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August 1, 2010

***Muslim Reactions to the Headscarf  
Controversy in France: Implications for the  
Umma and the Boundaries of Muslim  
Identity***

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The term *umma*, often translated as the “Muslim community,” designates one of the most fundamental concepts in Islam. While assuming different meanings in various historical circumstances, it was continually central to the consolidation of a transnational Muslim identity among its members. Within the context of the spread of nationalism as a secular force, and within the context of the emergence of Muslim communities in non-Muslim nation-states, the conflict between loyalties to the sovereign, secular nation-state and the *umma* came to the fore. The question of how Muslim communities should practice religion in non-Muslim countries within the confines and constraints of their belonging to the *umma* has attracted the attention of many Muslims, dividing them broadly into moderate, conservative and extremist camps.

The headscarf (*hijab*) controversy in France provides a cogent illustration of these reactions. Though it dates back to the 1980s, it came to fruition, legally speaking, only in 2004 when France adopted a law prohibiting the wearing of conspicuous religious symbols in French public schools. Recently, the controversy has evolved further. In the name of the French nation's values of equality and *laïcité* (the separation between state and religion), the current French government is moving towards a ban on the *niqab* and *burqa`* – clothing that covers a woman's body from head to toe, including all but the eyes, in the case of the *niqab*, and the eyes as well, in the case of the *burqa`* – from the public sphere, including governmental offices, public transportation, universities and schools. French President Nicolas Sarkozy

explained the rationale behind the proposed ban: “We [the French] cannot accept, in our country, women imprisoned behind a mesh, cut off from society, deprived of all identity. That is not the French republic's idea of women's dignity.”

This suggested policy placed a good deal of pressure on at least some of France's eight million Muslim residents. On the one hand, as citizens and/or residents of the country, they understood the importance of complying with its laws. On the other hand, as members of the *umma*, they were keenly concerned with preserving their religious traditions and maintaining their duties, which include a stipulation requiring women to dress modestly. This dilemma is reflected in the speeches and articles of Tariq Ramadan, a Professor for Islamic Studies at the University of Oxford and a prominent figure among Muslim communities in Europe. (He is also the grandson of Hasan al-Banna, the founder of Egypt's Muslim Brotherhood.) Ramadan has been an ardent advocate of an open dialogue between Europeans and Muslims, a dialogue intended to lead to mutual understanding and a more positive view of Europeans on Islam and Muslims. Regarding the suggested ban, Ramadan opined that “when it comes to [two cultures] living together... is the law the best way to deal with [cultural differences]? I would say no,” indicating that Muslim communities in France are striving for a more appropriate solution that will consider them as equal participants within the wider society. But the contrasting reactions of Muslims outside of Europe on what European Muslims should do in light of the proposed law often explicitly differed from Ramadan's approach, making the "crisis of identity" of Muslims in Europe even harder.

The late Sheikh Mohammed Sayed Tantawi, the Grand Sheikh of Cairo's *al-Azhar* University, the most important religious institution within the Sunni world, advocated a moderate response to the issue. In 2003, a year prior to the passing of the law prohibiting the wearing of conspicuous religious symbols in French public schools, and after a meeting with the then French Minister of the Interior Nicolas Sarkozy, Tantawi issued a *fatwa* stating that though wearing the *hijab* is a Muslim woman's duty, it is also a duty to obey the rules and laws of the host country. When two duties contradict each other, one should follow the lesser evil by fulfilling the more important of the two. In the case of France, according to Tantawi, that would be the latter (i.e. it is better to unveil oneself than to break the law). In 2009, Tantawi took his support for the French limitation on the wearing of Muslim garments one step further, declaring that the donning the *niqab* was not a religious duty and therefore, women were not obligated to wear it. He also said that the French headscarf controversy was an intra-French issue that did not concern him or other Muslims outside of France. Moreover, during a meeting with Muslim female students in a school affiliated with *al-Azhar*, Tantawi instructed a girl to remove her *niqab*. In October 2009, just prior to his death, he even called for a ban on the *niqab* in *al-Azhar* classes. Tantawi's views regarding Muslims in Europe had only one meaning: when required to choose between their national identity and their religious identity, they should choose the former, so long as truly core issues of religious faith and observance were not at stake.

On the conservative side of the spectrum stood the Qatar-based Sheikh Yusuf al-Qaradawi, which also runs the Muslim European Committee for Fatwas and Research. For him, Muslims in France should not follow what might be interpreted as a weakening of their religious identity (and therefore, their belonging to the *umma*). To mobilize Muslim opposition to the law issued in France on 2004, Qaradawi expressed his fear that the French measures taken against Muslims would spread out to other European countries. Therefore, he said, “Muslims have to raise their voice against the situation in France in order to tell the French that this law opposes their own will... and make sure they will be heard in Germany and the rest of Europe.” In a response to the suggested ban on the *niqab* and *burka*, Sheikh Qaradawi stated in a Friday sermon in January 2010 that it is illegal to ban the full-body veil and declared the ban to be a violation of both religious and personal freedoms, though – and on this issue he agreed with Tantawi – he stressed that the *niqab* is not a religious duty. He also threatened that the law might prompt Muslim clerics to campaign for imposing a modest dress code on foreigners living in Muslim countries, and said he would initiate legal action against the French government's decision.

The extremist reaction came from militant Muslims in Iraq who in August 2004 kidnapped two French journalists, demanding that France revoke the ban on religious symbols in public schools. For them, Muslims around the world should not compromise their religious identity for any reason whatsoever. Though not being religious authorities like Tantawi and Qaradawi, and thus having only limited influence, it is probable that this kidnapping did have an effect on some Muslims, reinforcing their view that France should withdraw its law and allow Muslim girls to wear the *hijab* in public schools.

It seems that public opinion in Muslim countries was broadly conservative on the subject. One could observe how journalists in Muslim newspapers used the human rights discourse to criticize France and other European states over the way they treat their Muslim communities. Syrian Cabinet minister and writer Bouthaina Sha‘aban declared in an *al-Sharq al-Awsat* article that the colonial *mentalité* is still alive today: “The difference between the true Muslim approach and the western approach,” she wrote, “is that Islam is based on co-existence and acculturation, while the dominant western civilization was based on the elimination of native peoples, settling in their land... characterizing them as backward, primitive and ignorant to justify exterminating them.” Senior Saudi journalist ‘Abd al-Rahman al-Rashid wrote in the same paper that banning the *niqab* was a violation of the fundamental principle on which the European systems are based, namely the respect of personal liberty. Jalal al-Wahhabi, from *al-Quds al-‘Arabi*, said that the Europeans' fear that Europe would become a Muslim continent ignited racism within European countries, which in the name of democracy prevented basic human rights from Muslims. The rise of right-wing parties, which Europeans accept silently, encourages hostility towards immigrants and foreigners, he

declared. Ibn Masser, writing in *al-Shuruq*, elaborated on the persecution encountered by Muslims in France, portraying a situation in which policemen hunt women with veils and men with oriental appearance in the name of national security. He even mentioned the Holocaust as an example of European intolerance, suggesting that Muslims could face the worst kind of European chauvinism.

The lively debate within the Muslim world over the question of the headscarf in France is imbued within the notion of the transnational Muslim community, the *umma*. Religious figures like Tantawi and Qaradawi, and journalists and politicians who urge Muslims in non-Muslim countries to act in a certain manner, are attempting to strengthen relations between Muslims worldwide and export a sense of transnational Muslim identity. They have a major impact on the relations between minority Muslim communities and the larger societies and states in which they live. Existing realities make it difficult for Muslims in Europe to adopt and adapt new components of identity that would allow them to comfortably fashion their identities as both Muslims and citizens of European states. Perhaps if prominent religious and political voices defined the *umma* in more flexible terms that would cultivate religious identity and simultaneously tolerate different interpretations of what is it to be a Muslim in the twenty-first century, Muslims in the West could find easier ways for their civic and national belonging to coexist with their religious identity.

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**TEL AVIV NOTES is published with the support of the V. Sorell Foundation**