am a better Muslim than Maryam or a worse Muslim. It is a

personal choice that I take on. And the connotations that it has—“submissive woman,” “terrorist”—that is *their* problem.

Souad: You get the impression that only women with voiles are oppressed in this world. When there are women who die from conjugal violence every day they are not necessarily in veils, but no one talks about them, people only talk about veiled women in certain countries who are struck, burned, but not about others who experience discrimination. The voile is now the symbol of oppression in the world.

Maryam: On the television, it is as if there are only two Muslim countries in the world, Afghanistan and Iran.

I asked them about their experiences in looking for work. They said that they had fewer difficulties than did their male friends who also were of North African background. Souad noted that where she lived more women than men from North Africa were able to find steady jobs—but only if the women did not wear scarves. “People want the woman to be without the foulard, they want her to free herself; they have this idea of the oppressed woman (*la femme soumise*) and that in giving her work they are going to free her from that.”

This comment reminded Fariba of the broader issue of how others judged her appearance.

Sometimes even when I have not been listening to the news, I know what has happened by watching how people regard me. On September 11th, [2001,] I returned home from work, turned on the television and saw the catastrophe. I was shocked like everyone else. The next morning, Wednesday, I had almost forgotten what had happened, I took the train to work, and the looks I got from others reminded me that it was the 12th, of what happened the day before. At first I did not understand, I looked myself over, to see if there was something wrong with my clothes, what did I do? And then I made the connection. . . .

The other time that happened to me, it was when there was a French ship blown up, I had not heard about it, and I saw a great deal of aggression in people’s stares, and said to myself I had better read a newspaper right away, and I saw the explanation. I function as a barometer of the popularity of Muslims. When there were sympathetic looks it was between the two votes for the president [in April—May 2002], when Jean-Marie Le Pen had done well, they felt guilty, and so in the subway if I was jostled a bit,

people would say “Oh, excuse me, ma’am,” as if to say, “I did not vote for Le Pen.” So in some sense, I have never been spit on or struck or yelled at but I see a lot in those looks. And with the polemic on the voile there has been a lot of electricity in the air.

The three women agreed that men were much less likely to harass a woman wearing a headscarf. Maryam, whose hair is loose, reported frequent unwelcome advances by younger North African men in the subway; Souad said it was the same for her before she began wearing her scarf, “but when I began to wear it they proposed marriage. And I know one or two women who put on the voile in order to get married. That is a trap you must not fall into.” This remark reminded Fariba that “when I lived in Algeria, before wearing the voile I was Fariba and after I began to wear it I was ‘*L’Islam*.’ If I do something bad it is not Fariba who behaves badly or is impolite, it is Islam. Happily, I was well bought up and so do not say offensive things and so that did not happen, but I know that people wait for the least fault on your part to blame the religion. You must be perfect and that is a heavy load!”

I asked them if they encountered women wearing garments that completely covered their bodies and faces, the *niqab*. They had mixed feelings about such women. Souad thinks of them as “very pure and completely detached from the world. One day I heard a girl in niqab talking this way and that. [She moves her hands rapidly and speaks in slang.] That clashed!” Fariba had seen women dressed in that way only in France. When she did see some, “it shocked me; I consider them to have made a stricter interpretation than I have. . . . They are not necessarily more pious.”

For Souad, the encounters gave her a chance to reflect on others’ responses to her: “I find myself vis-à-vis someone wearing the niqab like someone who does not wear the foulard vis-à-vis those of us who do wear it.” She added that she thought that “people who dress like that think they are dressing as did the Prophet in the desert.” Maryam responded to this way of looking at things by making what Fariba thought was a rather offhand remark: “If the Prophet were here today he would travel on the Concorde and wear jeans!” Fariba tried to reword the sentiment in a more acceptable way: “He would not see the bad in everything, as do some religious movements. Religion ought to simplify and not create constraints; if you feel happy in jeans then you wear those, if in other clothes, then you wear those.”

This conversation makes clear that these three women, at least, have fashioned their public behavior both by their personal religious trajectories and by their sensibilities as to how others do and will see them. Each describes a long history of reflecting on religion and on her ability to adequately carry out religious obligations. And each also makes decisions about dress and behavior that take into account others' reactions. They reject the idea that headscarves are "religious signs," because they see the decision to wear hijâb as the result of a personal commitment rather than an intention to signal something to others. But they also acknowledge that making that decision does and should take into account the responses of others and the importance of schooling, work, and family; they see the effects that such a decision has (on attractiveness as a potential spouse, for example) as part of the entire picture. Wearing a headscarf in France today involves negotiations, anticipations, and weighing of benefits and costs. It is not simply an "obligation" or a "choice," but a subtle dance among convictions and constraints.

SCARVES BECOME AN "AFFAIR"

From the standpoint of many others in France, however, the headscarves were primarily a political problem. The original "headscarf affair" of 1989 remains a touchstone for all accounts of the matter. In December 2003, just before the Stasi Commission appointed by President Jacques Chirac was to deliver its report on *laïcité*, the television station France 5 aired a documentary aptly called *Egalité, Laïcité, Anxiété*. The program opened with televised reporting on key events in the political history of the voile, shown on a filmed television set in order to frame the narrative as about "events that made the news." The first clip showed the three girls involved in the 1989 incident saying they would never take off their scarves. The next clips showed political responses and subsequent incidents, then turning to a series of political and social troubles, presented as resulting from these scarves: the rise of the National Front, the burning of a girl in a poor suburb, Sarkozy booed by Muslims, and finally an interview with Bernard Stasi, the chair of the Stasi Commission.

The program's narrative downplays the possibility that politics could have led to the production of the "affair" in the first place, and focuses

the political lens on the Far Right rather than on the Left, where the headscarves had been most vociferously denounced. Indeed, in some respects political attention to Islam grew out of the Left's disillusionment during the 1980s. The rosy glow attending François Mitterrand's 1981 victory faded quickly when, that December, the government pronounced the declaration of martial law in Poland to be "an internal affair" (alienating the anti-Soviet Left), unemployment climbed throughout 1982 and 1983 (angering the working class), and the National Front attracted impressive vote totals (disconcerting nearly everyone else). The Socialist government's unpopularity was verified by the party's poor showing in the 1986 legislative elections, which gave a tremendous boost to the National Front and victory to the Center Right. Jacques Chirac became prime minister. Unemployment continued to rise and the Socialists soon returned to power but accompanied by widespread discontent and a growing tendency to blame immigrants for the economic problems.

By the late 1980s, many leftist intellectuals were looking for new sources of political direction. Many former Communists had become disillusioned with the Soviet paradise even before the fall of the Berlin wall. Some, such as the Che Guevara associate Régis Debray and the former Maoist André Glucksmann, turned to the ideals of the Republic as their new source of value in political life. Others, such as philosopher Alain Finkielkraut, attacked the misplaced multiculturalism of the early Mitterrand years and the ethical relativism that it supported at home and abroad. In the midst of this anxiety over France's political and cultural turn came the bicentennial celebration of the French Revolution in July 1989. The Revolution was and is the touchstone of those on the Left who defend the Republic, and its heritage had come under revisionist attack in the preceding years from historians on the Right and on the moderate Left, represented by the reviews *Esprit* and *Le Nouvel Observateur*, whose editors subscribed to the counterrevolutionary historiography of François Furet. Under these attacks, many on the Left took only the Declaration of Human Rights and the principle of liberty from the Revolution's legacy, leaving uncelebrated the role of the state and the principle of equality. For some who considered themselves to be Left Republicans, such as Régis Debray and Jean-Pierre Chevènement, this response to counterrevolutionary thinking was a capitulation, a word

Debray soon would use for those who would allow girls with headscarves into classrooms.¹⁵

1989 also was the year of the Ayatollah Khomeini's international swan song, his famous February fatwa against the novelist Salman Rushdie in which he declared that Rushdie's blaspheming of the Prophet Muhammad in his *Satanic Verses* proved that he was an apostate and fit to be killed under Islamic law. The Rushdie incident brought together several related fears about Islam: that it was intolerant; that Muslims, once in power, would kill those who left the religion and would cut off the hands of thieves; and that the relative success of the Iranian mullahs meant that Islam was on a worldwide roll, certain to come to power elsewhere. One month later, the Islamic Salvation Front (Front Islamique du Salut, FIS) was born in Algiers. The FIS translated widespread dissatisfaction with the ruling party and strong grassroots Islamic organizations into a political movement. The civil war in Lebanon among religion-defined political blocs continued. Religion, but particularly Islam, seemed to have crossed into politics in places very close to France.

Then, that September, three girls showed up for the first day at their middle school wearing Islamic dress. At a different moment, the girls' appearance would likely have passed unnoticed. Girls had been showing up at this and other schools with scarves for years, and either attended the school with their scarves or agreed to remove them during class. Indeed, an earlier class photo at the same school showed a girl in headscarf as evidence of the middle school's openness to cultural diversity!¹⁶ But now international "political Islam" appeared on magazine covers in the form of Iranian women in Islamic dress, adding a new dimension to scarves in French schools. The conjuncture of domestic and foreign threats made scarf-wearing into a national "affair."

The girls in question were Samira Saidani, of Tunisian parents, and Leila and Fatima Achaboun, sisters whose parents came from Morocco. They attended the Gabriel-Havez middle school (*collège*) in the town of Creil near Paris, a school built to serve the children of immigrant workers and attended by a large number of Muslim pupils. The girls refused the principal's request to take off their scarves in class and were expelled, on the grounds that the scarves infringed on "the laïcité and neutrality of the public school." After several rounds of negotiations among the school administration, the parents, and local associations (in particular the Cul-

tural Association of Tunisians), the girls agreed to wear the scarves on school grounds but remove them in class. They returned to school on October 9, but ten days later they started wearing the scarves in class, breaking the agreement and leading to a new series of negotiations, now involving national Muslim organizations.¹⁷

At this point, the local dispute became a national incident, on which everyone eventually had to take a position. Although a few institutions, notably the Paris Mosque, the Arab League spokesman, and the Vatican's representative Cardinal Lustiger, called for lowering the rhetorical level and continuing negotiations, most others put out "principled communiqués." Danielle Mitterrand called on the schools to accept scarves, as did a number of Muslim associations, the chief rabbi of France, and the national secretary of the Teaching League (Ligue de l'enseignement). Some Christian and Jewish groups saw the mounting attack on scarves as the beginning of a crackdown on other "violations" of laïcité—priests entering schools, Jewish pupils not doing so on Saturdays—and urged toleration. On the other side were several teachers' unions, who called on the government to stand firm against scarves and for laïcité.

The mass media jumped on the incident. During the preceding years there had been no mention made of scarves in France: a search through the archives of *Le Monde* for the two years prior to the 1989 affair shows close to one hundred articles on veils and Muslim headscarves, but every article concerned a Muslim-majority country and no mention was made of Muslims wearing headscarves in France. But now the national press played up the connections between these scarves and broader dangers. *Le Nouvel Observateur's* cover story for October 5 was titled "Fanaticism: The Religious Menace" and depicted a girl in a full, black chador. On October 26, the even more sensationalist weekly *L'Express* titled its feature story "The Secular School in Danger: The Strategy of Fundamentalists [*intégristes*]." *Le Point* added its own opinion at the same time with a cover called "Fundamentalists, the Limits of Tolerance," depicting a chador-clad woman. The incident plus the Rushdie affair allowed commentators to link Iran, the chador, and book-burning to the plight of the three girls at the middle school.

The Right was relatively silent on the issue, but the Left was sharply split. Antiracism groups associated with the Socialist Party emphasized the Revolution's legacy of equality and laïcité, and resisted allowing reli-

gion into the schools. France-Plus asked the Socialist education minister Lionel Jospin to keep scarves and Jewish caps out of the schools. SOS-Racisme tried to sidestep the question, saying that the real issue was integration, not scarves, leading one prominent member, the lawyer Gisèle Halimi, a strong opponent of the scarves, to leave the association. A number of public figures concerned with the condition of women, including the state secretary for the rights of women, argued that the headscarf stood for the suppression of women. The majority of French people opposed scarves in schools, and in a November poll one-half said they thought that most immigrants living in France could not be integrated because of their differences. Some commentators denounced the scarves as the sign of international Islamic oppression. Jacques Soustelle, ex-governor-general of Algeria, blamed Islamic fundamentalists for provoking the crisis.¹⁸

Two open letters published in November by public intellectuals on the Left offered sharply opposed positions amid inflated rhetoric. One, titled “Teachers, Don’t Give In!” was signed by the intellectuals and writers Élisabeth Badinter, Régis Debray, Alain Finkielkraut, Élisabeth de Fontenay, and Catherine Kintzler and ran as a cover story in the mainstream, putatively Socialist review *Le Nouvel Observateur*. The authors warned that the two hundredth anniversary of the French Revolution could become “the Munich of the Republican school.” A second open letter, “For an Open Laïcité,” appeared in the more socially activist review *Politis*, signed by Joëlle Brunerie-Kauffmann (a woman gynecologist who had fought for the right to abortion), Harlem Désir (the head of SOS-Racisme), and the social scientists René Dumont, Gilles Perrault, and Alain Touraine. These intellectuals did not support scarves in schools but opposed exclusion, claiming that keeping the girls away from school fed the interests of fundamentalists and the National Front, and they denounced the “Vichy of the integration of immigrants.”¹⁹

Jospin understandably tried to avoid taking either side. (Was it Vichy? or Munich?) In his first statement, in early October, he stated that pupils should not show their religious affiliation in school but also that the school was designed “to welcome and not to exclude children.” Later in October he favored reintegrating the girls in the classroom if dialogue did not succeed. The following month, seeking to avoid making a decision himself, he sent the question to the State Council, the last resort for cases

arising from the public school system. (The same day the National Front held protests against the “Islamization of France.”) President François Mitterrand did not express himself until the end of the November, when he, too, tried to have it both ways: for respecting immigrants, but against Islamic fundamentalists. A few days later, fourteen of his ministers announced the creation of a new advisory group on integration of immigrants (which would become the High Council on Integration).

If Jospin hoped that the State Council would take the heat by standing up for *laïcité*, he must have been sorely disappointed, for in late November the Council cited the French Constitution and the European Convention on Human Rights and ruled that the girls had the right to wear the scarves as long as they did not disturb school life or (in a sentence that was long even for such rulings):

That students wear signs in order to display their affiliation to a religion is not in itself incompatible with the principle of *laïcité*, insofar as it constitutes the exercise of freedom of expression and of demonstrating religious beliefs, but this freedom does not allow students to display signs that by their nature, by the ways they are worn individually or collectively, or by their character of ostentation or protest would constitute an act of proselytism or propaganda, would compromise a student’s dignity or freedom or that of other members of the school community, would compromise their health or safety, disturb ongoing teaching activities, or would disturb order in the school or the normal functioning of the civil service.

None of this changed the reality for those three middle school girls, who remained sequestered in the school library. At other schools in France similar expulsions took place, sometimes after teachers had gone on strike to protest the presence of a pupil in a headscarf. Toward the end of November, the king of Morocco intervened to ask (on Moroccan state television) that the Moroccan parents of Leila and Fatima have their children remove their headscarves in school. Their children complied on December 2 and were readmitted. The parents of the third pupil, Samira, were from Tunisia, which refused to have anything to do with headscarf-wearing girls. Samira refused to remove her headscarf and was never readmitted to the school.

The day following Leila and Fatima’s readmission, December 3, 1989, the National Front scored its most spectacular victory to date, winning

61 percent of the parliamentary votes in the community of Dreux, west of Paris.

Over the next few years, other girls at other schools were refused admission with headscarves; some appealed their expulsions up the ladder of the school hierarchy and to the administrative courts. Several cases reached the State Council. The Council held to its original decision that girls may wear scarves as long as they otherwise act as good students. Indeed, of forty-nine legal disputes over headscarves that reached the Council between 1992 and 1994, forty-one ended in favor of the school-girl. But on a number of occasions, the State Council backed the school administration in expelling a girl if it could be demonstrated that she was frequently absent from school, engaged in proselytism, or refused to remove the scarf for required sports activities or chemistry classes—certain teachers judged the scarves dangerous when worn next to a Bunsen burner. Neither the Council nor the Ministry of Education issued a general ruling on the matter, on the grounds that the issue of headscarves was not a matter of principle but a matter that depended on the specific characteristics of each case (*affaire d'espèce*).

1993–1994: Raising the Stakes

Apparently, things were stable. But in 1993 legislators turned their attention to the scarf issue when two disputes brought in new elements. One case was from Nantua, a town northeast of Lyon. The “*affaire Akouili*” there involved four girls from Turkish and Moroccan families who were allowed to keep their scarves in class but who had been asked, yet refused, to remove them during gym class. While their case was in a disciplinary hearing, a majority of the school’s teachers went on strike. The teachers complained, not that *laïcité* was violated, but that *le voile* was a danger if worn during gym and science classes, and that “it is discriminatory in its treatment of girls and segregationist.”²⁰ The girls’ parents and brothers spoke for them in public and, in a particularly ill-advised move, two self-proclaimed Islamic authorities declared publicly that Islam *required* women to cover themselves. The absolute nature of the claims—the *voile* is in its nature discriminatory; girls must wear it—raised the stakes of the public debate.²¹

If in the Nantua case it was a rather rigid version of Islam that appeared to dictate the girls’ actions, in the second case, from Grenoble, the scarf-

wearing student was clearly in charge of her own fate. Schérazade, a student in her final year at high school, had discovered Islam the previous summer. As she told her story to *Le Nouvel Observateur*, she read the Qur'ân in French, the only language she knew, and once convinced of its truth, decided to follow its message, and succeeded in convincing her father to return to proper religious practice.²² She was expelled from school for insisting on retaining her scarf during gym class. When she lost on appeal, she went on a twenty-two-day hunger strike while living in an RV parked in front of the school and attracting worldwide press attention.

These two cases illustrate one dimension of the debate on the scarves: the issue of freedom or agency. Schérazade's articulate account of her independent journey toward Islam supports those who argue that women choose to wear the scarves as part of their (re)discovery of their faith. During the debates of 2003–2004, a number of young women, born in France and wearing headscarves, made this argument forcefully. But the Nantua case supports those who argue the opposite: that parents, elder brothers, and self-styled religious experts of foreign birth and shadowy credentials dictate the norms of Islam to the girls, who merely follow suit.

The same facts could be called on to support both positions. In some cases, school girls cited word for word the 1989 State Council decision and referred to key court cases. In some cases, they had read the “handbook” for Muslim schoolgirls written by Thomas Abdallah Milcent, known in his writings as Dr. Abdallah, a physician who converted to Islam and who regularly advises women in headscarf cases in the Strasbourg area. Abdallah (1995) provided readers with the jurisprudence on the matter, advised the girls how to behave before administrative tribunals, and provided examples of the proper letters to write demanding an audience, an appeal, and so forth. For some, the existence of the book and the legal knowledge evidenced by some schoolgirls showed that they were being manipulated by Abdallah and other “Islamists.” For others, it showed the ability of Muslims to operate within the strict terms of the law and therefore of the Republic.

The Nantua and Grenoble cases received a good deal of media attention and led a deputy to the National Assembly to warn that laïcité was being compromised. Intriguingly, the deputy was none other than Ernest

Chénière, the middle school principal who had created the first “affair” in 1989 by expelling the three girls.²³ The education minister, François Bayrou, responded in September 1994 with a directive that required principals to ban all “ostentatious” signs from schools. He made it clear that the directive was aimed at excluding all headscarves from schools, on the grounds that “their meaning is precisely to take certain pupils outside the rules for living together [*vie commune*] in the school.” The major teachers’ unions applauded the directive.²⁴

The directive led a number of schools to expel students. During 1994, the number of contentious cases, involving adjudication by the principal or by a school disciplinary council, rose sharply from its earlier levels in the low hundreds to about two thousand. To deal with the rising number of incidents, Bayrou created a new office of ministerial mediator for headscarf cases, and named to the position a woman from the Kabyle region of Algeria, Hanifa Chérifi.

In 2003, Chérifi described to me how she worked. She would intervene only if the two sides could not agree on a solution. She would try to convince the girl to give up the scarf for the sake of her future, and try to convince the school to look for a compromise, such as wearing a “discreet” scarf, one that would allow some of the hair and the earlobes to show (and was judged by teachers to be less “aggressive”). She explained to a journalist in 2002 that she looked with favor on a girl wearing a scarf at the behest of her family (a scarf of “traditional, familial Islam”), and with disfavor on a girl wearing it despite the wishes of her family (a “fundamentalist” scarf). The former was tied in back with a knot, the latter swept forward to cover the chin.²⁵

As in 1989, external events had contributed to the new attention to headscarves. Between 1989 and 1994, Algeria had become the site of a full-blown war between the generals and new Islamic movements. When the generals had denied electoral victory to the FIS in 1992, they radicalized many of its supporters and led to the creation of the Groupe Islamique Armé (GIA), which may have contained ex-mujahideen from Afghanistan and probably was infiltrated by state security police. The GIA and the army began a cycle of violence and counterviolence, killing thousands in Algeria.

In August 1994, the government raised the stakes in the combat against “Islamism.” When five French citizens were killed in Algiers on August

3, France found itself directly involved in what commentators now called the “second Algerian War.” The hard-line minister of the interior, Charles Pasqua, launched a security crackdown in “difficult neighborhoods” in France and arrested a number of French Muslim public actors of Algerian origin, including Larbi Kechat of the Adda’wa Mosque in Paris’s nineteenth arrondissement.

Television programs in 1993–1994 often linked the foreign to the domestic, placing coverage of “headscarf affairs” in the same time slot as coverage of ongoing fighting in Algeria (which at that moment was constantly on the news), rather than with other social issues. “For the average viewer, the conclusion is obvious: headscarf = Islam = terrorism,” complained one young “believing but non-practicing” Muslim businesswoman.²⁶ Other observers pointed out that the renewed attention to headscarves came at a moment when proposed stricter laws on immigration were under debate and shortly before new elections. News magazines also mixed the foreign terror with domestic headscarves. *L’Express* had a special issue on April 29, 1993, on “The Islamists,” covering France, Algeria, and Egypt. On the cover of *Le Nouvel Observateur* for September 22, 1994, we see a woman completely covered, with only her eyes showing, and the title: “Islam and Women.” *L’Express* of November 17, 1994, featured a woman in a black head covering and the title: “Foulard, the Plot: How the Islamists Infiltrate Us.”

Many of the same intellectuals who had so vigorously opposed allowing scarves in schools in 1989 now found themselves vindicated. The ex-Maoist André Glucksmann called the voile a “terrorist emblem,”²⁷ and “a terrorist operation,” adding, “We don’t teach pupils in uniform except under Nazism.”²⁸ The telegenic Bernard-Henri Lévy (the literary Salvador Dali of 1990s France) pointed to Islamic fundamentalism as the new greatest evil, comparable to the Nazis and the Stalinists, and called for support for the Algerian generals. Although others, such as François Burgat in Aix-en-Provence, saw the army as the major cause of the violence, such dissidents were (physically as well as ideologically) on the margins.

More than one hundred girls were expelled after Bayrou’s 1994 directive. Two girls later recalled how their teachers said that they could not have what was occurring in Algeria repeated here.²⁹ In the Jean Rostand lycée in Strasbourg, nearly forty girls insisted on retaining their head-

scarves. They were placed in another room for about two months, until, after a disciplinary council meeting, they were expelled. One of them later recalled how she was called before the principal, who handed her a sheet of paper saying that she was expelled as of 10:30 on that day and then added: "It is 10:30; at 10:31 I want never to see you again." She was in her final year of school, the year of preparation for the all-important baccalaureate exam: "I felt a great solitude, because the lycée was my life, you would run into fellow students and talk about homework, classes, but now I had nothing to talk about with them. And I could not be in school, so how could I learn?"³⁰

Many of these cases came from Lyon, and a group of Muslim women started the Union of Lyon Muslim Sisters in 1995 to organize courses outside of school for expelled students. Schoolteachers volunteered their time. The Union raised money for the students' transportation costs, for a stipend for teachers, and for the costs the students had to pay to enroll in distance learning courses provided by the Centre National d'Education à Distance. At no time did the Education Ministry provide guidance for the expelled girls: "integrating" them seemed to be less important than separating them from those girls who already appeared to be "integrated."³¹

Saïda Kada was one of the Union organizers. In a 2004 interview, she told me that the girls usually were expelled on grounds that they had been absent from school rather than what she saw as the real reason, that they persisted in wearing headscarves. "The Bayrou directive did not allow for expulsion simply on the grounds of wearing headscarves. If someone is younger than sixteen, then the state has the obligation to educate them, and may do so via distance learning only if the pupil is ill or is frequently traveling, and this recourse is supposed to be authorized by an inspector."

Some of the expelled schoolgirls took the schools to court. If they appealed to the State Council and showed that their scarf was the sole reason for the expulsion, they won, as had been the case before the directive.³² In a 1997 case, for example, the Council specified that "the scarf cannot be considered as a sign that in itself has the character of display or making demands."³³ But the schools did win cases when they could demonstrate that they had expelled girls who had failed to comply with school rules. In a 1995 case from Lyon and in three cases from Lille

decided during 1996–1997, the Council sided with the schools, finding in each case that the girls had been expelled not because they wore scarves but because they had violated codes of conduct: they refused to attend gym class, or protested against their own expulsion, or “engaged in proselytism.” But if the Council suspected that such claims by school heads were merely covers for the real intention to expel them because of their scarves, then they supported the girls: such was their decision in a 1997 case from Strasbourg.

Thus by the end of the 1990s the Council had developed a clear and consistent jurisprudence on the issue: schools could expel girls if they failed to attend all their classes or if their case led to protests, but not merely for wearing scarves. The number of “incidents” had fallen dramatically after the 1994 peak, to about 150 each year through the late 1990s and early 2000s.³⁴ In the media, the “Islamist peril” became one of several stock stories that cycled regularly across the covers of *L'Express*, *Le Point*, or *Le Nouvel Observateur* in their efforts to alarm and attract buyers, joining the other regular topics such as the Freemasons' alleged control of the state, the dangers posed by religious sects, and the high price of apartments in Paris.

2002–2003: The Voile as Sign of Social Problems

Within several years, however, new concerns linked foreign to domestic unrest. The violence in Algeria reached France in the mid-1990s, when bombs exploded in Paris and Lyon. At the same time, many in France were beginning to speak of their nation's “ghettoization.” A series of government reports described malfunctioning schools and a growing lack of contact between the ethnic France and the children of immigrants. After briefly triumphantly contrasting the integrated Republic of the black, brown, and white World Cup champion soccer team of 1998 with the segregated Anglo-Saxon societies of Britain and its more disastrous cousin, the United States, France now was threatened with eating cultural crow.

Islam's role in this general problem became more publicly denounced in 2000. The new High Council on Integration issued a report on “Islam in the Republic” in that year. The report rejected banning scarves outright lest young girls be driven into the dreaded communalism of the poor suburbs and the private Islamic schools that might be created to

hold them. The report followed what had been the official state position on scarves since 1989. However, the High Council's deliberations also created a vocal minority that soon thereafter sought broad public and political support for a scarf ban.³⁵

Public reporting on the voile began to heat up in 2002, less because of changes in the schools than because of heightened post-9/11 fears about Islam. These changes were indirect, however. France had already set in place antiterrorist machinery in the 1990s, and the police and the Renseignements Généraux, France's FBI, had compiled records on Muslims who traveled outside the country. Muslim leaders told me in October 2001 that they now found it easier to have their papers renewed, because they were known to be "safe," and those in control wished to divide the "good" Muslims from the "bad."

The attacks on the World Trade Center did lead the mass media to train their lenses once again on possible internal threats attributable to Islam. Headscarves were even more likely than before to be seen in a negative light. When in March 2002 a new voile affair occurred at a high school north of Paris (at Tremblay-en-France in the Seine-Saint-Denis *département*), the Education Ministry mediator Hanifa Chérifi signaled a change in tone. She told journalists that although previously many claimed that the voile gave girls a space of freedom between the family and the society, "we have neglected the intrinsic significance of the voile: to remind women, starting at puberty, that Islamic morality forbids mixing of the sexes in all public spaces, including the school."³⁶

Late in 2002, a series of new scarf affairs began to appear in the national media. They began in Lyon. Lyon has been an important center for new Islamic movements but also, unfortunately, for radical activists. The bombs that exploded in summer 1995 were set off in Paris and Lyon. The most notorious figure to emerge from the 1990s was Khaled Kelkal, brought to France from Algeria in infancy and living in the Lyon suburb of Vaulx-en-Velin.³⁷ In December 2002, a teacher at La Martinière high school in Lyon, Jean-Claude Santana, complained to the school administration that a sixteen-year-old student named Fatiha was wearing an Islamic headscarf in violation of school policy. The girl had begun to wear a scarf in early December after Ramadan, starting with it rolled up as a "bandana," a dress style that had been allowed, and then gradually unrolling it so that it covered her hair. On December 12, a teacher asked her

to remove it. She refused and found herself in the principal's office, where she still refused to remove the scarf and was suspended. She was readmitted when the district superintendent made a phone call to the principal. Later that month one of her cousins joined her in wearing a foulard, leading the teachers at the school to hold a meeting: "they feared a contagion" and a wave of new foulard-wearing students.³⁸

Shortly after Santana's complaint, the media descended on Lyon. Saïda Kada recalled how the television station France 3 tried to interview members of the Union of Muslim Sisters to get their reactions. "We knew that Santana had put them up to it, so that he could charge us with causing trouble and thereby justify her suspension. So we said nothing." In most such cases that year (and other years) teachers had succeeded in persuading students to remove their scarves. But at La Martinière, when the students and teachers returned from vacation in early January, the pupil in question continued to wear her scarf. She was sent out of class, and then was suspended from all school activities by the teachers (who had agreed among themselves on this course of action); however, two teachers continued to allow her into their classes. In February, Hanifa Chérifi was asked to intervene. She had the student readmitted to classes. The episode reached the *Wall Street Journal*, which quoted Santana as saying that "religion is something very private and intimate, like your sex life" (a quotation seemingly designed for American notions of how French people talk).³⁹

The teachers asked for the school's disciplinary council to meet (necessary for definitive expulsion) but the superintendent refused, saying that he feared that if they expelled her and were overruled by the administrative court (which was likely, given that wearing the scarf was the only accusation made against her) she would be hailed as a victim. And, he continued, her scarves, which were colored and often in floral prints "are more discreet than the scarves worn by Islamists." The teachers met and issued a statement that "the student considers her scarf to be a sign of her belonging to her community and her religion, thus it is meant to attract attention (*is ostentatoire*), and our internal rules forbid that." Before the early (February) spring break, they voted to go on strike as soon as they returned from vacation. Upon their return, however, the superintendent urged them to meet with him and with the rector of the Lyon mosque,

Kamel Kabtane. They refused, saying that the involvement of the mosque leader was inappropriate. They asked for the disciplinary council hearing and for a clear rule on school dress. Then on March 13, 80 percent of the teachers went on strike.⁴⁰

Hanifa Chérifi gave me her account of the Lyon case on May 1, 2003, as May Day processions passed before our café in the Place de la République. She had been called to Lyon in February, and found that the girl had been placed by herself in a separate classroom since December. “I said, ‘you cannot have an Islamic classroom in a Republican high school,’ and this phrase had an effect, because they put her into the regular class after that. There were three teachers who were vehemently against her, and in each of their cases there had been an earlier, negative relationship with Islam: they had been in Morocco, in one case there was a marriage that ended badly. The other teachers remained quiet, did not wish to oppose what the three were saying.”

The girl had been wearing her bandana in class since the beginning of the school year in September, explained Chérifi, without anyone ever noticing, it was so minimal. She attended all her classes, so the teachers could not accuse her of missing class. When the girl was suspended, “she told the principal that she would not remove the bandana because she wore it for religious reasons, and once she said that, then the three professors started agitating for her to be removed from class.” She had an older sister who had attended the same school and had not worn a scarf at that time but now did. She urged her younger sister to continue fighting and to find a lawyer. Chérifi added that “the family was from Morocco, and the elder sister spoke about her respect for her father, that this was continuing their tradition; I was impressed by that.” If Chérifi respected the girl’s attitude, she was less impressed when the district superintendent (the Recteur de l’Académie de Lyon) said he was going to ask the advice of the head of the Lyon Mosque: “Imagine, in a laïc Republic, the head of the schools asking a religious official what to do!” I asked her if she ever asked advice from religious experts. “Never, because I am there to carry out the laws of the republic, and if I asked religious experts I would get several different opinions.” In the end, the education minister heard of the superintendent’s plan and told him that he could not consult the religious official. The teachers ended their strike when the superintendent agreed to meet them.

Chérifi saw the voile debates as misleading: “Underneath all the talk about laïcité there is racism. The children of immigrants are not encouraged to continue their studies. I stopped mine at sixteen, and took them up only much later.” She tried to arrange compromises, usually along the lines of the bandana that had worked in Lyon for awhile. “The professors all hate the voile,” she explained, “but less so if the ears and the neck show, so when I talk to girls, first I explain that things will go easier if they do not wear the voile. ‘Do you really want to continue fighting all the time, through your exams, so that you can be more Muslim than the others?’ They may go into public service, which here in France includes everything from a postal carrier to the head of an office, and in all those jobs it is forbidden to wear the voile. If they decide to take it off it is better, because then that will take them out of that fundamentalism. But if they cannot do that, then pushing it back to make it smaller will help, and it does.”

The Lyon case introduced to popular consciousness the possibility of the bandana, a form of head covering that would seem less Islamic to teachers and thus more acceptable but perhaps cover enough hair to satisfy some Muslim girls. The bandana became the great hope of those who wished the whole thing would go away.

But the case also showed that some groups of teachers were willing to disrupt the school for everyone in order to prevent the presence of a girl in a headscarf. They argued that laïcité, if properly understood, went beyond the rulings of the State Council. As Santana put it in an interview: “We defend *la Laïcité*. Not the idea expressed by the State Council, laïcité with multiple standards [*à géométrie variable*], strict for adults and ‘tolerant’ for pupils, considered as consumers of a pedagogical public service. The school is a place where we share universal values of freedom, equality, and fraternity. The school’s mission has a liberating ambition: to give citizens-in-the-making the means to free themselves from social, cultural, ethnic, or gendered determinism. You do not attend school as you go to the post office or to another public service.”⁴¹

Here was the basic challenge to the State Council: laïcité, claimed Santana, is about protecting pupils from pressures, and thus requires active intervention by the state against pupils and families who try to exert

such pressure. We are now far beyond the idea of the state's neutrality, far beyond the requirements of the law of 1905, in the midst of an argument about the freedom of the pupil to choose: should she be free to dress according to her religion, or should she be free to explore her convictions without undue family pressure? The grounds had shifted; a confrontation seemed more likely.