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France's burkini ban could not come at a worse time

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Images of armed police confronting a woman in Nice, apparently forcing her to remove some of her clothing, have added fuel to the already combustible debate over the prohibition against women wearing burkinis on many beaches around France.

Since mayor of Cannes David Lisnard banned the full-body burkini from his town's beaches, as many as 15 French resorts have followed suit.

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Translations

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A woman is forced to strip off in Nice by French police officers armed with pepper spray and batons. In nearby Cannes three
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2,929

1,434

Arguments defending the bans fall into three main categories. First, it is about defending the French state's secularism (laïcité). Second, that the costume represents a misogynistic doctrine that sees female bodies as shameful. And finally, that the burkini is cited as a threat to public order.

None of these arguments satisfactorily refute the claims of civil rights activists that the bans are fundamentally Islamophobic.

The niceties of laïcité

The Cannes decree explicitly invokes secular values. It prohibits anyone “not dressed in a fashion respectful of laïcité” from accessing public beaches. However, the French state has only banned “ostentatious” religious symbols in schools and for government employees as part of laïcité (the strict separation between the state and religious society). And in public spaces, laïcité claims to respect religious plurality. Indeed, the Laïcité Commission has tweeted that the ban, therefore, “cannot be based upon the principle of laïcité”.

While veils covering the entire face such as the burqa or niqab are illegal, this is not to protect laïcité; it is a security matter. The legal justification is that these clothes make it impossible to identify the person underneath – which is not the case for the burkini.



Feiza Ben Mohamed
@FeizaK

11 Aug

2. @davidlisnard prétexte la laïcité et le trouble possible à l'ordre public. Qqn pour lui expliquer la définition? @ObservLaicite #Cannes



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@FeizaK @davidlisnard Si des restrictions vestimentaires sont décidées, en l'espèce, elles ne peuvent se fonder sur le principe de la laïcité

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By falling back on *laïcité* to police Muslim women in this way, the Cannes authorities are fuelling the argument that “fundamentalist secularism” has become a means of excluding Muslims from French society.

Colonial attitudes

Others, such as Laurence Rossignol, the minister for women’s rights, hold that the burkini represents a “profoundly archaic view of a woman’s place in society”, disregarding Muslim women who claim to wear their burkini voluntarily.



A burkini on sale. Landahlauts, CC BY-NC-SA

This typifies an enduring colonial attitude among many non-Muslim French politicians, who feel entitled to dictate to Muslim women what is in their best interests. Rossignol has in the past compared women who wear headscarves through choice to American “negroes” who supported slavery.

Far from supporting women’s rights, banning the burkini will only leave the women who wear it feeling persecuted. Even those with no choice in the matter are not helped by the ban. This legal measure does nothing to challenge patriarchal authority over female bodies in the home. Instead, it further restricts the lives of veiled women by replacing it with state authority in public.

Open Islamophobia

Supporters of the ban have also claimed that, with racial tensions high after recent terrorist attacks, it is provocative to wear this form of Muslim clothing. Such an argument was made by Pierre-Ange Vivoni, mayor of Sisco in Corsica, when he banned the burkini in his commune. Early reports suggested a violent clash between local residents and non-locals of Moroccan origin was triggered when strangers photographed a burkini-wearing woman in the latter group, which angered her male companions. Vivoni claimed that banning the costume protected the security of local people, including those of North African descent.

Those reports have transpired to be false: none of the women in question were even wearing a burkini at the time of the incident. Nonetheless, the ban has stood in Sisco and elsewhere.

To be “provoked” by the burkini is to be provoked by the visibility of Muslims. Banning it on this basis punishes Muslim women for other people’s prejudice. It also disregards

the burkini's potential to promote social cohesion by giving veiled women access to the same spaces as their non-Muslim compatriots.

Appeals to public order have, occasionally, been openly Islamophobic. Thierry Migoule, head of municipal services in Cannes, claimed that the burkini "refers to an allegiance to terrorist movements", conveniently ignoring the Muslim victims of recent attacks. Barely a month after Muslims paying their respects to friends and family killed in Nice were racially abused, such comments are both distasteful and irresponsible.

Increased divisions

Feiza Ben Mohammed, spokesperson for the Federation of Southern Muslims, fears that stigmatising Muslims in this way will play into the hands of IS recruiters. That fear seems well-founded: researchers cite a sense of exclusion as a factor behind the radicalisation of a minority of French Muslims. Measures like this can only exacerbate that problem. Indeed, provoking repressive measures against European Muslims to cultivate such a sentiment is part of the IS strategy.

Meanwhile, the day after the incident in Sisco, riot police were needed in nearby Bastia to prevent a 200-strong crowd chanting "this is our home" from entering a neighbourhood with many residents of North African descent. Given the recent warning from France's head of internal security of the risk of a confrontation between "the extreme right and the Muslim world", such scenes are equally concerning.

Now more than ever, France needs unity. Yet more legislation against veiled women can only further divide an already divided nation.



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