

UNDERSTANDING *LAÏCITÉ*

Why the French Don't like Headscarves: Islam, the State, and Public Space. By John R. Bowen. Princeton University Press 2007. Pp. 290. \$27.95. ISBN: 0-691-12506-6.

In 2004, France enacted a law that prohibited public-school students from wearing certain symbols that prominently indicated their religious affiliation. (1) Students who felt compelled to wear such symbols would now have to choose between religious observance and attending public school. Furthermore, everyone understood that the law, although worded neutrally, was in fact aimed at Muslim schoolgirls who had been wearing headscarves to class. The law raised puzzlement in the minds of many observers in America and elsewhere outside France. How could such a law be welcomed in a western democracy that purported to cherish and protect freedom of conscience? And how could French people think that such a narrow law would address broader anxieties over political Islamism and women's inequality that seemed to drive its passage? A fascinating new book by John Bowen sets out to answer such questions. (3-4)

John Bowen is a social anthropologist who takes a loosely ethnographic approach to the headscarf affair. That disciplinary outlook is fitting because the questions that many Americans have been asking about the French law are similar to ones that social anthropologists have long tried to answer: How do other people organize their society, and what can that tell us about our own? In fact, such questions are arguably even more pointed in this case precisely because France is meant to have a government that is similar to our own in many ways—democratic, legalistic, bureaucratic. That basic similarity can make the headscarf ban all the more intriguing.

When the 2004 law is explained in the United States, it is often blithely attributed to France's unique conception of church/state relations, summarized in the term *laïcité*. That word is translated to mean simply "secularism" and the new law is chalked up to the idea that France has a stricter conception of the separation of church and state than the one currently in place in America. Whereas U.S. separationism means at most that *government* cannot support religion in various ways, *laïcité* also sanctions *private actors* for pursuing their faith out of doors.

Not only may public schoolchildren not wear prominent religious symbols, according to this commitment to *laïcité*, but religious organizations may not sell sectarian literature or proselytize, candidates may not invoke their faith on the campaign trail, and government employees may not display religious headgear. (14-15, 17-18)

Yet that strong-secularism explanation is far too simplistic by itself. Actually, religious bodies receive far more government support in France than in the United States. For instance, the state owns and maintains churches that were built before 1905; it officially registers and recognizes religious organizations, which are then exempt from many taxes and eligible for other benefits; it runs chaplains' offices and trains clergy to serve in hospitals, schools, and prisons; it funds religious broadcasts on state television; and it even subsidizes religious schools that meet certain minimal conditions. (18, 27-28) And recently officials have also supported Islam in various ways, including by indirectly funding the construction of mosques (39-43), by effectively owning and maintaining Muslim cemeteries (43-48), and by creating an official Muslim council (48-62). Moreover, John Bowen feels confident that Muslim schools will be funded by the state before long. (4) This is not simply a more robust form of secularism—something significantly more complex is afoot.

To his credit, John Bowen digs deeply into French history and political philosophy for a more satisfying account. What he comes up with is a theory that divergent attitudes toward the headscarf law in France and America can be attributed largely to their different conceptions of democracy: republican and pluralist, respectively. On the republican view, which his French informants trace back at least as far as Rousseau, democracy depends on pursuing a large degree of agreement among citizens on certain basic values. (11-12) Living together as French citizens means seeking a shared conception of the common good. On the pluralist view, which many French people associate with Anglo-Saxon countries and with related notions of multiculturalism and liberalism, democracy is most just and stable when it takes no position on questions of the good but instead provides a thin framework within which individuals may pursue their private convictions, alone or in community with others. Republican commitments apparently did inform arguments against headscarves, often in explicit contradistinction to values associated with Anglo-Saxon pluralism. (14-15, 20, 106, 159, 210-211)

John Bowen would probably acknowledge that the opposition between republicanism and pluralism does not map neatly onto the

French/Anglo-Saxon divide. Each side hosts elements of the other's philosophy. Today, for instance, British political leaders are increasingly denouncing the fuller *niquab*, which covers all of the face other than the eyes, as a symbol of segregation that ought not to be tolerated in a democracy. And Nicolas Sarkozy, now President of France but then a minister, opposed the 2004 law using arguments that smacked of pluralism. (105) But generally the book makes an interesting case that France's distinct conception of democracy explains a great deal.

Of course, these abstract principles of political philosophy took the form of pragmatic concerns that more proximately drove passage of the 2004 law. Bowen identifies three in particular: fear of a Muslim "communalism" that would drive citizens into enclaves at the expense of integration and assimilation; antipathy to political Islamism; and anxiety over the subordination of women. (155-156) His central argument seems to be that these three worries together do much to account for the headscarf law. Each of the book's last three chapters is devoted to showing how one of them bolstered support for the law.

The last concern—over subordination of Muslim women—played an outsized role in debates over the law. The story of how that argument unfolded illuminates a particularly interesting aspect of French political thought. French feminists were not unified on the issue, but many of those who supported the law argued that headscarves not only symbolized the oppression of women but also acted as mechanisms for that subordination. (209) A difficulty was that Muslim women themselves generally (though not invariably) described the decision to wear headscarves as a matter of free choice. (238) Mostly, they were not consulted by the law's authors—only one veil-wearing woman was invited to testify at the commission hearings, and even she was not taken seriously. (114, 118) But French sociologists who actually asked veiled women found that they usually adopted the headscarf as part of an autonomous process of identity-formation that included deliberate decision-making around piety, often in contrast to choices made by their more secular parents. (71, 244) In a particularly rich section, John Bowen describes a conversation he conducted with three young Muslim women, two of whom wore headscarves and all of whom insisted that their decision was a matter of personal choice, dictated if at all only by God. (73-81)

Yet French politicians had enormous difficulty crediting such accounts. Three arguments for ignoring veiled women's self-conceptions were prominent: first, the classroom should be free of all

outside ideological influences, regardless of what women themselves think (229); second, banning headscarves assists any Muslim women who do feel forced to wear them against their wishes but are afraid to object (231, 244); finally, even if all veiled women subjectively believe that they have acted of their own volition, the headscarf is nevertheless objectively oppressive (238-239, 245). On this last reading, the state bears responsibility for creating the conditions for true choice. (232) Republicanism sometimes requires government power to uncover and protect citizens' unacknowledged freedoms.

American liberal democrats will find this odd. By contrast, they will tend to feel strongly that absent some good reason for suspicion, individuals should be presumed to have acted according to their own private convictions of conscience. (232) Citizens exercise the right to make such choices *against* the state, not through it. Yet, that aspect of U.S. political epistemology may be opaque to many Americans who have not read this book. Revealing it to them through the study of another society is one function of effective anthropology.

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