Look Who’s Talking: The Burqa Ban in France

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Look Who’s Talking: The Burqa Ban in France

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Abstract

This thesis is an effort to study a new area of what is known as the “headscarf affair” and the laws that have been written in response to it. Rather than simply state the facts over twenty years after the first “headscarf affair” “Look Who’s Talking: The Burqa Ban in France” investigates the way that France and the rest of the world create a discourse on the current matter at hand, supporting or opposing past, present and potentially future laws banning the headscarf. This is done in three parts, first through an analysis of other analytical essays, which discuss headscarf banning laws over the past twenty years by French authors and “non-French” authors. The second part focuses on film and documentaries created by French and “non-French” directors and filmmakers who are explaining the situation, and the third section is an analysis of activists within the state of France who both support and oppose the laws and the ways in which they do this. Ultimately there are conclusions to each part of the thesis, explaining that the conversation regarding the banning of headscarves in France is not bound to their own borders and that both within the state and outside it individual opinions are vastly varied. People find reasons for their beliefs in many different ways, and with those views go fourth in equally different and interesting manners. This thesis hopes to introduce a new way to look at the banning of headscarves in France and be a guide through what has previously been done.
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Introduction

A middle aged French woman bustles in the back door to her Paris home, out of breath and seemingly terrified. She tries to explain herself, “There is a veiled woman on the street, it was so scary! She was veiled!” Over and over again she repeated herself while her American students, me being one of them, sat confused and frustrated. Dominique, my homestay mother, went on to explain that in France as of October 2010 wearing the headscarf in public is against the law and the person breaking the law is subject to a fine or even jail. Though the law was passed months before we arrived in Paris, it was just then being fully put into place. Even after our homestay mother explained the law and why she was fearful for those who continue to wear a veil, my roommate and I couldn’t resist feeling bothered that a law like this still exists and that intelligent people, such as our homestay mother, would be so ignorant as to agree with the ruling.

It was this situation that inspired my thesis. After my primary research I found documents after documents describing the “headscarf affair” and the migration of Muslims from the Maghreb region to France. The works were opinionated but basic and I found myself asking what could I write that had not been discussed before, which is where I found my area of argument. The “headscarf affair” which marked the beginning of the media hype and popularity of issues regarding Muslims in France happened in 1989, and after over twenty years of analyses I have the privilege of looking at all of these works written in the immediate aftermath of so much controversy and creating my own analyses. I
decided to go underneath the surface of the headscarf banning laws and the discussions that have arose on this topic, and investigate how the discussions are being conducted, who is making the arguments, how the headscarf is portrayed, and how it is being received by French society. I chose to examine different ways in which the arguments are being made, specifically through analytical essays, then through film and documentaries, and finally by the everyday human beings living in France. Of course it is a debated topic, but interestingly enough, there are large numbers of supporters from every age, gender and social class proving that it is not these demographic factors that dictate an opinion within the debate on headscarf banning laws but rather the French culture in general.

Headscarf, identité, and laïcité – these are all terms whose definitions are contested depending on who is using them. For the purpose of this thesis I want to provide basic definitions of these terms so that the focus can be on my argument rather than getting lost in terminological misunderstandings.

**Headscarf** - Often synonymous with hijab, niqab, veil, or burqa, it is a piece of cloth covering a woman's face, sometimes but not always covering the eyes, and going past her shoulders. Depending on which item, hijab, niqab, or burqa, the headscarf can cover anywhere from only the woman's hair to her entire body. In the context of this thesis, the headscarf is worn by practicing Muslim women because covering of the skin is recommended in the hadith, or the words of the prophet Muhammad.
Laïcité - A French term to describe the separation of church and state in French government, written into French law in 1905 and considered an important core principle of the country ever since.

French-ness - A term that I use to describe the understanding a French person has of how they are French, including their culture, social standing, and political views. Again it is a very subjective word, each French person has their own understanding of “French-ness” and therefore is not a term that can be necessarily explained in one definition.

French – Those authors, filmmakers, documentarians, activists, and citizens of France that identify with French nationality.

Non-French – Those authors, filmmakers, documentarians, activists and citizens of nations outside of France who do not identify France as a part of their nationality.

On December 9th, 1905 a law establishing the separation of church and state was written and enacted by the French government. It states:

ARTICLE PREMIER. - La République assure la liberté de conscience. Elle garantit le libre exercice des cultes sous les seules restrictions édictées ci-après dans l'intérêt de l'ordre public.

ARTICLE 2.- La République ne reconnaît, ne salarie ni ne subventionne aucun culte. En conséquence, à partir du 1er janvier qui suivra la promulgation de la présente loi, seront supprimées des budgets de l’État, des départements et des communes, toutes dépenses relatives à l’exercice des cultes. Pourront toutefois être inscrites auxdits budgets les dépenses relatives à des services d’aumônerie et destinées à assurer le libre exercice des cultes dans les établissements publics tels que lycées, collèges, écoles, hospices, asiles et prisons. Les
Named the “Law Concerning the Separation of Church and State,” it focuses upon three core values: freedom to exercise religion, public powers related to the church, and the neutrality of the state. These three values are what embody France’s core principle of laïcité and for decades has shaped the ways of life for all those living in France.

Before, during and after the time of the development of France as a laïque state, France had colonized and deemed Algeria a département of France, but by the middle of the 20th century the Algerians decided it was time for their own independence. After a bloody civil war Algeria gained independence in 1962, triggering the largest wave of emigration from this state, and some other surrounding Maghreb states, to France. Encouraged by the French to come into the country for work, Algerians flooded into France, however there were high expectations that these immigrants were only temporarily residing there and eventually would migrate back to their home country. Unexpectedly for the French, many of these immigrants exceeded expectations and remained in the country, most

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Article One. – The Republic assures the liberty of conscience. It guarantees the freedom to exercise religion, subject only to restrictions set forth below in the interest of public order. Article 2. – The Republic does not recognize, pay or subsidize any cult. Accordingly, from January 1st, following the promulgation of this law, all expenses related to the exercise of religion will be removed from state budgets, departments and communes. However, a budget will remain for expenditures in chaplaincy services, and to ensure freedom to exercise religion in public institutions such as schools, colleges, hospitals, asylums and prisons. The public establishments for religious purposes are to be removed, subject to provisions contained in Article 3.
of whom were Muslim. This first flood of Muslim immigrants to France was not the last. To have a better idea about the more recent Muslim population in France, the 2008 census found that out of 5,242,288 immigrants to France, 2,271,231 of them were Maghrebin in origin. Although the French census does not ask citizens to state their religion because of their core beliefs in laïcité, it is estimated that Islam is the country’s second largest religion; this estimation is in part because of this mass amount of immigrants from this area. In 2000, Islam maintained 4 million members in France alone, and the number has continued to grow in the past twelve years, where it is estimated that nearly 10 percent of the population is Muslim.

Jumping ahead to what is recognized as the event that publicized the issues of Muslims in France, I’ll now turn to the “headscarf affair” of 1989. This was when three girls were expelled from a public school in Creil because of their refusal to remove their headscarves after multiple occasions where teachers and administrative officials asked the girls to take them off. This ignited a national conversation as media grasped the story and critiqued “France’s tremendous anxiety about its new ethnic minorities.” Although not the first time France had to deal with culturally different populations, “this is the first immigrant population whose majority is neither Christian nor European and is thus perhaps more

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threatening to France’s implicit definition of itself.”\textsuperscript{6} The media played a particularly large role in the popularity of the problems Muslims face in France, bringing attention to the issue and empowering Muslims to acknowledge and challenge them as well.

Time passed and resolutions were made to aid in the integration of Muslim children in schools, but the controversy remained both in the school system and in other areas of French society. The issue with girls wearing the veil in schools raised the bigger issues of the acceptance of Muslims in France, creating more hype for people of every age who had an opinion on the matter. Muslim woman and men took action, whether through simply wearing the veil in schools or in public or actually actively taking stands against the state by protesting for equal rights for Muslims and help in the assimilation process for the many immigrants.\textsuperscript{1}

It was not until 2004, after multiple other “headscarf affairs” and long debates, that a new law was passed stating “the display by pupils of any conspicuous religious symbols was deemed to be inherently unacceptable.”\textsuperscript{7} The punishment for breaking this law was provided by the principal of each school, therefore differing from school to school even within the same city or town. Unfortunately, and unexpectedly, the controversy did not end here. In fact, the controversy transferred from being solely a problem in schools to an issue of importance for citizens of every age. The headscarf was not just worn in schools, but by Muslim women of all ages, and although they are not all members of a government institution such as the

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\textsuperscript{6} Anderson-Levitt, Kathryn M., Regine Sirotta, and Martine Mazurier. Page 91
public school system, the headscarf itself is often considered a threat to the French identity and the assimilation process. The veil signifies religion, something which is not recognized by the government in political, legislative or judicial matters, no matter what religion that might be and counters the principle of laïcité.

This growing threat encouraged what is now the most recent law to be written in France. As of the fall 2010, the law has been written in France to ban the headscarf in all public spaces and was to be acted upon in full force by the spring 2011. On a website provided by France’s government entitled “Visage Découvert” or “Face Discovered” the law is stated:

“Article 1
Nul ne peut, dans l’espace public, porter une tenue destinée à dissimuler son visage.

Article 2
I. Pour l’application de l’article 1er, l’espace public est constitué des voies publiques ainsi que des lieux ouverts au public ou affectés à un service public.

II. L’interdiction prévue à l’article 1er ne s’applique pas si la tenue est prescrite ou autorisée par des dispositions législatives ou réglementaires, si elle est justifiée par des raisons de santé ou des motifs professionnels, ou si elle s’inscrit dans le cadre de pratiques sportives, de fêtes ou de manifestations artistiques ou traditionnelles.

Article 3
La méconnaissance de l’interdiction édictée à l’article 1er est punie de l’amende prévue pour les contraventions de la deuxième classe. L’obligation d’accomplir le stage de citoyenneté mentionné au 8 de l’article 131-16 du code pénal peut être prononcée en même temps ou à la place de la peine d’amende.

Article 4
Le fait pour toute personne d’imposer à une ou plusieurs autres personnes de dissimuler leur visage par menace, violence, contrainte, abus d’autorité ou abus de pouvoir, en raison de leur sexe, est puni d’un an d’emprisonnement
et de 30 000 € d'amende. Lorsque le fait est commis au préjudice d'un mineur, les peines sont portées à deux ans d'emprisonnement et à 60 000 € d'amende.  

Generally, the law states that covering a person's face is not allowed. In the instance that a person chooses to wear the veil in a public space, which is defined within the law as public roads, places open for the public and used for public service, he/she can be asked to remove it, but if he/she refuses they will be given a fine, around 150 € and/or jailed. For a man, if he is forcing a woman to wear the veil, he is fined an even larger sum, around 30,000€, or jailed for an even longer period of time. However, it is also stated that if the person does remove the veil when asked they will not receive a fine, but will be required to go to a public hearing by a judge.

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8 Guepratte, Étienne. "La République Se Vit à Visage Découvert | Documents à Disposition." La République Se Vit À Visage Découvert. Le Service D’information Du Gouvernement. Web. 23 Apr. 2012. <http://www.visage-decouvert.gouv.fr/documents.html>. “Article 1. No person, in public, can wear clothing intended to conceal their face. Article 2. I. For the purpose of Article 1, the public space consists of public roads and place open for public or used for a public service. II. The prohibition of Article 1 shall not apply if the conduct is required or permitted by law or regulations, if justified by health reason or professional reasons, or if it falls within the framework of sport, parties, art or tradition. Article 3. Ignorance of the prohibition contained in Article 1 is punishable by a fine for contraventions of the second class. The obligation to fulfill the citizenship course referred to in Article 8 of Penal Code 131-16 may be rewarded in addition to or instead of the fine. Article 4. The failure of any person to impose one or more other persons to conceal their faces by threat, violence, coercion, abuse of authority, abuse of power, because of their sex, is punishable by one year imprisonment and 30,000€ fine. When the act is committed against a minor, the penalty is increased to two years imprisonment and a fine of 60,000€."


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Within the long history of France, there is a history of Muslim people, whether it is the people of the French colonies like Algeria, Tunisia or Morocco or within France. Inside that history, as described above, the one thing all citizens of whichever origin desire is a common, peaceful identity. Both the French government, who hopes to create that identity through creating common citizenship, “French-ness,” without religion, and the Muslims, who choose to wear the veil, are simply hoping for acceptance into the larger state of France, to be part of one French society. As John H. Bowen explains, “The Republic is based not on a shared faith, but on a faith in the possibilities of sharing a life together, despite vast differences in appearance, history, and religious ideas.”

This purpose of this thesis is to tap into the sentiments of the people who are directly involved in the issue regarding Muslims in France, as well as those who examine it from other backgrounds, and try to understand the controversy better. This thesis will try to figure out why they find the topic so important and what can come of people’s involvement; both in understanding the headscarf banning laws in France and for future issues that may come along.

In the beginning, I assumed that the discussion would stay plainly divided between those who support the headscarf banning laws in France and those who were opposed to them, and even believing that the sides would be nationality based where the French were in support and the “non-French” were the major characters in the opposition of the laws. However, after much deliberation and research I have found that my conclusion does not follow this logic. In fact, in my first chapter that

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discusses analytical works by French authors, American authors, British authors, and then interviews with French-Muslim women, the line between the two sides is completely blurred. All of the authors agreed on the difficulties of understanding French laïcité, or secularism, and identity, and even many of the French-Muslim women supported the headscarf banning laws. The second chapter discusses films and documentaries and the way in which the headscarves are presented to each audience. Despite the fact that the film, Paris, je t’aime, is French made and the documentaries, They Call Me Muslim and Headscarves-France, are American and Australian, there were far more similarities than differences in regards to the perception of headscarves. In the end, they all carried the same, mostly neutral message that explains what the headscarf is and what it means in modern France. The final chapter shows the most recent interpretation of the headscarf in everyday life as perceived through three different types of actions take that involve the headscarf. The first is a pair of French women who walk the streets of Paris in a miniskirt and hijab to bring attention to themselves and show that the niqab is another piece of clothing, like a shirt or pants and should not be outlawed. The second is a group called Ni Putes Ni Soumises, or Neither Whores Nor Submissives, who fights for women’s rights in France but supports the headscarf banning laws. The third is a street artist called “Princess Hijab” who uses a black paint marker to paint hijabs on model’s faces on ads in the metro, but argues that she is not focusing on one particular issue, especially the headscarf banning laws. The examples used in the thesis show that there are many views to be heard but that despite personal opinion, the majority of people support the law that bans headscarves because of a
strong national belief in laïcité as a core principle of their country. This is an issue that crosses political and social boundaries, an issue of the politics of social life, and therefore is discussed by everyone that is in anyway affected by the topic. Whether it is Muslims, French, “non-French,” writers, documentarians, artists, they all can relate in some way and be included in the discussion of the headscarf banning laws in France.
Lost In Translation: A Comparison of French Scholarly Authors and Those From Outside France in Understanding Laïcité and Identité

The controversy regarding the headscarf banning laws in France exists within the hexagonally shaped country, but also extends across its borders, being discussed by scholars, students, activists, and average citizens around the world. With a growing dispersion of Muslims around the globe, internet providing people with access to more and more information on current events and issues on a daily basis, and the growth and progress of women’s rights, it is clear why this issue has gained such popularity. Such a highly publicized issue has attracted people from different backgrounds, races, genders, and religions to provide their interpretations and opinions of the headscarf banning laws. Arguments can most generally be divided into two sides: those who support the creation and existence of headscarf banning laws, and those who are opposed to them. What this chapter will focus on is not simply what the arguments themselves contain, but more so how the arguments are made, their structure, who their audience is, and what the authors find most important for that audience to hear in order to be persuaded to one side of the argument or another.

The discussion on the headscarf banning laws in France is extremely complex, and discussions cover many different aspects of the controversy, from

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11 Headscarves are considered symbols of the Muslim religion, whose members exist in nearly all countries around the world. Headscarf banning laws have been discussed and even enacted in other countries, such as Belgium and Germany, and because the religion and the headscarf are so closely tied together the larger Muslim community has played a part in many discussions on the topic.
religious freedoms to untranslatability and even to different definitions of words like community and neutrality. The argument of this chapter generalizes on different points to create a clearer explanation of these analyses. My first inclination was to divide this chapter into two parts, beginning with what I assumed would be a French side, those authors who are citizens of France and supported the headscarf laws and following with what I call the “non-French” side, those authors who are not French citizens and were opposed to the laws. The first article I chose to analyze is by a French author named Nicolas Chauvin entitled “Laïcité scolaire et protection des élèves.” The second group of works was based on the idea that the authors were from outside of France, which include Harry Judge’s article called “The Muslim Headscarf and French Schools,” John Bowen’s book Why the French Don’t Like Headscarves, Joan Wallach Scott’s book The Politics of the Veil and a book called The Other Side of the Veil: North African Women in France Respond to the Headscarf Affair. While each of these works plays an important role in understanding the manner in which people discuss the headscarf banning laws, the final writing I study, exemplifies both sides of the argument, and proves my prior assumptions wrong. Caitlin Killian presents the idea that a person’s choice as to which side of the argument they are on, supporting or opposing the headscarf banning laws, is not specific to their nationality and blurs the divide that I formerly created. Through each of the different articles and books analyzed, this chapter shows that while nationality plays a role in the manner that the author presents their argument, it does not predict if the individual will support or oppose the headscarf banning laws.
The differences in the expectations the authors have of their audience are particularly evident. This is in reference to the background information that is presented to the audience at the beginning of the different works, for example laws written, important political figures, or debates, that are more or less highlighted by an author in order to enlighten the reader of the situation before providing their argument. The French authors tend to expect the reader to understand or have a basic knowledge of the major details behind the controversy, allowing the author to ignore explanations of what the law is or the major actors, whereas the non-French authors are likely to brief the audience before actually discussing their argument. This can be seen through Nicolas Chauvin's work, which focuses on the inequality faced by Muslims over students of other religions as of 1997 because of the new headscarf banning laws in schools and the way issues on the matter are dealt with on a case by case basis rather than setting a standard of ruling for all those wearing ostentatious signs of religion. Throughout Chauvin's article he expects his audience to have basic knowledge on different characters and organizations involved within the larger issue of Muslims in schools as he often refers to the Conseil D’état, France’s legislative branch of government, without explaining what this specific organization is or what they do. For the non-French authors however, there is little mention of the Conseil D’état except in the notes of some of the books.

French history is a similar area of interest and understanding for specific authors and audiences that is not always focused on so specifically by the “non-French.” Seeing as their audience is most likely French, it is assumed that they maintain a basic knowledge of the country's history, therefore, rather than
chronologically informing the reader of dates, such as from the French Revolution, the dates of the different Republics, or ones that signify the creation of the education system, authors can skip around or name centuries to describe these points.

Chauvin writes, “La laïcité scolaire date de la fin du XIXème siècle” implying a time that was not very tolerant towards ideas that follow those of the church. Someone that was reading Chauvin’s article is simply expected to know this information while a non-French author would assume otherwise and give a more expansive description of the date to help put the details into the context of their argument.

Chauvin represents the French author, as he focuses on the interpretation of the headscarf banning laws in schools that existed in 1997. As the title of his essay states his focus is not solely on the topic of the law, but the way students and French citizens interact with the law in the French school system, how the students are punished for not following the law and the reforms he suggests. Within the school system, policies are not consistently enforced, where students who refuse to remove the headscarf are individually disciplined on a case-by-case basis, being implemented sporadically, which Chauvin does not believe is a proper way to handle the situation. He also argues the issues children face between each other and the discrimination that Muslim children are presented with because of their religion and the fact it is shown “ostentatiously.” Because of this, while the school is punishing the children who wear the headscarf, their own classmates find it acceptable to punish them as well leaving the children with no one to turn to.

Chauvin advocates a different ruling system that defines one particular punishment

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12 Chauvin Pg. 10
but aids in supporting the integration of these children with the others, which would be promoted by the administration.

For both the French and non-French authors, the type of audiences vary but for the most part the authors analyzing the headscarf banning in the coming articles are not writing for the average citoyen. The works that are analyzed in this chapter maintain a scholarly audience, or at least one that has some intellectual interest beyond simply what the headscarf banning laws are. Each article chosen is not in a daily newspaper or magazine, but coming from scholarly journals including the Revue française de sociologie, La Revue administrative, the American Journal of Education, Gender and Society Journal, or Journal of Law and Religion. While the information in each article is informative and insightful for any reader, the journals in which they are placed create this intellectual or scholarly basis.

Overarching any aspect of the authors’ way of writing, it is important to understand the terms of the actual law that was written because it is often the law itself that confuses people and creates the biggest problems and arguments. The law basically states the separation of church and state within France, not a new phenomenon for many modern states, but for France it recognizes one of the country’s core beliefs, laïcité, or what is most commonly translated in English to secularism. Authors discussing the issue, whether they are French speaking or not, understand the simple principles of the law that generally disconnect religion from having any involvement within the functions of a nation, however the authors from outside of France often provide further
explanation. The French authors do not necessarily feel the need to explain or even state the law and idea of laïcité in their analyses because their primary audience most likely is from France and understands both its basic meaning and the way it is experienced in society. On the other hand, non-French authors, coming from any country that is not France, write to an audience that comes from outside of France as well and most likely does not have prior experience with the law. This audience needs the law to be explained to them before it is possible to get a sense for the author's argument and the formation of their own opinions. Once the law is clearly written, and if necessary once it is translated, the rest of the argument can follow.

The translation of the “law concerning the separation of church and state” is not the only challenge that authors face. The bigger idea of laïcité is something that is discussed by both French and “non-French” authors, however they both do this in different ways. For the French authors the articles are written with a common understanding of laïcité, and therefore they do not find it necessary to provide any further explanation of the word. While the French definition translates in English into a list of words including secularism, neutrality, or separation of church and state, there is an understanding of its meaning for the French beyond what can be translated which causes a rift between the French and “non-French” understanding of the law. It is impossible for the “non-French” to fully grasp this deeper meaning because they do not maintain the same social and cultural context like the French do. For the French authors, their audience understands laïcité in the French context, having an implicit understanding that
is related to their French citizenship and history, and not needing further explanation; therefore no argument is made solely on the definition of laïcité.

For example, Nicolas Chauvin originally opens his article with a few comments regarding laïcité but does not find that the definition is the primary issue to argue over. In one phrase Chauvin gives his simple definition of the word, “La laïcité peut se définir comme la neutralité religieuse de l’état; elle est avant tout un corollaire du principe d’égalité et vise à une certaine uniformité mais une uniformité positive, doté d’un contenu. Elle vise à faciliter la diffusion et l’adhésion aux valeurs républicaines, mais aussi, il ne faudrait pas l’oublier, à faciliter la diffusion de la connaissance.”¹³ His definition is not only short and to the point, but paints a relatively positive picture of what the word means, and its purpose in “facilitating the dissemination of knowledge,” whereas “non-French” authors often discuss laïcité in a negative light.

As previously noted, his article is not solely focused on laïcité; in fact he only mentions it as a part of his larger argument against the discrimination of Muslims in schools. It seems as if the French authors’ audiences are expected to agree with their authors regarding the description of laïcité and move along with the discussion, being persuaded by following points, in this case focusing on the more pressing matter of creating a fair ruling system in schools and

¹³ Chauvin, Nicolas. "Laïcité Scolaire Et Protection Des élèves." La Revue Administrative 295 (1997): 10-20. Print. Pg. 10 (Laïcité can be defined as the religious neutrality of the state; it is before all a corollary to the equality principles and aims to a common uniformity, but a positive uniformity, acquiring content. It aims to facilitate the dissemination and adherence to republican values, but also, we should not forget, to facilitate the dissemination of knowledge.)
understanding how to interpret the newly developed laws banning the headscarves for children in school and not getting lost in understanding definitions.

For each of the “non-French” authors, however, the untranslatability of the term *laïcité* is a major point made when discussing the difficulties Muslims face with the new law. The definition needs to be given to any reader who does not speak French as their primary language. This is a part of many “non-French” authors’ arguments not only to understand the basics of the word, but because the word itself is difficult to translate, which adds confusion for the reader but clarifies the idea that the law itself is confusing. Raising the question of what *laïcité* means is the first part of double-sided argument many of the authors are trying to make. First of all, they are helping their audience understand the English translation of *laïcité*, but because of the word’s complexity, historical context, and issues involved in social understanding, the author is also making the point to represent the confusion the Franco-Muslim community experiences. It is a difficult word to understand, simply through its translation into English, but many of the Franco-Muslim people speak French as their first language and still find difficulty understanding its meaning under its social context. The Muslim immigrants are trying to assimilate into a French society that is not accepting of them and follow new laws that force them to refrain from living their normal lives, all while their native language is creating the most confusion. The reader sees the confusion and the difficulty so many authors have in describing *laïcité* and can therefore relate to the Muslim’s confusion.
The French are known for many things, most stereotypically wine and cheese, but also their strong culture and their pride in democracy. As previously stated laïcité is a core principle of democracy that France understands. As literary historian Harry Judge states, “To be French is to be Républicain is to be laïque is to be committed to égalité.”\textsuperscript{14} It is first and foremost important to understand what each of those words mean before any discussion can be had on the topic of the veil, unfortunately there is a great deal of difficulty defining these words. The issue is that the word laïcité, among others, can be understood in many different ways, even if it is translated into one single term. Further on in his article, Judge discusses the difficulty of understanding the meanings of certain words between languages. Regarding laïcité, Judge says it is a “term that does not chime in English as it does in French.”\textsuperscript{15} Laïcité is seen as a term that “chimes” or simply makes sense for the French and does not for the “non-French.”

As previously stated, often times the French authors are writing to a French scholarly audience, but what was not noted is that these same authors often ignore the part of that French audience who is Muslim. Although most translate laïcité directly into one word, whether it is secularism, neutrality, or separation of church and state, there are meanings and understandings within language that create a barrier for comprehending the deeper intricacies of the word. This is most vividly seen in the dilemma between French people of French descent and the French citizens who come from the Maghreb states, Algeria, Tunisia, Morocco, Libya and Mauritania. While they are technically citizens of the same country, speak the same

\textsuperscript{14} Judge Pg. 17
\textsuperscript{15} Judge Pg. 18
language, and supposedly share a culture, the way the two groups comprehend laïcité does not necessarily accord with the French on multiple occasions.

This is evident when Joan Wallach Scott, an American author, discusses the controversy of the headscarf banning laws in her book *The Politics of the Veil*. Her book is an overview of the entire headscarf banning law debate in France, and a strong critique, which covers many areas including racism, immigration, schools, community, university, politics and others. Laïcité, however, is a major part of her argument. She begins by telling the story of the first expulsion of girls wearing the headscarf in Creil, France in 1989 that created the many years of controversy and popularity in the media that follow. What is interesting, nonetheless, is that when describing the principal’s reasoning for expelling the two young girls, she writes, “he claimed to be acting to enforce ‘laïcité’ – the French version of secularism.” Rather than tell the reader that laïcité is translated into the English word “secularism” she uses the phrase “the French version.” Scott is implying that there are different versions depending on the country, the culture, or the language of the speaker that alters the understanding of this word. Although she does not state it directly, this follows the logic behind Franco-Muslims having difficulty understanding the term because of the different version of the word into which *laïcité* is translated. This is most specifically the case for first generation immigrants who have an original sense of secularism from their home country as the separation of church and state but also while usually having tolerance of religious traditions in the community. In France,

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laïcité does not have the entirely same meaning and ultimately confuses the immigrants who cannot relate to the deeper French meaning of the word.

Henry Judge writes about the difficulty of translating this word in his article “The Muslim Headscarf and French Schools.” In the article he states, “Nothing is ever quite clear in French practice as it in theory appears to be: like the language itself, principles may be clear, but the French have an admirable and necessary talent for adapting such precision to the untidiness of everyday life.” A British author, Judge argues against the French headscarf banning laws and even provides a vivid attack on the French language and culture itself. However, his argument is not as shallow as it may seem on the surface. His work is similar to Scott’s in that he covers many different areas of the headscarf debate and the issues that arise within French schools, including the problems of racism, but most specifically, the way children are treated by their peers and the administration at their schools when they wear the headscarf. Judge articulates the idea of the difficulty within the language and provides a more in depth argument regarding French identity, Muslim immigration and integration and the future of Muslims in France. In terms of laïcité, this connects unswervingly. The law and the idea seem simple to translate, but by taking a closer look bigger issues arise, such as the difficulties Muslims face when trying to integrate themselves into French society. Even children at public elementary schools are involved in societal issues, although they and the Muslim community are unable to completely identify with so much of the culture and lifestyle.

17 Judge Pg. 5
Unfortunately, laïcité is not the only word that causes confusion, within the controversy of the veil laws there are many words that are found to contain complexities and deeper meanings than what can be translated into one simple term. Non-French authors are faced with the difficult task, and most likely only an attempt, of defining words like “neutralité” “communauté” and “identité.” John H. Bowen puts these words in the category of “faux amis” or false friends, words that seem to translate directly but actually have different meanings than the English words that are spelled similarly. In English these words translate to neutrality, community, and identity, each words that seem simple to understand in their basic definitions, however their meanings in the audience’s cultural context do not correlate between the two languages. Often times the issue goes beyond simply understanding a word’s definition but the meaning that a person adheres to within his or her own being and person.

John H. Bowen furthers the discussion about the struggle to understand basic French ideals like laïcité in his book *Why the French Don’t Like Headscarves.* He tells a story about when Blandine Kriegal, a political advisor to the former President Jacques Chirac, explained laïcité to him. “Finally, she explained to me how laïcité was not the same as the ‘Anglo-Saxon’ idea of freedom of religion. ‘In Anglo-Saxon thinking, in Locke or Spinoza, it is the concrete individual who has rights; freedom of conscience is the foundation. In our tradition these liberties are guaranteed through political power, which guarantees a public space that is neutral with respect to religion.’”\(^{18}\) Even those highly ranked officials to the French government can openly

\(^{18}\) Bowen Pg. 14
admit the difficulty in understanding words, not simply because of how the words are translated, but because of the definition itself, in the original language or the translated language.

Not only is Bowen showing the difference in defining the words, but he is also clarifying how the state works in the everyday lives of French citizens, which implicitly explains how this state differs from that of his audience. To begin his chapter entitled “Remembering laïcité” Bowen argues against the French concept of republicanism and their reasoning for laïcité. Rather than stating the law, the French views, and then his opposing points, Bowen attempts to persuade his audience through his strong argument against the French Republican system. He states that they “seek to rigorously and consistently justify policies according to” the idea of a community living together requiring an agreement over basic values. However, he continues stating that this “requires the state to construct institutions and policies designed to integrate newborns and newcomers into French society by teaching them certain ways of acting and thinking.”19 This is possibly the most argued point against the French government perspective, contending that there are “French” ways of thinking and if there are those who do not think or act in the same way they are not understanding “French” lifestyle or adhering to practices that allow for societal harmony.

The previous statements show the different style and technique of writing that non-French authors tend to use in order to immediately state their argument. The idea of laïcité is introduced, the author’s first point is made, and then further

19 Bowen Pg. 11
background information, such as translating and defining the meaning of laïcité, come afterwards to thoroughly brief the audience. Those who’s arguments support the headscarf banning laws come from not only authors writing in French in support of the law banning the headscarf, but also of those authors, people who believe in the underlying meaning of laïcité because of their belief in a French lifestyle or as some authors call it “French-ness.” This “French-ness” is seen as a sort of French identity, but can only be understood fully by those who know what it is, and creates a divide between those who do understand it and those who simply do not. This unfortunately excludes a vast amount of the majority in France, particularly the millions of Muslim immigrants from the Maghreb states that migrated after the French Algerian war. This challenge to understand what is French, the identity of a French person and that person, whether it be a Muslim woman, student, or even a Muslim man, is the hardest that each of these people faces.

French authors do not need to explain the idea of French identity in their writing because their audience, who is most likely French scholars, already knows what it is inherently or at least can relate to its meaning without needing someone to provide a definition, and therefore feels the law as legitimate. However, non-French authors find that as an extremely exclusionary term and that it ultimately disallows those who are French citizens but with Algerian, Moroccan or Senegalese descent, to integrate into “French” society. This concept of “French-ness” is difficult to understand but is often the main argument made by those opposed to the reasoning behind the headscarf banning laws. As Henry Judge explains, his article is
an effort to “explain to Americans why the French are as the French are.” This is a bold statement to make because he is making such a generalization, but Judge follows the trend of many authors writing on this topic where they discuss the simple and general characteristics, pride, culture, history, style, and language, in explaining how the French can allow for such laws to be written. The authors are not stating that the French judicial system is not legitimate, but rather that because of their history and lifestyle the decisions to make laws are legitimized in the French perspective.

France takes great pride in its history, and Bowen argues that this history is often the excuse for much of the modern social issues that are seen today. He quotes Jean-David Levitte, a French ambassador to the United States saying, “that the difficulty in explaining the new French law to Americans was that to do so he had to retell, each time, so much of French history.” Again, Bowen is not criticizing the history itself, but the idea that this past history consumes so much reasoning in the modern present day. What is particularly interesting is that while the history seems frustrating, because focusing too much on the past can overarch what is happening in the present, all non-French authors, as well as many French authors, find the need to utilize it in some to support their case. Although they use the history in different ways, French history contains primary information for any author to make their argument. For example, in Scott’s book multiple pages are devoted to the Algerian War, 1954-1962, which sparked the surge of immigrants into France. Scott states at the beginning of her chapter entitled “Racism” that “we cannot understand

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20 Judge Pg. 2
21 Bowen Pg. 5
contemporary debates about the veil without this history: in French eyes, the veil has long been a symbol of the irreducible difference and thus the inassimilability of Islam.” While some other works may not state this point so blatantly, I have yet to find an article, essay, or analyses that disregards French history in the document to describe the headscarf banning laws.

A final source that is absolutely necessary in this discussion is a book by Caitlin Killian entitled *The Other Side of the Veil: North African Women in France Respond to the Headscarf Affair* (2006). This is not about the author’s point of view of the headscarf banning laws, but more importantly interviews the actual Franco-Muslim women who are affected by these laws and the reality of the laws. 1999 was the ten year anniversary of the “headscarf affair” as well as a time when there was potential for new laws regarding the headscarf, motivating Killian’s book to be written. Killian explains her reasoning for the book asking, “Ten years after the first incident, and in the wake of a new case, what are different Muslim immigrant women saying about the issue, and what does it tell us about their experiences and their understanding of their place in France?” To answer this question, Killian found 41 North African women immigrants in Paris to partake in interviews discussing their views. The type of women within the group varied in age, country of emigration, ethnicity, education, employment history, marital status, and number of children, but all were Muslim immigrants. Unlike the previous articles discussed, Killian is a “non-French” author but her own study shares the views of French-

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22 Scott Pg. 45
Muslim women. Her book lets the women give their personal opinions and tell first hand accounts of being part of French society as Muslims, rather than hearing from scholars who are relatively disconnected from the actual happenings in France. These accounts are particularly interesting because the women interviewed are part of the community that is most affected by the new laws, providing valid insight outside of the division between the French and “non-French” authors.

While the interviews conducted only contained a small sample of the over 1.3 million Maghrebin immigrants living in France, the responses of the women are honest and directly from sources that have not otherwise been provided through the previously analyzed articles. The results show that religious observance is connected to a woman’s age and level of education where the older women and less educated women tended to be more observant than the younger more educated women. In terms of believing in the right to wear the veil in schools, there were women for and against it but their reasoning varied, including racism, hypocrisy, right to religious freedoms, or simply because of their liberty as women and human beings. One woman interviewed expresses her confusion with reasoning for banning the headscarf. She says, “They are exaggerating, because if the girls want to wear the veil, where’s the problem?...Me, I don’t know why they have so many problems with it. The headscarf and the shirt—it’s the same thing.” What is interesting about these women is that although they all consider themselves Muslim, they are not all observant and even are opposed to wearing the veil, however they “are willing to defend the rights of others to express themselves. They viewed it as a ‘question of

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24 Estimation according to France 1990 Census
25 Killian Pg. 575
The question of identity is often raised by analysts, and is repeated in the sentiments felt by some of the women in these interviews. The children of immigrants are focused on their identity much more than even their immigrant parents because although they are French citizens they are discriminated against for being who they are as children of parents from the Maghreb. A 46 year old woman from Morocco connects the idea of identity and wearing of the veil; as she explains, “its to show that they exist, because they exist, that’s all.”

In contrast, about half of the women are against girls going to school wearing a veil, and again women had different reasons for taking this position, including their belief in the idea that the point of school is integration, that the veil is not required to practice Islam, and that these immigrants chose to come into France and must abide by their laws or go home. Amel, a 26-year-old Franco-Algerian woman, said, “For me it’s a choice to make. You study and you go to a secular school, meaning you respect the laws, no exterior signs, or otherwise you stay at home, and the veil she can wear it from morning until night, nobody will stop her.” Their idea is not that wearing the veil in general is a negative thing to do but that by wearing it students cannot have the most full and beneficial educational experience because the veil separates them from the other non-veiling wearing students. A woman named Isma, 36 years old from Algeria, raises the point that by wearing the veil, the students are imposing their beliefs upon those who do not wear it. She says, “dressing like that, you become yourself intolerant, because you want to impose. I’m

26 Killian Pg. 575
27 Killian Pg. 580
28 Killian Pg. 581
sorry to say it, but it’s often the one who wants to show that he’s more Muslim than the other; he wants to impose it.”29 Not only are the Muslims girls separating themselves from students of other religions but “imposing” their level of Muslim practices onto other Muslims, ultimately distracting them from basic daily learning in schools. Through each interview it is evident that even within the group of people experiencing the effects of the headscarf banning laws in schools there are varied responses and sentiments. The idea of finding a resolution seems impossible when there are so many sides of the discussion both from Muslims and non-Muslims alike.

In conclusion, though there is a noticeable divide between French authors and non-French authors in the way they style their arguments regarding the headscarf banning laws, their nationality does not affect which side of the argument, supporting or opposing the headscarf banning laws, they choose to argue. They often have similar points in their arguments, particularly regarding French identity and laïcité, however, the arguments the French authors make are presented to their audience with less detail and background information, including definitions, explanations of important figures, and statistical data, than that of their non-French counterpart. The existence or lack of this type of information further explains how the audiences, both French and “non-French,” ultimately create their own opinions regarding the headscarf banning laws.

29 Killian Pg. 583
Lights, Camera, Action! An Analysis of Documentarian and Filmmaker’s Interpretations of the Headscarf Banning Laws in France

The headscarf banning laws affect all Muslims, regardless of social status, age, and gender, thus the discussion spans from scholarly works to the big screen, the library and bookstore shelves. Whether it is through a documentary, a drama, or even a novel, each medium has its own perspective the director or author wants to portray to their audience. The headscarf banning law discussion is easily divided into two sides, those opposed to the law banning the veil and those who believe it is just and necessary in creating peace and stability within France. However, often there are divisions within each viewpoint. Sometimes it is easy to generalize in dividing these sides as groups of French creators versus non-French, however, through researching the film Je t’aime Paris, or the documentaries They Call Me Muslim, and Headscarf-France, it is evident that the solid line placed between these two sides is blurry, once people understand the complexity of the situation and reasoning behind both sides of the argument. By using the aforementioned three works, this chapter will investigate the idea of not only position on the headscarf banning laws presented to the audience, but also how the information is presented, what emotions are evoked through the different works and how they form the opinions of the viewers and readers.

Initially, many people on either side of the argument make assumptions regarding the headscarf banning laws, such as that the French are racist, Muslim men are forcing their daughters and wives to wear the veil, the people wearing
headscarves are terrorists, et cetera, but these three works provide new insight for their viewer. Each of the creators utilize their power in their position as artists to create a realistic but often times artistic representation of the situation for their audience so that they can fully understand the controversy and form legitimate opinions. Film, particularly on the big screen, is a popular outlet for many artists, such as the directors of this film or even documentarians, to share their own opinions on important topics. This is exactly what the director of They Call Me Muslim, Diana Ferrero, each of the 22 different directors of Paris Je t’aime, and the creators of Headscarves-France did. Statistically it is estimated that in 2008 France’s population was around 62 million people, and within that number there were 189.7 million admissions to films. Thus highlighting the popularity of film within the country, and the potential power a film can have if this many people are willing to watch it. The filmmakers creating Paris Je t’aime and They Call Me Muslim knew the importance of creating their own message, whether it was the basis of the entire film or even a simple vignette. Through the films, the audience could create their own position on the controversy by learning about the significance of the headscarf and the intended purpose of the French law.

This chapter will explain the way in which the authors and directors present their position on the laws through film to an audience, including what they specifically discuss, how they discuss it and what methods they use to capture and persuade their audience. First, each work discusses the idea of choice, that is

whether the wearing of the veil is a choice or not. The main characters in each work explain their choice to wear the veil and reasoning for it, the majority stating that they are not forced. Not a single explanation involves the subordination of women to men, fear of wrath from their parents, or self-consciousness, Rather, the central theme is that each woman has the right to choose to wear or not wear the headscarf and by creating a law forcing one way or the other, they lose that freedom of choice.

For Samah, an 18-year-old Syrian woman living in Paris, the decision to wear the veil was her own individual choice, and now it has become a part of her. She explains her decision in *They Call Me Muslim*, a documentary that explores the lives of two Muslim women, one living in Paris, France and the other in Tehran, Iran. The two women share the same religion but Samah, living in a country that bans the wearing of headscarves, and “K,” living in a country that makes it mandatory, each disagree with the laws of their country. Although Samah and “K” have opposite beliefs in regards to wearing the headscarf, they both equally share a belief in their freedom to choose. Samah explains her decision to wear the headscarf: « Quand J’enlevais mon foulard l’année dernière, je sentais vraiment touchée mon identité.”

Samah also describes the difficulty with the laws in public schools and her own personal sacrifice. She continues: “Ils me font, vraiment souffrir.” Diana Ferrero, the director of *They Call Me Muslim*, presents Samah as a sufferer and a victim of the law rather than someone forced to wear her veil, she is simply living in France and desires to wear the veil, but the law makes those two seemingly simple notions difficult to pursue. Samah finishes her description of the veil with a simple

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*They Call Me Muslim.* Dir. Diana Ferrero. 2006. DVD. – “When I took off my scarf, I felt that my identity was altered.”
statement, “Ça y est, c’est moi.” She explains that the headscarf is not just a choice or a religious obligation; once the decision was made; it became a part of her, just as it becomes a part of any of the girls and women who decide to wear it.

This point is reiterated in the documentary on YouTube simply called *Headscarves-France* made by an Australian production company called Journeyman. This documentary, filmed in a style similar to a news story, describes the struggles a young girl of fourteen named Hillel faces everyday as a Muslim in the small town of Thann, France. Beyond the young girl’s story, the documentary further investigates the issue of the headscarf banning laws on the grander scale, investigating Muslims in France and the way they are accepted into society. Hillel has already been expelled from her school in Thann, France because of her decision to wear the veil. Hillel explains a similar point of Samah’s saying, “Le foulard, c’est moi!” Wearing the veil is more important to Hillel, and many of the women choosing to wear it, than institutionalized education or integration into the French community because of their strong faith and belief that life needs to be fulfilled through being a good Muslim. By not wearing a veil, a woman cannot be considered as such. For example, when Samah is asked what she thinks about girls wearing short skirts she gives a faithful response, saying “J’espère qu’elle deviendra mieux et qu’elle se rend compte de ce qu’elle fait...que Dieu la guide.” Samah takes pity on girls who do not practice the Muslim faith through dressing the proper way and hopes they become “better.”

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32 They Call Me Muslim – “They really made me suffer.”
33 *Headscarves-France*. Journeyman Productions, 2004. Youtube. – “The headscarf, it is me!”
34 They Call Me Muslim – “I hope that she becomes better et that she realizes what she is doing...that God will guide her.”
She does not blame the individual for wrongdoing, but explains it is an issue of the individual not having a strong enough relationship with God that brings them to their decision to not wear the veil. By becoming closer to God, they will be “better” and in turn wear the veil as all good Muslim women should do. The idea that the veil is a piece of a human identity, a piece of their being, is the most vivid point that both directors make in their documentaries. Once their decision to wear the veil is made it is not fair to expect them to take it off, because in the eyes of a Muslim girl or woman, this is like asking any other human being to take off an arm or a leg, it is part of their whole. Being forced to remove it is akin to being insulted.

The second important aspect of the documentaries and films is the counter argument that is presented in all three of the pieces which utilizes the idea of “presidential support” in arguing the idea that the wearing of the veil is against the nature of France and the French republic.\footnote{Headscarves-France} Both films quote Jacques Chirac, the president when the 2004 law was incepted, “‘conspicuous religious symbols including Islamic headscarves are banned from public schools.”\footnote{They Call Me Muslim} In the Journeyman documentary Chirac is shown giving a speech saying, “La laïcité est inscrite dans nos traditions, elle est au cœur de notre identité républicaine.”\footnote{Headscarves-France} He is quoted again in Diana Ferrero’s documentary discussing the fact that the Muslim religion is against the traditions of France and the fact that it could endanger French democracy.\footnote{They Call Me Muslim}
The core principles of France explicitly state that the country is *laïque*, and included in this is also the idea that France is based upon equality, history, and freedom. Unfortunately, this *laïcité* extends only as far as the government permits. For example, the government limits the freedom of religion for its citizens even if the state believes its laws are benefiting them. When looking at these longstanding principles, it is impossible to completely disregard the political stance that Chirac, as well as many of his fellow politicians and important figures like Hanifa Che’rifi, take because of his, and the entire group’s, job as preservers of France and French identity, as well as their own beliefs.

Hanifa Che’rifi is an interesting person that is interviewed in the *Headscarves-France* video, as a woman who is Muslim and fully supports the government’s decision to write headscarf banning laws. Though Che’rifi is Algerian born, she is one of the loudest proponents of a headscarf banning law and fully supports those in favor of it. When asked if the law can legitimately be called racist towards Muslims, Che’rifi responds that no, in fact the law is not racist. She contends that the purpose of the law is to promote freedom of thought, especially for women who are repressed because they are constantly wearing the headscarf and thinking about their faith over their own personal beliefs.\(^{39}\) She is the opposite of the stereotypical Muslim that many non-Muslims create, who wears the veil and does not share her voice. Che’rifi is special in that she provides somewhat of an inside look into the Muslim world while being a supporter of the French government.

\(^{39}\) *Headscarves-France*
These documentaries quote not only the previously stated public figures, but also authors and scholars within the world of international studies. An author of a novel that explains what it is like to wear the headscarf, is unlike many of the modern women who talk about this issue, believing that the veil is absolutely what the government says it is, an object used to represent the position of women under men. The author, Chahdortt Djavann, reads an excerpt from her book comparing the headscarf to the yellow star of the Holocaust, trying to get the point across that the headscarf is in fact something used to represent the subordination of a human being. She reads from the novel, “…elles ont vécu l’humiliation de ne pas être des hommes, de porter le voile, cette prison ambulante comme un stigmate, comme l’étoile jaune de la condition féminine. Le corps féminin humilié, coupable, source d’inquiétude, angoissant, menaçant, sal, impur, source de malaise et de péché… »

The reader of the book or the viewer of the documentary cannot help but feel empathy for the author and for others wearing the scarf, especially because it is a personal account from an Iranian French woman. However, the purpose of utilizing this author within the context of the documentary’s bigger argument, which counters the headscarf banning laws, is only to show a primary oppositional viewpoint, and not necessarily whether Djavann is right or wrong.

These documentaries are both very honest, often times presenting the weaknesses in their argument, which is that headscarf banning laws should not be written or practiced, but they bolster their argument by relying on the facts. In both

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40 *Headscarves-France* – “They live in the humiliation of not being a man, of wearing the headscarf, this walking prison as a stigma, like the yellow star of the feminine condition, the feminine body humiliated, guilty, a source of worries, an anguished, threatening, dirty and impure source of malaise and sin.”
the Diana Ferrero and the Journeyman Production documentaries, statistics and estimations are displayed for two reasons: the shock factor and to give concrete evidence of the Muslim situation in France. For instance, at the opening of the 2006 documentary *They Call Me Muslim*, the March 2004 law is explained followed by the fact that it is estimated that 10% of the population at that time was Muslim. Later in the *Headscarves-France* documentary, while the narrator is discussing the town of Lille, as well as other towns, he states that the Muslims live on the outskirts of town due to their social status and high unemployment rates. Even after this statement, the narrator gives a ray of hope showing footage from a private Muslim school in the same city. He follows this point by stating that this is one of three Muslim private schools in the entire country. By watching the helpless Muslim schoolgirl who is not accepted at her own French public school, the viewer naturally feels pity for the girl.

The creators of these films really pull at the emotions of the viewers to help them create their own viewpoint on the topic. By seeing Hillel's sweet, innocent face under her headscarf or the undesirable neighborhoods in which the Muslims are forced to live, the viewer wants to help or at the very least hope that the Muslim situation gets better. By hearing individual accounts, the situation becomes more personal and the emotions - courage, sadness, and pride - of the protagonists all become real. By connecting emotionally with the viewer, the films are able to persuade the audience to support their claims. This is most evident when their message is an attack on the headscarf banning laws.

A final example of a dramatic film, that presents the meaning of the headscarf to its audience is the 2006 blockbuster *Paris, Je t'aime*, a film that consists of 18
scenes each created by 20 different directors. This is a film that can be termed a “made-for-Hollywood” movie all the while still presenting its viewers with a real and honest depiction of some of the lifestyles in Paris. Generally, the film focuses on Paris as the “city of love,” but also tries to realistically depict life in Paris. As New York Times film reviewer Stephen Holden states, “The Eiffel Tower sparkles, the parks are lush and green, and the banks of the Seine are an inviting lovers’ rendezvous. But the Paris we see is not so prettified that it looks and feels unreal, and the pace is hectic;”41 The directors share the character of each neighborhood and give a dreamy sense of the city to the audience all the while trying to tell very real stories. The most important and relevant part of the film to this discussion is the vignette often entitled “Quai de Seine.” The viewer watches as young boys proceed to flirt and gawk at young Parisian women walking past them wearing barely any clothes, but then they see a young Muslim woman catching the attention of one of the quieter boys. When the girl leaves her seat she falls, cutting her hands and misplacing her headscarf. What follows is a scene in which the quiet boy comes to her aid, helps her up, gathers her bag, and attempts to resituate her veil although he has no idea how to actually put it on her properly. While he helps her, the young boy asks the girl why she wears the veil when she has such pretty hair, and although they seem to make light of the situation and controversy that exist in France, the girl provides a very honest explanation. She justifies the headscarf saying that it is her choice to wear it and that she feels pretty even while covering her hair. She explains,

“Personne ne m’oblige. C’est moi qui ai voulu.”42 As the girl continues talking to the boy she explains that his friends are ignorant of women and of their concept of beauty, saying that when a woman wants to be pretty, she does it for herself. She further to explain: “Quand je le porte, j’ai le sentiment d’avoir une foi, une identité. Je me sens bien. Et je pense que ça c’est aussi la beauté.”43

While the writers of the film do not provide every detail of today’s controversy intermixed with a romanticized love story, the veil remains an important part of the story albeit not the focus. This is most evident after the girl falls and her headscarf is taken off as well. The boy comes to help her get up but she does not put the veil back on right away. Even while the girl is advocating the veil in the story she is still not very quick to replace it on her head, the love story takes precedence. In the world that exists today it is much more likely that the average person will see a film at the move theater over a small privately produced documentary that as widely distributed. Although the film is not entirely focused on the story of the headscarf or even the life of the Muslim girl, it does present the audience with a better understanding of the veil in the short vignette. Especially in France, where the basic comprehensions of the choice to wear the headscarf are skewed due to the media and government positions on the matter, a film that is able to reach out to a broad range of people, can introduce new perspectives and enlighten someone who is not fully informed. This film in particular shows that Muslims are normal people, women are not forced to wear the veil and they are free

42 *Paris Je T’aime*. TF1, 2006. “No one forces me. I am the one who chose.”
43 *Paris, Je t’aime* “When I wear it, I feel a part of a faith, an identity. I feel good. And I think that is what beauty is.”
to love just like everyone else. With this said, it is important to note that this film was created during the controversy and is making a statement by portraying a Muslim woman wearing a veil in Paris.

In the end, whether either of the documentaries or the film come from French or non-French production companies, writers, or directors, their message is clear: to inform their audience that women believe that they should have the choice whether to wear the veil or not in France. It is not only a question of identity or a piece of their being, but can many argue that the headscarf is forced upon women, and therefore symbolizes a man submitting a woman to his power and position. Both sides of the debate but before a person can make legitimate claims regarding their own personal stance on an issue, it is necessary to hear the two sides. By hearing individual accounts, learning statistics or watching a romanticized film, the viewer is able to have a clearer understanding of the debate and ultimately form their own informed position.
The Voix des Peuples: An Analysis of the People Participating in the Conversations about The Headscarf Banning Laws

Although in the United States many intellectuals, previous activists, and academics question the political activism of the current youth generation, those in France still consider and participate in activism on a day-to-day basis. A country recognized for always sharing an opinion and making a statement, France rarely ignores an issue, and in the particular case of the headscarf banning, the trend continues. This chapter is going beyond simply what the headscarf banning law is, or who is discussing it, but how those individuals who are participating in the discussion of the headscarf banning law are presenting their reasoning for their beliefs. Although the headscarf banning issue has been relevant in the past decade, this chapter will be focusing mostly on the past three years, and particularly the most modern law, constituted in October of 2011. This law rules a fine for women who do not cooperate when asked to remove their niqab and an even larger sum for men who force women to wear the niqab. The discussion on the most recent law is often divided into two parts, those who stand for wearing the headscarf and those opposed to wearing the headscarf. Today, however, it is evident that a third side has been introduced, those who see the niqab as a simple statement of art. In this chapter, three individuals and organizations exemplify each of the three viewpoints: Niqabitch, a pair of women prancing the streets of Paris in a niqab and miniskirts, Ni Putes Ni Soumises, an organization created for the rights of women and equality for all who are strong believers in disallowing the veil, and Princess Hijab, a street artist who “hijabizes” ads in the metro tunnels as an aesthetic art practice. These three
perspectives make evident modern protesting practices that push the envelope while still being considered peaceful.

All three approaches are controversial on the domestic and international scale in their own way but the most recent example of this is a video made by two women who call themselves Niqabitch. The video, posted in October of 2010 on YouTube, Daily Motion, and many other video sharing websites, was expected to go viral after two women, one of them being Muslim, sauntered through the streets of Paris wearing only the niqab and a mini skirt as seen in Figure 1. This demonstration was controversial because rather than the burqa which covers the entire body, the niqab is worn to cover the face and arms and usually ends around the waist accompanied by another piece of clothing to cover the rest of the woman’s body. Niqabitch chose to present themselves as a form of peaceful protest, and even less than a protest, as a statement. What is that statement? It is that the niqab is not a form of hiding, or forcing a woman into submission, rather it is a piece of clothing, a choice women make. The new law says that they are not allowed to cover their face, but it does not say that they cannot cover their entire bodies so Niqabitch is doing just that, covering from their hair to their waist but exposing their legs.
While Niqabitch is seen as powerful to some who believe in the freedom of choosing to wear the veil or not, many Muslim fundamentalists found their actions indecent and crude. It is a fundamental practice for many Muslims to cover or veil, so when these women decide to cover only the upper half of their bodies and expose their lower half it is not surprising that these fundamentalists saw this behavior as a disgrace. One commentator named Joan wrote on a blog about the Niqabitches, “Ignorant you- lauding the ignorant. The niqabitch dress is more offensive than a ban on the burqa…. it is mockery of the Muslim people. And who thought of word niqabitch?…..the sick western arrogance of some …. who don’t stand up or know their own culture and mock, ridicule another….. in their arrogance, ignorance demonstrate that they can’t tell difference between protest and ridicule.”

In response to the many negative reactions like this, Niqabitch says, "We were not

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looking to attack or degrade the image of Muslim fundamentalists – each to their own – but rather to question politicians who voted for this law that we consider clearly unconstitutional. To dictate what we wear appears to have become the role of the state." No, these women are obviously not Muslim Fundamentalists but they still believe that those who are should be allowed to wear the veil, and even those who are not Muslim Fundamentalists, should still have the right to choose. Though the reaction was negative on the Muslim Fundamentalist and government’s sides it is the government that Niqabitch is trying to reach.

While the pictures of the two women alone speak volumes in its own simplistic and general way, a moment in the video when they speak with members of the French police force is particularly poignant. They are standing on the street outside the Ministry of Immigration and National Identity when a male officer asks them to move, but the women stay still, saying that a law does not exist yet telling them they must go. He is obliged to let them stand there, but later the female officer talks with them, telling them how much she likes their outfit, and eventually taking pictures with the women. If in the same position just a month after the video was created, the police woman would be required not only to ask the women to take their niqab off, but also to fine them if they ever chose to ignore the request of her fellow police officer, as the newest law banning people from purposely covering their faces in public spaces would be fully enacted. Niqabitch’s example is interesting because they take a stand against a particular issue, but the duo is not

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focused on their own individual rights. Rather they are focused on the rights of the common woman. Even though only one of them is Muslim and the law banning headscarves does not radically affect either of the women as much as it does many of their fellow French citizens, the pair is taking a stand for the freedom of those women who choose to wear headscarves.

While their outfits seem unorthodox and outrageous, Niqabitch certainly get their point across. Tourists and French citizens alike are attracted to Niqabitch, taking pictures and striking up conversations that allow the women’s voices to be heard and spreading their message to whomever will listen. Looking at Figure 2, even the trash men take a break from their busy schedule to hear what the pair has to say and snap a few photos. Niqabitch is certainly an example of a modern take on protesting, and because of the globalizing society that this world has become, their message is being heard beyond the streets of Paris: Articles have been written in England, the United States, Australia and elsewhere.

Figure 2

Niqabitch is one example of how women are participating in the discussion of the headscarf banning laws, but their actions were taken on their own accord, two women standing alone who decided to do something about what they believe. Of course, they are not alone in their fight, but an interesting juxtaposition is an organization called Ni Putes Ni Soumises, or Neither Whore Nor Submissive. This is a feminist group, formed in 2002, that was not created solely upon the issue of the headscarf banning but for the more general cause to fight against the violence towards women in France. Ni Putes Ni Soumises prides themselves on their three pillars: la laïcité, l’égalité et la mixité: secularism, equality, and integration. With that being said, the organization’s views on the headscarf banning laws seem somewhat surprising because they are avid supporters of the government in creating these laws rather than giving women the freedom to choose, which would assumedly be an ideal of a woman’s rights group. In an interview in 2006 by Rose George for the Guardian newspaper in London Fadela Amara, the former president of the organization explained that “the veil is the visible symbol of the subjugation of women” and particularly on the topic of headscarves in schools she continues, “It’s not tradition, it’s archaic! French feminists are totally contradictory. When Algerian women fought against wearing the headscarf in Algeria, French feminists supported them. But when it’s some young girl in a [French] suburb school, they don’t.”

What is significant about this organization is not only their strong stance on so many feminist issues in France, including the headscarf banning issues but also

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respect for women in French society, creating safe houses for women in immediate
distress and treatment of women who are victims of violence, but also the fact that
the group has such a significant following. In one particular demonstration in Paris
on January 25th 2010, before the headscarf banning law was passed, 20 women from
NPNS stood outside the Socialist Party’s offices donning burqas and placing a card
with a rose and a burqa on the steps of the building. Their message was not that
they enjoyed wearing the burqa but that “ils” or “they” make the women wear them,
and they are asking the law to be written to stop this injustice. As seen in Figure 3,
the women left a burqa, a rose, and a postcard to complete their message, as
President of the movement Sahib Habchi stated, “We came to tell the progressive
forces of France not to abandon women to the violence of the obscurantists.”

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50 Sarah Braasch
Ni Putes Ni Soumises contrasts with Niqabitch, not only because of their position on the headscarf banning issue but also because of the collective group of women behind the movement that participate in demonstrations and actions to share their message, rather than just a single action by a small number of people. NPNS takes political action, lobbying politicians, and putting pressures on legislation to make significant changes. The group does not stop after one demonstration but continues making their mark with multiple demonstrations and gaining new members to the movement every day in order to grow and progress for the betterment of the women of France. Not all women agree with their points of view, but those who do have an outlet and potentially more strength to make change than the smaller demonstrations, like those of Niqabitch, which do create a stir and make points but do not necessarily have such an effect on the government.

The last example of a modern take on the hijab in France is especially interesting because, unlike Niqabitch and Ni Putes Ni Soumises, Princess Hijab is a mysterious street artist who “hijabizes” French ads in metro stations. Donning a long black wig and a hooded jacket that covers the artist’s face, it is a mystery as to what sex the artist actually is, but as Princess Hijab clarifies, “The imagined self has taken the foreground, and anyway it’s an artistic choice;”\(^{51}\) the art she creates is what is most important. The history of this artwork further accentuates this idea, as the artist began in 2006 in between the headscarf banning law in schools and the present law that bans headscarves in public spaces. Her act of “hijabizing” is

something Princess Hijab felt a calling to do; she finds a specific ad in a metro
station and proceeds to use a large black marker to draw a hijab on the characters
within the ad. These ads are carefully chosen, often times covering people who are
not fully clothed, though these ads are not discriminatory according to gender.

Princess Hijab speaks adamantly about her art as art and not as a religious,
social, or political movement. In an interview with Bitch Media the Princess explains
her motivation saying, “Some say I am pro-feminist, some say I am antifeminist;
some say I am pro-Islam, others that I am anti-Islam. It’s all very interesting—but at
the end of the day, I am above all an artist.”

There is no denying the relevancy between Princess Hijab’s “hijabizing” ads
throughout the city of Paris and the discussion and new laws written regarding the
same piece of clothing she is drawing in her artwork, but she still denies taking a
strong stance on the subject. Rejecting this idea of supporting religious freedoms of
expression, most particularly Muslim but including any religion, Princess Hijab
further explains what she calls her “artistic jihad” saying, “I’m using the hijab for
myself.” In another interview with the Guardian journalist Angelique Chrisafis
Princess Hijab admits the veil has important meaning, but leaves the interpretation
of her art to her audience. In the interview Princess says, “The veil has many
hidden meanings, it can be as profane as it is sacred, consumerist and
sanctimonious. From Arabic Gothicism to the condition of man. The interpretations

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52 Aburawa, Arwa. "Veiled Threat : The Guerrilla Graffiti of Princess Hijab." Bitch
threat>.

53 Arwa Aburawa
are numerous and of course it carries great symbolism on race, sexuality and real and imagined geography."

Princess Hijab’s art gives her audience perspective; as she does not focus on one subject, it is evident to the audience that each art piece engages multiple issues. Walking through the metro, a man coming from work may interpret the group of men garbed in the hijab in the Dolce and Gabana ad, seen in Figure 4, as something completely different than a teenage girl on her way home from school, whether they are Muslim, Catholic, Jewish, left-wing, right-wing, upper-class, or lower class. The shocking truth is that every person in each of these groups, and others, sees a different issue that needs to be addressed.

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55 Aburawa, Arwa
The most fascinating aspect of each of these three examples, Niqabitch, Ni Putes Ni Soumises and Princess Hijab, is not the headscarf as their common focus, but the significant, differing views held by each one while maintaining the common item: the veil. The Niqabitch women are making their statement through how they dress in order to raise awareness for a woman’s right to wear the veil if she chooses to do so. The Ni Putes Ni Soumises movement argues contrary to the Niqabitch pair that they support the headscarf banning laws, but this issue is only part of the larger scale of women’s rights issues that the organization values and works on. Finally Princess Hijab utilizes the veil in a way that uses the hijab as art. She is not raising awareness to one specific issue, unlike the previous two examples, but trying to make her audience more aware of the idea that one piece of artwork, one picture, can raise many different issues. Many political and social issues do exist, societal integration, poverty, starvation, education, self-image, wealth, media intervention, et cetera, and one action of “hijabizing” an ad could hopefully inspire many people to consider the long list of problems in the world as well as figure out what to do next in order to fix them.

The first two examples are basic sides to an argument, one for something and one against it, but Princess Hijab example is a modern twist on the common discussion and allows people to take a second look at the issue through a new lens. All three give insight into what the hijab, burqa, headscarf, or any other term that can be used, stands for in France and furthermore, the array of definitions or explanations that it holds. The bigger message that can be drawn from the three examples is that two groups or people can fully support women’s rights and yet still
have radically different views on the headscarf, or any other particular women's rights issue.
Conclusion

This thesis is not necessarily an argument regarding the headscarf banning laws themselves, but takes a deeper look into those who are making the arguments about whether or not the laws should be and have been written. It is also making an effort to understand how those authors, documentarians, film makers, activists, and artists form their opinions. Originally, I made many assumptions as to what the conclusions of this thesis may be, how the arguments would be distinctly divided, what those sides held as principles of their claims, and the fact that most evidently all French Muslims would stand together on one of the two sides, either supporting or opposing the headscarf banning laws that have been written in France. What has arisen from the process of writing this thesis is in fact nearly the opposite of my expectations.

First of all, each person who includes himself or herself in the headscarf discussion has their own opinion that does not come as a result of his or her class, gender, wealth or religion, blurring, if not completely erasing, the divide I created. Secondly, even within the sides of the argument, those who support the headscarf banning laws and those who oppose it, people have different levels of opinions, where some strongly focus on women’s rights, others believe in religious freedom, and even more people find it as protection of French identity all while somewhat sharing beliefs with those in other groups. The most surprising conclusion however is that though many see the headscarf banning laws as a violation of the rights of Muslims specifically, Caitlin Killian’s book in particular demonstrates that even the
viewpoints of those within a single religion are varied. Through these specific conclusions, I find it particularly important to realize the importance of hearing all sides of an argument, and recognizing that often times an argument can have more than two sides.

It is not possible to read every article, or watch every documentary, see every art piece or speak with every activist involved with creating opinions about the headscarf banning laws in France, but through my research I have been able to see that at the very minimum, my assumptions were wrong. What can be done, is that those who are engaging the headscarf issue, whether it is an author, documentarian, film maker, activist or everyday human being, can acknowledge these differences in viewpoints, being more considerate of the structural and logistical differences each maintains, and only enhance their own opinions more. I think what is most important in creating any opinion is to ask not necessarily what you believe, but what are the counterarguments to those beliefs. That will eventually produce a stronger argument and let the truly difficult questions be raised. Opinions can be raised by anyone, in the particular case of the headscarf banning laws it is evident that though the French are in close proximity to the debate even “non-French” people have a voice to contribute in this discussion. With that in mind, this thesis raises questions for future researchers who study the discourses of the headscarf banning laws, as well as any other social or political issue that may arise.

The headscarf banning laws in France have caught global attention because, while it can be considered a domestic issue within the borders of France, it deals with the broader Muslim world and often times discussed as an issue about the
rights of women. The latter two areas are not restricted to borders, and are relatable by people all over the world. In a growing, globalized world it is impossible to ignore an issue that touches upon such a large group of people, whether that is Muslims, women, or even Muslim women, allowing this particular issue to raise such hype. Are issues that people can relate to more popular than those that are not? Or are there issues that are disconnected from certain people’s everyday lives that make them more interesting? What attracts people to certain issues and keeps them interested enough to create a discourse? And finally, once that discourse is created, how do those involved formulate their reasoning? Is it possible to give a fair, unbiased opinion that can be valid to a global audience? Through my own research, I have found three separation conclusions that are specific to the works that I studied. The first, that opinions regarding supporting or opposing the headscarf banning laws that have been written in the past and are posed to be written in the future are not maintained by groups of people within a specific nationality, race, or age. Secondly, after studying three different films and documentaries that were made in different countries they all support the same message to inform the public about the current situation and find the need for it to be a global issue. And lastly, that after studying different individuals and groups who actively fight supporting or opposing the headscarf banning laws each find their own way to present their argument and that two different groups or individuals that are involved and support women’s rights can still have vastly varying views on this specific topic of the headscarf.

I think what will be most interesting to see is not necessarily the type of outlets people will use to discuss a topic, but what issues will come to the forefront
and be dealt with by the global society. And once these issues are raised and deemed worthy of analysis, how the discourse changes to be accepted and understood by a global audience as the world finds both the issues more relevant and information more accessible.
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