

**"The headscarf (1989) and burkini (2016) affairs reflect a particular relationship between the French Republic and Islam". Discuss.**

France claims *laïcité*, a French term used for their arrangement of church-state separation, as one of its foundational values. With the people's cries of *liberté, égalité, fraternité!* the French Revolution (1789-1799) witnessed the brutal overthrow of church and nobility and the beginning of separation of state from religion. This eventually led to The Law of Separation in 1905, during the third Republic, which declared state neutrality, freedom of religion and public power over Church property. The overriding principle of *laïcité* embodied in this law, remains firmly in force today. The consequent banning of religious education and symbols in schools is used by many politicians as the argument for the banning of headscarves in schools and links to the further attempts at banning burkinis in more recent years.

This essay will explore the complex relationship of pluralism and *laïcité* in France which unfairly discriminates against Islam compared to other religions, due to its religious markers such as headscarves and burkinis.

Commenté [EM1]: OK. But what is your main argument?

The 1989 Headscarf Affair came to represent all the dilemmas of French national identity in post-colonial France. This debate of freedom of expression while not imposing your beliefs on other people, which resulted in the 1989 Headscarf Affair, had been gaining momentum for a while as, for example, on the 6<sup>th</sup> Oct 1980, three Muslim women were barred from entering a school in Creil because they were wearing headscarves. The 1989 Headscarf Affair gained its name after a headmaster at a public middle school in a Paris suburb suspended several Muslim students for refusing to comply with his order to remove their hijabs on school grounds. This escalated to an intense debate on the hijab and a great divide of opinion across the country, laying the groundwork for the decades of political controversy over whether Muslim people are 'challenging the basic conditions of French republicanism with a competing claim to identity' (Soper, J, Christopher, Kevin R. den Dulk and Stephen V. Monsma, 2017).

France entered a period of heightened tensions and fear as a result of the November 2015 Islamic fundamentalist terrorist attacks. This led to open hostility from the French Republic towards Islam culminating in the targeting of Muslim women wearing burkinis (full body swimsuits) on public beaches. In the summer of 2016, on 30 separate occasions, decrees were enacted banning the use of burkini-style outfits on beaches (J. Bowen, 2007). Politicians justified this ban with concerns for hygiene, the protection of public order and security, the defence of secularism and the French republic with its values of gender equality, as well as the fight against Islamic fundamentalism. Although the ban on burkinis enacted by the mayor of Cannes was temporary as it was overturned by France's highest administrative court, it represented the punitive discourse surrounding Islam and the French Republic which occupied much political and public discussion. Therefore, this attempt by the French government to ban burkinis, despite its appearance of being symbolic politics, created a barrier between being a Muslim and being a full citizen of a secular Republic.

While discussing the 'particular relationship' between the French Republic and Islam, it is crucial to focus on the factor of intersectionality. White converts to Islam are only discriminated against when they are perceived as Muslims, through physical markers of religious practice, which illustrates the racialisation of Islam. Furthermore, as evidenced by the ban on hijabs and burkinis, women are the center of the anti-Muslim French discourse as they are the ones wearing these physical markers. The

Commenté [EM2]: Yes.

headscarf/niqab/burkini have gained so much political attention as some people think that they are oppressive because they cover your face or hair and therefore are not compatible with the gender equality and democratic values of the Republic. This anti-religious discourse can be used to conceal methods of discrimination. The French Republic's dislike for the headscarf and other physical markers of religious practice can also be seen as them as the patriarchy, constructing a narrative where the Muslim woman needs to be rescued and liberated from the veil which hides her from the male gaze. Drawing from what Fatima Khemilat says, this could represent France symbolically reconquering the so-called 'lost territories of the Republic' (F. Khemilat, 2009). Many people and politicians justified their support for a ban on burkinis by arguing against the subservience of women in defense of women's rights. However, religious clothing is a form of modesty, which is a core principle for all genders in Islam and so, fixating on women demonstrates the objectification of Muslim women by the French Republic.

Commenté [EM3]: Sentence structure.

'Justifications' for the ban on hijabs and burkinis in France can be viewed as a liberal islamophobia discourse as they 'construct a pseudo-progressive binary' by concealing traditional racism by claiming to justify it under non-racist grounds (Mondon, Aurélien & Aaron Winter, 2017). This liberal islamophobia has a distinct focus on physical markers of religion as they are used to identify which people to discriminate against. Apart from monks, nuns, and priests, practicing Christianity does not involve wearing overtly visible markers of religion. Therefore, the French government's 2004 decision to ban religious symbols in schools is targeted unfairly towards Muslim women who choose to wear headscarves, aligning with their religion, reflecting the unequal relationship between the French Republic and Islam, in comparison to other religions. Furthermore, Christianity is more associated with French identity than Islam as historically it was the most practiced religion, so Islam is already seen as a secondary and outsider religion.

The term 'laïcité' is a point of contention within France as it is hard to find an agreed definition to which it should be applied in French life. Some view laïcité in its most extreme secularist and antireligious form such as anthropologist John Bowen, "bounded, orderly, constrained in its buildings and defined by worship practices in those buildings" (John Bowen, 2007). Laïcité is defined here with a strict distinction between the public and private sphere; if any spiritual practices break into the public sphere, then it is viewed as a challenge to the Republic values of unity as well as 'liberté, égalité, fraternité'. On the other hand, others recognise the possibility for religion to flourish, although in a limited sense, under the definition of laïcité. This contention has therefore made it difficult for a functioning relationship to form between the French Republic and Islam because religion doesn't want to be limited to private spaces, so, inevitably, Islam exists in public life, through such religious markers as headscarves and burkinis. Many people view this as opposing secularism which is a fundamental building block to the French Republic because they view Muslims as favouring their religious identity over their loyalty to the French Republic, which represents the dangers of *communautarisme* (community-based group identification). In this sense, secularism in itself has become the French religion through their practice of, how political scientist Ahmet Kuru puts it, "laïcité de combat" (assertive secularism) that actively excludes religion from the public square (Kuru, 2009), especially Islam.

Commenté [EM4]: Good point.

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