

Muslims and Citizens

France's headscarf controversy

John R. Bowen

8 Headscarves are back in the headlines in France this year. Now the scarves are collectively called *le voile* (the veil), suggesting a full facial covering, rather than, more accurately, *foulards islamiques* (Islamic scarves), the term used in past years. The stakes have been raised since 1989, when the scarves first sparked debate. In that year the Ayatollah Khomeini issued his *fatwa* against Salman Rushdie, Algeria's Islamist political movement coalesced, and the intifada was heating up. In France attention was focused on three middle school girls who were keeping their heads covered in class. Accused of attacking France's principle of public secularism (*laïcité*) by wearing signs of their religion, the girls were expelled. Their expulsion did not, however, keep France's finest intellectuals from taking pens in hand to denounce the scarves and to urge schoolteachers not to give ground, lest they bring about a "Munich of the Republican School."

Tempers eventually calmed. After several years of indecisive mutterings, France's State Council began regularly overruling efforts by school principals to expel scarf-wearing girls. The council pointed out that the laws of *laïcité* were supposed to keep state employees, not members of the general public, from displaying their religion and that the girls enjoyed the right to freedom of religious expression. Deference to the council being what it is, however, school principals continued to expel girls, keeping the courts busy. The Education Ministry hired a full-time "scarf mediator" whose job it was to persuade girls to take off their scarves voluntarily. Each year the mediator handles about fifty such cases, a dozen of which reach the courts. As nationwide concerns about terrorism and violence began to rise, especially after 9/11, it became clear that the right provocation could once again make the scarves the symbol of an Islamic danger to the French Republic.

That provocation turned out to be a speech given in April of 2003 by the interior minister, Nicolas Sarkozy. As well as being France's "chief cop" (as he describes himself) Sarkozy is also the minister of cults, for although the state does not promote religious beliefs, it considers itself obliged to regulate religious organizations, to set the rules of the game. Catholics, Protestants, and Jews each have national organizations, each of which, regardless of how representative it really is, provides the government with a "privileged interlocutor," someone with whom a minister can discuss how to organize rituals, maintain interreligious toleration, or regulate private religious schools. Rivalries among Muslim leaders had stymied the efforts of several administrations to create an Islamic national organization until last year, when "Super Sarko," as the media thereafter dubbed him, cajoled the major

Muslim federations into agreeing on procedures for elections.

The first elections for the new national Islamic organization were held in April of 2003. A week later, Sarkozy addressed the largest gathering of Muslims ever held in France, the twentieth annual Salon du Bourget, a four-day fair featuring hundreds of stands filled with Islamic books, computer programs, and clothing, and speeches by well-known national and, especially, Arab-world speakers, all sponsored by the largest of the three major French Islamic federations, the Union of French Islamic Organizations. On Saturday evening, April 19, Sarkozy entered the auditorium, waving to his applauding audience and bathed in a moving spotlight. He would be the first cabinet minister to address such an assembly, and he took his place at the podium. After a warm introduction he praised his hosts and stressed the importance of equal treatment before the law for everyone, regardless of his religion. He mentioned that the war in Iraq "was not ours." The audience applauded at each of these remarks. Muslims, it seemed, had found their place in the Republic.

But Sarkozy had been mulling a future run for the presidency, and he had crafted his speech with a larger audience in mind. Halfway through, he sprang a trap on the Muslim leadership. Muslims must obey the same laws as everyone else, he reminded the thousands in the audience, and that means the pictures on their identity cards must be taken with their heads uncovered. "This law cannot be changed; it is at the heart of the Republic. If you demand a different law, then you cannot enjoy the same rights as people of other religions." Instantly, hundreds rose from their seats to boo and hiss. Sarkozy ploughed on through the tumult. After his speech the Muslim leaders were confused. They had not asked to see the speech beforehand (as is the usual procedure) and Sarkozy had not offered it. One leader made an ill-advised comparison between the law governing identity photos and the Nazi-era law requiring Jews to wear yellow stars; another tried to change the subject. The audience applauded at the end, but many left unsure of what had just occurred.

Sarkozy's speech reignited the headscarf controversy. Over the next few days headlines announced that Sarkozy had been "booed by the Muslims" and that he had "put his foot in the veil." You could not escape veil talk. Letters to the editor, radio interview programs, and televised panel debates all visited and revisited the topic. Muslim women wearing headscarves proudly declared that they were both citizens and Muslims and that they were merely exercising their constitutional right to practice their religion. Other French women (and, occasionally, men) declared that the scarves shocked them and that the women wearing them failed to understand what was required in a secular society. Some offered to bring forth their genealogies to show that they were the "real" French. Schoolteachers complained about separatism in their classrooms and called for the state to support their opposition to "the veil." Political pundits noted that Sarkozy's speech

successfully undercut the far right, in particular the National Front, by teaching the Muslims a lesson on their own turf, and thus delivering the center-right's long-awaited response to the Front's surprisingly strong electoral showing the previous year. During the following months, the media began to rally around the idea of a law to forbid headscarves in the public schools. On television one saw fewer women in headscarves explaining their views and more programs about the oppression of women in the poor suburbs. One by one, politicians joined the cause. In September a Presidential Commission on Laïcité chaired by Bernard Stasi began hearings on the topic, and by December it had issued a report favoring a new anti-*voile* law. President Chirac agreed, and in February 2004 the minister of education, Luc Ferry, proposed to prohibit "signs and clothing that draw attention to (*manifestent ostensiblement*) the religious affiliations of pupils" in the public primary, middle, and high schools. The headscarves are, of course, symbolic—they are what Freud called "condensed symbols"—for many Muslims and non-Muslims in France. For many non-Muslim French, they represent multiple dangers to the Republic: the oppression of women, urban violence, international terrorism, and the general refusal of Muslim immigrants to integrate into the broader society. For many of the five million or so Muslims living in France, the scarves represent the freedom of religious expression guaranteed by French law, the toleration of cultural pluralism, the value of modesty, and the general importance of developing ways to be both good Muslims and good citizens.

The two sets of ideals, Republican and Muslim, seem to be irreconcilable—but are they? Can Muslims ever be fully French? The debate over headscarves tests the capacity of France to publicly recognize itself as multicultural and the capacity of Islam to project itself onto the canvas of France and of Europe. All indications are that the former will require even more effort than the latter.

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France is a country of immigrants; French intellectuals point to the nation's ability to integrate newcomers as proof of the power of its institutions and ideology. In the twentieth century, Spaniards and Italians, Poles and Russians came to France and they, or at least their children, became accepted as French. These immigrants came as individuals, lived among French men and women, resembled them physically, and for the most part professed Catholic, Russian Orthodox, or Jewish faiths. Their arrival did little to change the look or feel of France.

Muslims were another story. As with their predecessors, most of the Muslims who entered France during the years after World War II came to work; many were recruited by the government and industry for low-paying jobs. They came en masse and mainly from northern Africa, *le Maghreb*. The largest number came from Algeria, which was until 1962 a part of France itself. Others came

from Morocco, Tunisia, Senegal, Mali, and islands in the Indian Ocean, all part of the former French empire, as well as from Turkey, but in the eyes of the non-Muslim French, the prototypical Muslim was the brown-skinned *maghrébin*. (A Senegalese friend in France once told me, "We are all right as long as they don't figure out that we too are Muslims.")

During the boom years of the 1960s, Muslim workers—mostly single men—were by and large tolerated by the French. Housed in dormitories, often near the factories where they labored, these men planned to return to their countries someday. Many sent home earnings to build houses and endured long and painful separations from their families while dreaming of returning to comfortable retirements. Children born in France were offered courses in their native languages on the assumption that they and their parents would pack up and leave when they were no longer needed as workers.

The future did not turn out this way, however. The men increasingly found themselves estranged from their home countries (and often, sadly, from their families); many never learned French and found cultural integration difficult. Some married; others sent for their families to join them. Economic hard times in the 1970s turned French workers against them and fueled the rise of the right-wing National Front. Their children, members of the famous *beur* generation (from *rebeu*, slang for *Arabe*), who either were born in France or immigrated at a very young age, saw themselves as French and demanded full cultural citizenship. At first they allied with the anti-racism movements, in particular SOS Racisme, but in the 1980s many began to cultivate identities that revolved around Islam. Few had learned Arabic at home; many learned about Islam from books, cassettes, teachers, or speakers at gatherings such as that at Le Bourget, and they came to see the international and rationalized versions of Islam they found in these sources as purer than the half-remembered traditions kept up by their parents.

Yet as these younger residents began to emerge publicly as Muslims, demanding the right to have proper mosques, to buy halal meat, and to affirm their Muslim identity through their dress and their practices of prayer and fasting, they encountered new forms of hostility. Whereas their parents had been resented as immigrants competing for jobs and as foreigners who could not speak French, the younger Muslims were resented for their unwillingness to hide their Islamic identities and appear culturally French in public life. Those who were not already citizens sometimes found that their beards, or their choice of garment, or their frequent attendance at mosques led immigration officials to deny them naturalization—though other reasons for the denials were invariably produced if anyone challenged the officials. Employers fired, or did not hire in the first place, people who looked Maghrébin. And those middle school and high school girls found themselves either suspended from school or isolated in

separate offices for having worn scarves over their hair.

That the headscarf issue has completely baffled French officials becomes clear from even a cursory reading of contemporary statements. At the hearings conducted by the Stasi Commission on Laïcité, the minister of urban affairs, Jean-Louis Borloo, listed the three reasons girls wore headscarves: because boys made them do it; to indicate that they wanted no part in the Republic; or under pressure from "green fascism," the international movement of political Islam. Others voiced agreement with this analysis, and a member of the commission who works as a principal in the Paris region complained at the hearings that she was finding it difficult to sort out exactly which scarves were coquettish and which were *identitaire*, a term that means something like "exclusive in one's identity statements."

No one seemed to think that a girl might cover her hair as a sign of piety, although the girls themselves invariably offered this reason. The research on scarf-wearing schoolgirls suggest that they generally adopt Islamic dress at key moments of life transition: when they first leave home or graduate from school, or as part of defining themselves independently from their role in their family. Ironically, some girls whose mothers do not themselves wear scarves point to their own scarves as signs of their success in breaking with immigrant traditions and finding a place in France—a place they say they have found through the books, teachers, and lectures now available to them. (See, for example, Nacira Souilamas's *Des "beurettes" aux descendantes d'immigrants nord-africains* [2000].)

The notion that different ways of wearing headscarves could convey either cultural meanings or politico-religious ones (flirting or terrorizing) has led some principals to try their own hands at fashion design. In September 2003 in Aubervilliers, north of Paris, school officials told two high school girls that they might wear a "light scarf," worn so as to leave the neck, earlobes, and the roots of their hair visible, as a substitute for the "Islamic scarf," which covers those areas and which had led them to be denied admittance to their school. The girls refused, and the classmates of one of them went on strike in her support. Elsewhere, what has come to be known as the "bandana," a strip of scarf across the head that leaves hair visible, allowed schoolgirls to remain in school while retaining some degree of head covering. However, this February the minister of education declared that bandanas and any other item of clothing would be banned if they conveyed a religious meaning.

It is not, of course, just a matter of "a few meters of chiffon," as an official from the Education Ministry noted before the Stasi Commission on Laïcité. Many French consider the choice to cover one's head as a sign that one has turned away from integration. Any hint that one takes one's Islam seriously can be seen to be a sign of fanaticism. The mother of one of the two Aubervilliers girls,

displeased at the girls' recent decision to wear the scarves, recounted to a reporter for *Le Monde* their slide into their present regrettable behavior. "They began three years ago by refusing pork," she explained. "Then two years ago they fasted during Ramadan and learned a bit of Arabic. Six months ago they began to wear scarves." But the two girls reassured the reporters that they had visited a mosque "only two or three times."

Not praying regularly can even serve as a defense against charges of terrorism. When in early 2003 a baggage handler at Roissy–Charles de Gaulle Airport was accused of working with terrorists (he was framed, it turns out, by his brother-in-law), he complained that "they made us out to be terrorists, whereas we are simple Muslims. We practice a French Islam; indeed we do not always perform our prayers at the right time," and he was helped out by the police report, which said that indeed he rarely went to the local mosque. Not knowing one's religion very well indicates one is not overly attached to it, thus not a fanatic, and thus not someone who rejects the Republic—a Muslim who can indeed be French by not being a very observant Muslim.

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It seems that in France the regular performance of religious obligations has become a sign of terrorism, or disloyalty, or refusal to become a proper citizen. Such a bald statement would, of course, be denied by any responsible public figure. Most politicians have gone out of their way to argue that people of all religions should feel very much at home in the Republic.

And here is where "the veil" becomes such a useful rallying point for those who may hate or fear Islam, but who also realize that the only plausible argument against it is the defense of *laïcité*. There is broad agreement among French non-Muslim public intellectuals and public officials that to wear a headscarf at school or at work or in a government office is to bring what belongs in the private sphere into public life. At school, most particularly, where, in Victor Hugo's words, "the page of *conscience* is still blank," to induce children to think about their differences undercuts the school's duty to teach them their shared Republican identity. Any school policy that differentiates among children detracts from that message: providing pork-free meals, letting Muslims break their fast in class, referring to a (non-Catholic) religious holiday—these practices all lead children to become "obsessed with questions of identity."

Realizing that teachers and principals view the wearing of headscarves as a virus that could infect other susceptible children helps explain why they adopt positions that would otherwise seem self-contradictory. If one is trying to integrate Muslim girls through immersion in the public schools, one might think that the worst imaginable step would be to exclude them from class or to suggest, as have some officials, that they attend separate

confessional schools. But not so if the real fear is that others will follow the girls' example, or that teachers will lose control of pupils who look elsewhere for authority and wisdom. And this linkage is precisely what teachers who write about the topic emphasize: that the violence and lack of respect that they experience in their classrooms comes from the hold that "Arab-Muslim culture" has over an increasing number of French children, who turn to Islamic sources for their authoritative knowledge. (This thesis is most clearly set out by Emmanuel Brenner et al. in [*Les territoires perdus de la République*](#) [2002].)

But of course the obsession with suppressing public signs of difference, or at least of Islamic difference, goes far beyond the school. Here, again, the very incoherence of the practical arguments being offered points to the deeper fears associated with the Islamic presence. Consider Sarkozy's accusations made at Le Bourget: if a woman habitually wears a headscarf, would not a scarf-clad identity photo be the better form of identification? Yes, if the point were to establish her individual identity. No, if the point were (as I believe it is) to ensure that the public identity of individuals be undifferentiated, that they present themselves in public life as French and only as French. As two leading feminists, Anne Vigerie and Anne Zelensky, recently wrote in *Le Monde*, laïcité requires a "neutral public space" that is "free of all religious belief," a postulate from which they deduce the necessity of a government ban on head coverings in all places of "common life," including schools, universities, workplaces and government offices.

The difficulties of the French debate stem from the diverse notions of what is supposed to happen in the "neutral public space" and thus why it is that one must fight to preserve it. To my mind the strongest argument for its preservation starts from the premise that citizens, and especially young people, need to be given a privileged space within which they can develop the capacity to formulate and reformulate their ideas and values (the point of the Victor Hugo quote). Teachers and officials are quite right to denounce violence and the intimidation of teachers or students, and to insist that teachers not promote any particular religion—or, for that matter, the rejection of religion. This argument can be supported by political theory—in particular, and perhaps discomfitingly for some French, Anglo-American liberal political theory. As conceived, for example, by John Rawls, liberal theory postulates that autonomy is a shared human value and that all people want to be able to formulate and revise their beliefs and ought to be able to do so. Rawls links this general postulate to a political one, that a liberal democratic society depends on the capacities of its members to deliberate about politics on the basis of some shared and relatively "thin" political principles, such as the equality of individuals and a democratic electoral system, a deliberative process in which each person's particular notions of the good life and his "comprehensive doctrines" of religion or ethics may not be put forth as reasons for public policy. This

narrow conception of political life leaves individuals free to develop and revise their own specific ethical notions, which may or may not be based on religious beliefs, outside (and thus without coercion from) the common sphere of political debate.

These postulates support what we might call "liberal laïcité," the freedom of people, and particularly schoolchildren, from pressures that would prevent them from developing their own ideas about ethics, religion, history, and so on. However, liberal laïcité would not support the idea that practicing one's religion is inimical to free debate. Indeed, some versions of liberalism that are sympathetic to multicultural demands for recognition contend that becoming a fully capable liberal individual, one who can formulate and reformulate ideas and ideals, requires a tradition, a sense of respect for one's heritage that engenders respect for oneself. (See, for example, Will Kymlicka's *Multicultural Citizenship* [1995].) This brand of liberal theory would encourage students to draw on the Islamic ideas and norms learned outside of school in their efforts to critically reflect on what they are taught in the classroom and to develop ideas of their own, as long as they respected the rules of open and deliberative discussion.

The norm of liberal laïcité is quite distinct from a second concept that we could call "public laïcité," which starts not with the capacities and freedom of the individual but with the content of speech and behavior in public life. The norm of public laïcité directs citizens to leave behind their ethnic and religious identities and all visible emblems of those identities and to assume the shared identity and values associated with the Republic whenever they inhabit "public space." Scholars and officials justify this norm by arguing that to proclaim publicly and loudly one's private identities is to generate division and conflict in a society. France has long suffered from such divisions, they argue, from the early modern wars of religion to the modern combat with the Catholic Church over the control of schools, right up to contemporary forms of *communautarisme*, which in French refers not to a school of social theory but to the damaging practice of enclosing oneself in a community rather than participating in the common life, of giving greater importance to Islam or Polishness than to a shared Republican citizenship.

The necessity of maintaining public laïcité—public neutrality in order to avoid division—is invoked to condemn any activity in the schools that is in itself religious, such as wearing headscarves or breaking the fast, or that draws attention, even indirectly, to the fact that students might have religious orientations, by, for example, providing halal food in the cafeteria. It is used to justify firing female workers from non-government positions when they appear for work in headscarves. It underlies the strongly negative aesthetic reactions by many non-Muslim French people to women in Islamic dress.

Public laïcité as a normative basis for public policy creates at least

two major sources of ambiguity and conflict: determining which signs contravene the norm, and determining who is constrained by the norm. First, it is far from easy to make an objective and uniform determination of the meaning conveyed by an article of clothing or hairstyle. In the most recent formulation of the rule for public schools, for example, an article of clothing (or, potentially, a beard) violates norms of *laïcité* if (a) the wearer adopts it to draw attention to herself or himself and (b) it is a sign of religious affiliation. If a pupil intends to have people notice a bandana and she considers an expression of her Islamic identity, then and only then is it forbidden. Schoolgirls invariably claim that they wear a scarf as a sign of piety and not to draw attention to themselves. Leaving aside for the moment the irony that what the courts once declared to be constitutionally protected acts, the expression of religious beliefs, are now special targets for disapprobation, the rule places the state officials (teachers, school heads, judges) charged with enforcing the rule in an impossible situation. They now must determine two dimensions of the pupil's intention (to draw attention? to express religious affiliation?) on the basis of the size, shape, color, and brand of a specific scarf. Aghast at the semiological demands the law would make on teachers, the president of the largest teacher's union has called the law "truly ridiculous."

Secondly, it is unclear to whom and in which public spaces the norm applies. Most government officials and non-Muslim public intellectuals agree that public-school teachers and state officials should appear neutral with respect to religion when on the job: teachers may not wear headscarves, and Sikhs need not apply to work in the post office. This view is the narrowest one, applying only to individuals who represent the state. But if, as many claim, public spaces should be kept free of religious signs, then not just pupils but also parents entering school grounds and clients entering post offices should be required to remove such signs. And if "public" is extended beyond state premises to other areas of "common life," then why should not banks require women to remove headscarves—as, indeed, one major French bank already has done. If the norm is extended in this way, the current plurality of positions held by Muslims may harden to a line of conflict between Muslims and non-Muslims in France. Muslim public intellectuals who currently advocate obeying commands to remove headscarves in schools will find it much more difficult to successfully make the same argument for a broad range of public spaces.

These ambiguities not only present practical problems, but they also allow some non-Muslim French to express a range of beliefs, from clearly unacceptable racist attitudes to highly debatable claims about Islam's incompatibility with France, in a publicly acceptable language of *laïcité*. Although the public-school teachers are divided on the advisability of passing a law against headscarves, many—perhaps most—see the scarves as causing the disruption of social order and as bringing into the schools a

dangerous religious ideology. Many also see the scarves as contravening Republican values of gender equality by signaling women's obligations to withdraw from public life and submit to men. Many ordinary French people agree with Jean-Marie Le Pen that France would be better off if Muslim immigrants were to return home. The norm of public *laïcité* gives these and other non-Muslim French people a set of arguments to support debatable ideas about religion, gender, and the causes of France's problems, as well as racist ideas about who can and cannot be truly French.

If the arguments for liberal *laïcité* rest on a set of principles about what all liberal democratic societies must provide for their citizens, those for public *laïcité* rest on a set of contingent propositions about French history (religious wars, combat with the Church) and about the criteria for truly belonging in French society (proper dress, French racial stock, discreet piety). The best strategy for defending the principles of liberal *laïcité* may be to reexamine the assumptions about threats to the Republic and the criteria for belonging to it. Neither the much-weakened Catholic Church nor the millions of Muslim citizens deny the authority of the French state. There are real dangers to the Republic, but they are to be found in growing intolerance and disrespect, not in the desire to dress and act consistently, in public and in private, as a Muslim citizen of France. Enforcing norms of public *laïcité* as they have been formulated recently will harden differences and lead to strong reactions from many Muslims. Once France shows itself to be openly intolerant of the free expression of religious beliefs and norms in public life, will teachers' tasks of encouraging open dialogue across religious lines and instilling respect for the French Republic really have been made easier? It is difficult to think that this is the most likely outcome of the current direction of public policy.

These are negative arguments, reasons to rethink public *laïcité*. Why not also explore the benefits of allowing the free expression of religious beliefs in the classroom that can be part of liberal *laïcité*? Schoolteachers seek to teach pupils how to develop their thoughts and values. Can they not accomplish this task more effectively if students are encouraged to come to class ready to express those thoughts freely, with a sense of self-respect, including respect for one's own norms of proper dress and piety? Could a discussion of gender equality never include the diverse writings of contemporary religious thinkers?

The struggle to protect the pupil's right to learn in the classroom how to reason freely would only be strengthened if French public intellectuals and officials were to reexamine the cultural baggage of public *laïcité* and jettison those dimensions that cannot be given a strong theoretical and empirical justification. When terms such as "ostentation" and "public space" become the basis for policy decisions with no attempt at precise definition, when extreme assumptions about why pupils wear headscarves become

orthodoxy with little empirical demonstration, then public policy will rest on shaky grounds indeed. Only when official arguments regain a surface coherence and theoretical depth (and I think that the latter is required to achieve the former) will they be taken seriously by Islamic intellectuals—and by French legal scholars and judges, who have found their own efforts to consistently interpret the laws frustrated by the incoherent public and political response.

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I have suggested that reexamining assumptions about what is acceptable in public spaces could strengthen the cause of liberal *laïcité*. But this form of *laïcité* demands that everyone enter into deliberation about matters of justice and politics on the basis of shared ideas and values. Can Muslims in France do this? Can they find ways to translate Islamic social norms into norms that are shared by all in France and, what is increasingly more important, by all in Europe?

Such an effort is already underway, although not without considerable resistance from within the broader, worldwide community of Muslim scholars. European Muslim public intellectuals—none of whom fit under older Islamic categories of religious authority or judge—have been experimenting with ways to recast Islamic norms in more general terms, terms that have their equivalents in European societies. At issue is a question common to Jewish, Christian, and Islamic traditions about the degree to which scripture and long-standing religious practices can be rethought in light of contemporary conditions.

Family law is one key area for such debates. In many Muslim-majority countries, people marry in a ceremony involving a religious official, the groom, the bride, and the male guardian of the bride (usually her father). Divorce takes place when a man pronounces a formula or when a religious judge annuls the marriage at the instigation of the husband or wife. In France, however, marriage takes place at city hall, and divorce is pronounced by a state-appointed judge, and only on specific grounds. In a considerable number of cases, Muslims have married or divorced in "Islamic fashion," without going through the official ceremonies, and thus without accruing the legal obligations and protections afforded by each civil ceremony: the right to a pension and social security, the right to remarry after divorce, and the right to challenge a divorce petition.

Alarmed both by the resulting plights of individuals and by the uncomfortable situation of Muslims violating state law on religious grounds, some Muslim public intellectuals have announced that French law already encompasses some aspects of Islamic law. "A marriage at city hall already is a Muslim marriage," remarked the Swiss-born Tariq Ramadan, probably the best-known European Muslim, "because it is a contract, and that is what a Muslim

marriage is." Others are more cautious. The Tunisian-born Hichem El-Arafa, who directs a successful Islamic school for adults near Paris, thinks it would be easy to make civil marriage Islamic by adding the only missing element, the agreement of the family, and that this agreement could be publicly asserted immediately after the civil ceremony. When I spoke with Ramadan and El-Arafa in 2001, both also mentioned that marrying according to French law entails agreeing that any divorce will be carried out according to French law as well, and that respecting agreements is enjoined on Muslims.

Some Muslims are also rethinking the ways in which they carry out basic ritual obligations so as to take into account French laws and social norms. Ritual sacrifice has been especially controversial in France. Each year Muslims throughout the world make sacrifices in commemoration of the willingness of Ibrahim (Abraham) to sacrifice his son at God's command. Following the example of the Prophet Muhammad, most Muslims seek to sacrifice a ram, sheep, or goat. These demands have created severe logistical problems in France, where Muslims live where sheep do not. It is, of course, very difficult to kill your own sheep *en ville*, and most Muslims purchase halal meat from slaughterhouses. The problem is that the animal must be killed on the feast day, and slaughterhouses are found far from population centers. For a time, local governments set up temporary slaughterhouses, but in the past two years the French government has cited new European health regulations in forbidding such measures.

In response, many Muslims have rethought the point of the ritual itself. Some now send money to their "countries of origin" (which may mean where their parents came from). A lingering sense of greater attachment to these countries than to France has meant that few as yet use the occasion to give alms to local mosques. One intellectual, the Bordeaux mosque director Tareq Oubrou, argues that the only obligation connected with the feast day is attending the congregational prayer and that the sacrifice of animals will eventually disappear from the French scene. "What is important is remembering the sacrifice by Abraham, and a few imams could do that, to remind people."

The positions taken by Tariq Ramadan and Tareq Oubrou are far from universally accepted by Muslims in France, and indeed have been vigorously attacked by some senior Muslim scholars in the Arab world. They illustrate a general path of reinterpretation in which new intellectuals, educated in religion but also in other fields, seek to determine the principles or purposes (*al-maqâsid*) of Islam and then ask if these purposes could not be served by ritual forms or social institutions that would be in accord with the social norms and laws of France and Europe. Some North American Muslim intellectuals are pursuing parallel paths, although here, too, they encounter strong resistance from scholars trained in classical jurisprudence and unwilling to risk popular disapproval by departing from accustomed lines of thought.

In strictly legal terms, my initial question, can Muslims be French, is preposterous. Millions of Muslim immigrants have become French citizens through naturalization and still more by birth in France, and many French citizens have converted to Islam. The question that remains open is a cultural one: on what terms will Muslims be accepted as fully French? What kinds of public difference will the majority of French citizens tolerate, embrace, or reject? Several years ago it became commonplace for writers to speak of Islam as an opportunity for France, meaning that the massive presence of Muslims would lead people to reexamine what it meant to be French. My argument has been a bit more specific: that the current crisis can only be resolved when the public intellectuals and official spokespersons of France subject *laïcité* to a more stringent conceptual analysis than it has undergone to date—dare I say by following the lead of Muslim intellectuals in radically rethinking scriptural prescriptions. If this occurs then the current crisis of *laïcité* and Islam—for it is no less—will become an opportunity that France will have seized. <

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