“Muslim Veil – A Socio-Cultural Invention: Between Misogyny, Politics and Identity”.

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Abstract

The veil existed as a form of women’s dress prior to the advent of Islam. At the dawn of Islam, women did not immediately wear the veil or hijab\(^1\). Gradually the veil acquired the position of a religious mode of dressing for women. The veil (niqab) and hijab in traditional\(^2\) Islam were coverings that differentiated Muslim women from other groups, but was later misjudged by patriarchal scholars to be her seclusion and protection from the opposite sex. While wearing the hijab was quite a common practice among Muslim women today, the idea of wearing the veil since the 1970’s have become more contested. Ironically, the veil on the one hand has explained women’s experience against misogyny, political resistance and on the other hand has curtailed her civic life and sexual identity\(^3\). Ultimately, the veil is intimately connected with the notions of the self, the body and community as well as different socio-cultural constructions of identity, privacy and self-determination.

Veiling for women is not a new phenomenon as it has existed among various cultures for more than two millennia (Nielson, 2009a, 1) In ancient societies the veil was seen as a status symbol\(^4\) (Nielson, 2009b, 2). In modern times a resurgence of wearing the veil have been spurred into being in the 1970’s for a variety of reasons including, a revolt against types of Westernisation, Islamisation, state prescription as in the case of Iran and simply because Muslim women assume that it is what devout Muslims observe (Ahmed, 2011: 3). The narrative of the dress of Muslim women is grounded in a worldview that considers the dress code as a critical part of the Islamic faith. The veil is a representation of a “dress act” that is “endlessly repositioned by changing world events and constantly reframed by nuanced shifting responses of veiling communities” (Heath, 2008: 15).

I will examine the veil and go beyond appearance and observance and search and investigate how far back the evidence of this practice goes. I will also attempt to liberate the study of the veil from narrow definitions to anthropological studies that build frameworks and incorporate models of socio-

\(^1\) In this paper, the veil and hijab will both be used to explain Muslim women’s dress. Both these concepts have distinct meaning and are explained in the article. They have been interpreted differently by Muslim scholars.

\(^2\) Pascal Boyer (d. 2000), an anthropologist, states that the ordinary concept of ‘traditional’ includes all that a society of a given time possesses and which already existed when its present possessors came upon it. (Boyer, P. 1990: 7), The full reference will appear in the bibliography. “Traditional” for our purposes is the present possessor maintains in the present, with origins of the past.

\(^3\) Sexual identity is at the core of your sexuality. Just as with other aspects of your identity (male or female, young or old, and so on) your sexual identity is how you see your sexual self and how you express that part of yourself to others. http://www.yoursexhealth.org/html/details.php?det=0,2 [Date accessed: 14/07/2011].

\(^4\) Status symbol is a perceived visible, external denotation of one’s social position and perceived indicator of economic or social status. Status symbol is a perceived visible, external denotation of one’s social position and perceived indicator of economic or social status. Cherrington, David J. (1994:84). The full reference appears in the bibliography.
cultural collaboration. The veil is localised at the intersection of dress, body and culture - so I draw on contemporary experiences to find whether it has the same meaning across cultural constructs and religions. In this paper I will first, present a brief history on the veil. Second, I will define the various concepts that make up the dress of women in Islam. Third, I will examine the traditional understanding that the veil is largely about modesty, seclusion and religious piety. Fourth, I will discuss contemporary experiences and postulations of the veil from Iranian, French and feminist perspectives that are aimed at transforming oppressive spaces and social structures. I will briefly evaluate the veil within these three paradigms to demonstrate the nuanced diversity in each custom. Hence, to interrogate the phenomenon of the veil as a practice that is differentiated and variable, within each culture, which it is embedded at any time in different societies, cultural ideologies and different times in history.

**History of the Veil**

The first recorded traces of veiling for women is an Assyrian legal text from the thirteenth century BCE, which restricted its use to noble women and forbade prostitutes and common women from adopting it (El Guindi, 1999: 14). In ancient Mesopotamia, the Iberian Peninsula and in ancient Greece and Rome, women were depicted with both their head and face covered by a veil (Heath, 2008: 7). The Assyrian and Persian elite practiced veiling to construct identities that is tied to notions of community and belonging to a nation composed of individuals who share common traits (Sichani, 2007: 1-2). Fadwa El Guindi, a contemporary Egyptian anthropologist has stated that it was commonplace for women (those of higher status) in the near east and Persian context prior to Islam to cover their hair and face in public as a social stratification (1999:14).

**Muslim Women and the Veil**

Leila Ahmed, a contemporary Egyptian feminist scholar suggests historical evidence that veiling was not introduced by Muhammad (d. 632) but already existed among some classes, particularly in some Arab towns and prevalent in the countries that Arabs traded with, such as Palestine and Syria (1992:55). During Muhammad’s lifetime his wives were informed by the Qur’an (33:33) that they were

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5 Feminism is a movement aimed at defining, establishing, and defending equal political, economic, and social rights and equal opportunities for women. Feminism is a term that is often contested and has many meanings. Merriam-Webster Dictionary. 2011, http://www.merriam-webster.com/dictionary/feminism [Date accessed: 28/05/2011]. Margot Badran, a feminist scholar, Muslim women have generated two major feminist paradigms, which they have referred to as “secular feminism and “Islamic feminism”. “Secular feminism arose on the soils of nation states and Asia from the late nineteenth century through the first half of the twentieth century, during the processes of modernisation, national anti-colonial struggle and the independent state building” after demise of the Ottoman Caliphate (Badran, 2009: 2-3). The full reference appears in the bibliography.

6 Edward B. Tylor (d. 1917), an anthropologist, in 1874 described culture as: “Culture taken in its wide ethnographic sense, is that complex whole which includes knowledge, belief, art, morals, law, custom, and any other capabilities and habits acquired by a [hu]man as a member of society." And this includes the larger argument about the nature of religion. The full reference appears in the bibliography.
not like other women and thus commanded to wear special clothing as a moral obligation. By doing so they would be recognised by people and respected by society. Historians have contended that the veil was worn in Muhammad’s era to distinguish Muslim women from pagan and slave women whose sexuality was abused by the Arab patriarchal hierarchy (Nielson, 2009b: 1) Henceforth, the nascent Muslim society in Medina wore the veil as a “status” symbol. The practice of the ancient and medieval women – from whom Muslim women are alleged to have “imported” and “adopted” the practice of wearing the face-veil – has nothing in common with the Islamic veil. Ahmed’s assumption that the veiling practice passed from one area to another is over-simplistic because the notion of innovation solely by contact has long been discarded by anthropologists who have discovered that most significant cultural developments in human history occurred by processes of independent invention (El Guindi, 1999: 3).

John Esposito, a contemporary American scholar of Islamic Studies, explains that the customs of veiling and seclusion of women in early Islam were assimilated from the conquered Persian and Byzantine societies and then later on they were viewed as appropriate expressions of Qur’anic norms and values. He further states that the Qur'an does not stipulate veiling or seclusion; on the contrary, it tends to emphasize the participation of religious responsibility of both men and women in society (2005: 98).

Kim Parker, a contemporary American Islamic and post-colonial scholar, states that the practice of wearing the veil among Muslim women is one based on religious doctrine, although the Qur'an did not mandate it. Instead, it came from a hadith mentioned in Sahih al-Bukhari (Volume 6, Book 60, hadith 282)⁷⁸(Parker, 1996). In the epistemology and Islamic jurisprudence, this evidence can be engaged in various ways, especially the various approaches to interpret the Islamic sacred sources⁹ - but for the applicability and rationale for any law it should be interpreted in a cultural framework. The confusion on the dress of Muslim women emanated because traditional Muslim scholars did not effectively explain the sacred text and the legal, ethical and cultural norms derived from these sources on the dress of women. However, “restrictions on women are also based on a local community’s way of ‘being Muslim’ that has little reference to the Qur’an, the Sunnah or juristic teachings, or results from women’s own understanding of their role” (Bullock, 2002: xxiv). Consequently, the social and cultural aspects of dress were merged with patriarchal religious notions¹⁰, which became legal law. Nimat Barazangi, an Iranian American and a feminist scholar of Islamic studies and sociology states that “In these patriarchal readings of the sacred text, women are

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⁷ Sahih al-Bukhari is one of the six canonical hadith collections of Sunni Islam.
⁸ Durr ul-Mukhtar, an Islamic law book confirms that “Young women were compulsory prohibited from revealing their faces in the presence of men”. (YMMA. n.d.). The full reference appears in the bibliography.
⁹ The Qur'an and Sunnah and Hadith.
¹⁰ Patriarchal religious notions that women were less spiritual than men or male supremacy in marriage, inheritance, etc.
mostly viewed as secondary and/or complementary in the structure of Muslim communities; thus, they remain potential subjects of abuse” (2009:407). Baranzangi argues that Islamic scholars must view the Qur’an as a religio-moral-rational guidance instead of focusing on law and dogma so that women are not polarised (2009:407).

Paula Nielson11, a scholar of anthropology, archaeology and religion opines that the status of women in the Qur’an and Muhammad’s treatment of women is better than what is seen through hadith12 (2009b: 2). Muhammad’s wife A’isha (d. 678) tried to correct many a hadith to accurately reflect his true opinion and attitude, but she often lost the battle in the end with the male believers. Traditional patriarchal interpretation13 of Hadith thus reflects the changing culture of Islam and the increased grasps of women (Nielson, 2009b: 2). Hence, historical events require us to re-connect ethical slam with the political and legal analysis of Muslims’ perceptions of the Islamic sacred sources and the consequent behavioural manifestations in Muslim dominated societies and in Muslim minority communities (Barazangi, 2009: 407).

The Various Concepts that Define the Dress of Muslim Women

Let us now closely scrutinise the concepts that organise the many elements of the clothing of Muslim women. Some items will cover the body and other items will cover the head and the veil will cover the face. All these clothes items will communicate specific messages, relations and beliefs.

The Arabic word hijab is the general term used to describe the dress of Muslim women. Hijab comes from the Arabic word hajaba, which means to veil, hide, cover, screen, to conceal (Wehr, 1976: 156). The literal meaning of the word is “curtain”. The Arabic word hijab is often incorrectly used interchangeably with the niqab, i.e., veiling. The word in the Qur’an that closely resembles the word hijab is jilbab (Q, 33:59). According to the Lisan al-Arab (Vol 7: 273) dictionary the word jilbab (pl, jilaabah) is rather vague (quoted in Mernissi, 1991:180). Fatima Mernissi, a contemporary Moroccan feminist and sociologist states that it can designate numerous pieces of clothing, ranging from a

11 Paula Nielson is a professional librarian and researcher, and she catalogued Arabic and Persian books at Princeton University and the Library of Congress. She was also a librarian at Brigham Young University, Loyola Marymount University, Rand, Boeing, Long Beach Community College and the Getty Research Centre.
12 Many such hadith are mentioned in “associated sources” such as Sahih al-Bukhari; Sahih Abu Dawud; Tibrani; Tirmizi; Majaalisul Abraar and many others. These hadith’s report on women’s dress, seclusion, space, etc., and men’s attitude to them. (YMMA. n.d.), the full reference appears in the bibliography.
13 Traditional and conservative (tending to maintain existing view, conditions or institutions) see, http://www.merriam-webster.com/dictionary/feminism) [Date accessed:28/05/2011], Muslims debate about the ideals of Islam, about a just and peaceful religion, but they often do not accept or develop a new equilibrated solutions for women’s participation because they rely on fiqh that uses processed hadith (those hadith that were transmitted through the various processes of compilation, From Muhammad, to his companions and their successors).
http://www.islamonline.net/i3/ContentServer?pagename=IslamOnline/i3Layout&c=OldArticle&cid=1245754270152 [Date accessed: 08/07/2011]. The absence of Muslim women scholars also contributed to patriarchal misreading’s.
simple shirt to a cloak, dress or gown. One of the definitions in this dictionary describes the *jilbab* as a very large piece of cloth worn by woman - while another describes it as a piece of cloth that a woman uses to cover her head and bosom (Mernissi, 1991:180). The word *hijab* is defined in the Hans Wehr’s *A Dictionary of Modern Written Arabic* as that which conceals, hides, conceals from sight, to keep private, seclusion. Thus, in context of religion, *hijab* refers to that woman who covers her face and conceals herself from strangers. *Jilbab* is denoted as usually that type of attire which conceals the shape of a person’s body (*Lisan al-Arab*, Vol 7: 273).

Muhammad Asad (d. 1992), an Austrian exegete of the Qur’an explained that the qur’anic word *min jalabibihinna* (33: 59) describes the dress of women and makes it clear that it was not meant to be “an injunction (*hukm*) in the general, timeless sense of this term but, rather, a moral guideline to be observed against the ever-changing background of time and social environment” (Asad, 1980: 651)

This evidence suggests that the cultural notions of “body and sexuality are factors of privacy, social and kinship, relations, rank, and the elements of building a new community” (El Guindi, 1999:155). Another word that is mentioned in the Qur’an (24:31) in reference to women’s dress is *khimar*, which is denoted as a head cover. In these passages of the Qur’an, which deal with the dress of women, the terms *hijab* and *niqab* are not mentioned.

The *niqab* is a veil and it is an article of clothing, worn almost exclusively by women, which is intended to cover some part of the face. The English term “veil” is commonly used to refer to Middle Eastern and South Asian women’s traditional head, face or body cover (El Guindi, 1999: 6). In another reference source the range of meanings under “veil and veiling” is organised under several headings: celibacy, covering and the sense of cover or shade, hiding in the sense of disguise, invisibility and veil as a dress. The *niqab* is most common in the Arab countries of the Arabian Peninsula such as Saudi Arabia, Yemen, Qatar, Oman, and the UAE. It is also common in Pakistan, Afghanistan and some parts of India (Qadeer, 2002).

It is worth noting that veiling confuses and distorts the concept of the *hijab*. That the veil became a measure of the Muslim women’s *awrah* (Wehr, 1976:656) is a caricature of the Islamic sacred text. In Islamic jurisprudence (*fiqh*) the discussion on the *awrah* is based on a discourse on the body in all the sensual dimensions and confirms that there are certain parts of the body that should

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15 *Awrah* is a term used within Islam which denotes the intimate parts of the body, for both men and women, which must be covered with clothing. Etymologically, the term *awrah* derives from the root ‘a-w-r which means "defectiveness", "imperfection", "blemish" or "weakness" – however the most common English translation is "nakedness". (Wehr. H. 1976:656). The full reference appears in the bibliography.

16 The Qur’an.

17 *Fiqh* is the science of jurisprudence, literally ‘understanding’- is the process of human endeavour to discern and extract legal rules from the sacred sources of Islam – that is the Qur’an and the *Sunnah*. (Ziba Mir-Hosseini. 2006.) The full reference appears in the bibliography.
not not be displayed. (Faqihuddin, 2007: 95). People later used the term *awrah* to refer to things that are inappropriate and shameful (Faqihuddin, 2007:95). “The traditional jurisprudence scholars built a discourse on the women’s body and the norms related to it” (Faqihuddin, 2007:95). “The meaning then shifted to something considered capable of arousing a person’s lust against the person’s will” “Thus the worth of a woman is the same standpoint of Islamic jurisprudence and society” (Faqihuddin, 2007:95). “The Qur’an and Hadith text does not set any specific limits on the *awrah* of a women’s body” “In fact these sacred sources do not discuss *awrah* in the context of the sensual aspects of the body” (Faqihuddin, 2007:95).

An Examination of the Traditional Understanding of Women’s Dress

Traditional scholars such as Abu Hamed Mohammad al-Ghazzali (d. 1111) have mentioned the *hijab* as a dress not to arouse the sexual desires of men\(^\text{18}\). Al-Ghazali’s work on female sexuality presented a view that women must be controlled to prevent men from being distracted from their social and religious duties (McGinty, 2006:113). Thus society can only survive by creating institutions such as the *hijab* which foster male dominance through sexual segregation. In this context the *hijab* becomes an expression of and a means for this separation and protection from the lustful eyes and illicit ways of the opposite sex.

Mernissi denounces traditional views that harness the desires of men as a controlling mechanism because it degrades women and her space. Traditional scholars convert ordinary mundane space into sacred space by women wearing the Islamic dress. Mernissi opines that *hijab* is a term in the Qur’an that was not a barrier between man and woman, but between two men. Mernissi contextualises the *asbab al-nuzul*\(^\text{19}\) of the verse 53 of *sura* 33 and she opines that it was revealed on the eve of Muhammad’s marriage to his cousin Zaynab. Muhammad was eager to be alone with his new wife and he was not able to get rid of a small group of tactless male guests who remained lost in conversation. Later when these three men left, Muhammad put one foot in the room and kept the other outside. It was in this position that he let fall a *sitr* (curtain) between a companion Anas Ibn Malik (d. 709) and himself. Here the verse of the *hijab* (Q, 33:53) descended in the bedroom of the wedded couple to protect the intimacy and exclude a third person – in this case, Anas ibn Malik and the three men who had left earlier. The traditional patriarchal jurists have constructed Q, 33:53 as the basis of the institution of *hijab* (Mernissi, 1991, 92). When we examine the *asbab al-nuzul* of this verse it determines the breach of space and introduces a separation of the public from the private or

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19 *Asbab ul-nuzul* are those occasions of the revelation of a chapter or verse of the Qur’an, which refer to the time and circumstances or place of its revelation. (Esack, Farid. 2005) The full reference appears in the bibliography.
the profane from the sacred, which was turned into a segregation of the sexes by the traditional patriarchal jurists (Mernissi, 1991: 101).

Miriam Cooke, a contemporary American Arabic literature scholar mentions that,

Mernissi dared to question the unquestionable, namely the reliability of a “sound” Tradition\(^{20}\) or saying of Muhammad. Such Traditions proliferated after his death as new Muslims sought guidance from Muhammad’s teachings as a model for their own. Muhammad’s companions became the authorities whose personal witnessing was sufficient verification. As direct access to these companions dwindled and the community spread far beyond the confines of its original Arabian heartland, new Traditions were fabricated to respond to the changing circumstances in which Muslims found themselves, but also – as Mernissi writes – they were introduced for material and ideological advantage (2001: 71).

Cooke further states that Mernissi frames her argument and criticism based on Islamic authorities within the confines that regard Muhammad as an inspired man who opposed violence and who envisioned a community of equals united by their spiritual bond and not bound by tribal hierarchies (2001: 73). Mernissi’s explanation of the above verses of the Qur’an shows that Muhammad wanted women to be equal partners in the nascent community, but the patriarchal behaviour of the men was not only a challenge but also obstructed the realisation of his mission. Mernissi successfully cast doubts on traditional readings.

The various dynamics that prescribed the dress for Muslim women does indicate that the hijab and veil were influenced by certain religious and political persuasions that shaped the discourse. The socio-cultural influence that determined the narrative of Muslim women’s dress will continue its course of discovery and formulations. I will now briefly discuss contemporary experiences of the veil from Iranian, French and feminist perspectives to reveal each variant in its own encounter. Hence, each of the experience with the veil is a practice that is differentiated and variable in the various historical and cultural contexts and what the phenomenon will reveal about the culture within which it is embedded.

The Veil in Iran - A Constellation of Ideological and Political Agendas

In the beginning of 1980, the Iranian government began to enforce the wearing of the hijab, but not the veil (niqab). The Iranian style of hijab is known as the chador. A chador is a full-body-length semicircle of fabric that is split open down the front, with a head-hole in the top. This cloth is tossed over the woman’s or girl’s head, but then she holds it closed in the front. The chador has no hand

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\(^{20}\) Mernissi engages hadith in Sunni Islam from Sahih al-Bukhari and follows the same methodology that explains her approach to the Qur’an, to prove the untruthfulness of some hadith voicing a misogynous ideology.
openings, buttons, or clasps, but rather is held close by the hands and adjusted according to the measure of covering the neck and face.

During the reign of the Mohammad Shah Reza Pahlavi21 (d. 1980), urban women mostly wore Western forms of clothing; however after the 1979 revolution the chador became popular among women to visibly identify themselves with the political and religious changes in Iran. The ideology of the revolution prescribed conceptions of “Islamic social and political structure around the axes of Islamic social justice and anti-imperialism, the two main popular issues of contention in the preceding years“ (Shadmehr, 2008:14) “Islam was reinterpreted as a social religion and the theocracy provided viable solutions to socio-political issues of contention” (Shadmehr, 2008:14). For many Iranian women it was a return to an Islamic culture and an assertion of dignity, modesty and justice. Women identified with “justice” because the chador represented a shift from the oppression and modernity of the Pahlavi regime (Yanewa, 2008, 2).

Masoumeh Ebtekar, a former vice-President of Iran22 has mentioned that the hijab was a social act (Celizic, 2003). Symbolizing the hijab as a social act can be used in a political process to take people into account and orientate them to others. In other word the political process teaches a person to be responsible and accountable to others and the government. Ebtekar’s assertion that the hijab was a social act, consequently, required much coercion and coaxing by the government for women to wear it? In recent times, Ebtekar’s view on the hijab is a bit outdated because the youth in Iran have liberalised the dress of women by wearing jeans and a dress that covers the knee and scarf that is a throw over that covers the head but exposes the front of the hair.

According to Reza Afshari, a contemporary Iranian historian opines that the hijab was meant to be the affirmation of the female in Islamic terms, which enabled women to negotiate in the new world while affirming the traditional values of their upbringing (2001: 264). Sa’diyya Shaikh, a South African feminist scholar of Islam states that “within the Iranian context the discourse of veiling are embroiled in broader and national politics. The veil has come to signify a whole constellation of ideological and political agendas enmeshed in the modern history of Iran” (Hoel and Shaikh, 2007: 118). In pre-revolutionary Iran resistance to the Shah reflected a range of “ideological positions from Marxism, Islamism to Modernity, which was a reaction towards the corrupt secular legacy of the Shah, who was seen as a dictator who promoted a political agenda, which did not prioritise the well-being of the Iranian people” (Hoel and Shaikh, 2007: 118).

21 Mohammad Reza Shah Pahlavi, ruled Iran (1941-1979). A secular Muslim himself, the Shah gradually lost support from the Shi’a clergy of Iran, particularly due to his strong policy of modernization, secularization, conflict with the traditional class of merchants known as bazaari. http://www.iranchamber.com/history/mohammad_rezashah/mohammad_rezashah.php. [Date accessed: 12/06/2000].

22During the presidency of Mohammed Khatami (1997-2005), he appointed a handful of women to prominent posts. Among them: Masoumeh Ebtekar was his vice president. http://iranprimer.usip.org/resource/womens-movement [Date accessed: 12/06/2011].
Despite the overwhelming attempt to control women’s autonomy by the Islamic State, groups of Iranian women have resisted. “Two feminist trends, namely secular feminism and Islamic feminism, emerged in response to gender politics” (Noel, N and Shaikh, S. (2007: 122). This resistance includes a range of activism such as the struggle for religious freedom, political participation and modernization.

In Iran this discourse of the rights of women is simmering among urban women because in a globalised world the influences of ideology and fashion play a huge role on how people will interact with modern media tools such as facebook, twitter and the internet. These interactions are part and parcel of a globalised world that networks as a global village and localises social, economic and political views of global culture.

The coerced veiling of women by the Iranian government demonstrates that authoritarian laws prevail, which results in alienating female ideals to access public space. In order to properly address the dissatisfaction of women in Iran, it is necessary that the government deconstruct women’s grievances as a basis for greater integration and self-determination of the Iranian citizen and engage in a genuine dialogical relationship.

**Why the French don’t like the Muslim Veil**

Europe’s growing Muslim population has bred tensions across the continent since the deadly attacks in Madrid in 2004 and in London in 2005 by Islamic radicals. Wariness is pervasive in countries such as France, which currently has a large Muslim population23 and their historical experience of Muslim resistance during their colonisation of Algeria (1832-1962).

The various modes of dress of Muslim women have come to the fore in France since 2001. The French public wants an Islam tailored to the West. France would be the only Western European country to target the all-enveloping robes and *niqab’s*, the cloth hiding the lower face. The French Interior Minister Claude Guéant estimated that about 2,000 women wore facial veil. (Baume: 2011).

In September 2010, France banned the *niqab* and *burqa* which came into effect during April 2011 (Wilsher, 2011). The *burqa* is an enveloping outer garment worn by women in some Islamic areas24 to cover their bodies in public places. The *burqa* is usually understood to be the woman’s loose body-covering (*hijab*) plus the head-covering (taking the most usual meaning), plus the face-veil (*niqab*).

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23 Islam is the second most widely practiced religion in France, with an estimated population, which is between 5 and 6 million and totals 8-10 percent of the national population. (NED/INSEE. 2011), http://www.state.gov/g/drl/rls/irf/2008/108446.htm, [Date accessed: 25/05/2011].

24 Forms of *burqa’s* are worn in Afghanistan and in Pakistani cities such as Rawalpindi, Sargodha, Multan, Hyderabad, Peshawar, and Quetta.
The ban is officially called, “the bill to forbid concealing one’s face in public”, which refers neither to Islam nor to veils. The ban included all overt signs of religiosity, such as large crosses worn by Christians and Jewish skull-caps (yarmulkes), etc. French officials insist that the law against face-covering is not discriminatory because it would apply to everyone, not just Muslims. (Doland: 2010).

John R. Bowen, a contemporary American anthropologist, mentions that France passed the law against religious symbols of dress because they had become representations of mounting Islamism and decaying social life. He opines that the post-2001 fears of international terrorism had raised the level of concerns about tensions between communities in France (Bowen, 2007: 242). He further states that these symbols were associations of fear and they had their peak from 1989 – 2003 (2007: 242). The French are claiming that Muslim women are not integrating or assimilating within French culture and therefore they are forcing Muslim women to unveil by banning the burqa. France does not recognise minority rights as French philosopher Alain Badiou writes:

> It is fear that drives such criticism of ‘foreign’ (Muslim) dress. The justification for protecting a secular identity is a front to undermine Islam in France, and this is closely tied with another part of France’s history: the French conquest of Algeria in 1830. The country suffers from a pathological fear of a ‘Muslim threat’ born in the Algerian revolutionary struggle against French colonialism. The hijab in its haik form was used as a form of national assertion and a reclaiming of a Muslim and cultural identity. Thus, the same French mission to civilise Muslim women persists today. French Muslim women are being ‘unveiled’ as part of a contemporary French colonial “mission civilisatrice”, in order to ‘teach’ the Muslim ‘other’ the superiority of Western knowledge and culture (Ullah: 2009).

The French in 1789 went to great lengths to fight for their freedom from the feudal system that was oppressive and unjust. Slogans such as liberty, fraternity and equality set the tone for a modern democratic secular state and which is now a “first world” country. In the twenty first century the French desire freedom for the world but according to Western norms and values (Garztke, 2005: 29).

The French have a history of organised animosity to the headscarf. In 1959, in the middle of the Algerian war, the French colonial state banned the veil in Algeria (El Guindi, 1999: 172). By banning it, they politicised it, with the result that many Muslim women who had not previously wanted to wear it now thought it a patriotic duty to do so. The veil became a symbol of resistance when patriotic women attached it as a national and cultural symbol of liberation (El Guindi, 1999: 172).

In many instances the West reflects a multicultural attitude towards the dress of women, however when it comes to the veil they perceive it as a foreign symbol, which embodies an image of

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backwardness. By banning the veil, France was clearly stating its position on *laïcité*[^27] and sending a clear statement to Islamists that they must integrate or be humiliated (Bowen, 2007:105). Most Western observers fail to realise that veiling, which has a long and complex history, was not only embraced as a cultural identity but also represents an expression of liberation from colonial legacies. The key fiction of colonialism was the idea that Europe was saving the world from the “other” who are savages and must be tamed and civilised.

The present discourse on the veil in France lends itself to political and cultural inventions that are in conflict with the religious “other”. The “other” in this case is the Muslim woman who reflects a contentious cultural shock to the perception of Eurocentric perceptions. The power relations vested in the *hijab* or veil and wearing it in a liberal democracy such as France are very different from wearing it in a Muslim country where it is a commonplace (and some cases obligatory). The “other” find themselves now living in these European countries that reflect at times a cultural shock that is critical to their religious freedom and movement. The secular authorities in these liberal democracies will have to be challenged and even motivated that the “other” has the right to belong.

The liberal societies must assist the “other” within the framework of ideological expediency that it has worked so intensely for, which is the articulation of democracy and human rights. Katherine Bullock, a contemporary Canadian political scientist, asserts that for many Muslim women, the *hijab* does not smother femininity or sexuality and by wearing it the society is better served by keeping male and female sexuality in check inside and outside the home and especially in the public sphere (Bullock, 2002: 199 and 299).

The French should consider that in a globalised world it will be difficult to stop the movement and assimilation of people, which will continue in spite of removing people’s rights and liberties. Retarding the concept of human rights and equal rights of women will have repercussions from fundamentalist power plays. Therefore, serious consideration will have to be given by the French authorities to the changing perceptions of Muslim communities due to population growth and a call for fairness, and equality. These issues are relevant to all societies and according to the French Republican way of thinking, living together in a society requires agreements on basic values. These basic values must emphasise general interest of citizens and shared values over individual interest and pluralism. (Bowen, 2007:11). Hence the French state must set itself the task of creating citizens who are properly prepared to participate in public life by promoting social cohesion and tolerance. (Bowen, 207:12 and 62).

Feminism and the Veil

The feminist discourse is seen by conservative and patriarchal Muslims as the political child of the West. Feminism is a movement aimed at defining, establishing, and defending equal political, economic, and social rights and equal opportunities for women. Therefore, feminism is not only about the rights of women but also about a social construct that aspires for full partnership of women with men within society.

It seems that groundedness of Muslim feminist in their own culture has been largely overlooked in the discourse of feminism by orthodox and conservative Muslim scholars. Patriarchal interpretations of Muslim women's dress were inevitably going to face the challenge from these feminist activists due to Western influences on the global scene. Albeit, this critique was relevant during the Western encounter with Muslim lands, the feminism now embraced by gender activists is a mature institution, originating from the narrow precepts when it burst on the global scene in the early nineteenth century.

Anna Mansson McGinty, a contemporary American feminist of Women's Studies asserts that

> In Western discourses the “veil” is politically charged with connotations of the inferior “other”, suggesting the subordination and inferiority of Muslim women. Also within Western traditional feminism the veil has been perceived as a controversial and provocative symbol of patriarchal oppression of women (2006: 111).

This only represents a one sided perspective and Western feminism will have to reorganise itself and enter into dialogue with other ways of defining gender roles and freedom. El Guindi has also criticised feminist women’s studies for studying the veil in a narrow domain of gender rather than as a differentiated and variable practice, implying different meanings depending on context (184, 1999). The veil marks certain class affiliations and economic privileges, political struggles, protest and opposition and reflects larger social and political transformation. The veil for Muslim women, partly as a component of the global Islamic movements, represents new and different goals and ideas. Mcginty further states Islamic attitudes are changing in European societies due to the emphasis of gender equality, Western education and globalisation. (2006: 113).

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28 There are many "feminists" and many different theories. However, feminism can be broken up into three waves. First-wave feminism refers to a period of feminist activity during the 19th and early twentieth century in the United Kingdom, Canada, and the United States. The main focus of this movement at this time was on de jure inequalities, or officially mandated inequalities. There were many people during this time who were considered to be feminists, Mary Wollstonecraft, Susan B. Anthony, Lucy Stone, Olympia Brown, and Helen Pitts; there are countless more. The second-wave which spans from the early 1960’s through the late 1980’s, and the third-wave which started in the early 1990’s, and is continuing through present time. (Betty, Friedan, 2007). The full reference appears in the bibliography.

29 Feminism is a term that is often contested and has many meanings. Feminism, in the most generic of definitions, is the theory of the political, economic, and social equality of the sexes, and organized activity on behalf of women’s rights and common interests. Merriam-Webster Dictionary. 2011, http://www.merriam-webster.com/dictionary/feminism [Date accessed: 28/05/2011].
McGinty mentions that the agency of Muslim women must be engaged and make their interaction meaningful instead of seeing them as mere “victims of culturally constructed subordinate positions or their bodies as passive recipients of power” (2006: 114). She further argues that to “attend to personal experiences and desires and the meaning assigned to cultural representations and symbols a better understanding might be gained as to why the Muslim agency conform or resist certain ideas and relationships to power” (McGinty, 2006: 114).

Islamic feminism\textsuperscript{30} arose as a new discourse or interpretation of Islam. These feminists seek to highlight the deeply rooted teachings of equality in the religion, and encourage questioning of the patriarchal interpretation of Islamic teachings through the Qur’an, the *Sunnah* and *Hadith* of Muhammad. These women rejected the patriarchal and Islamist model of the Muslim women. They refuse to bend to the patriarchal agenda and protested by not taking up the veil and began to advance the most radical gendered Islamic discourse to date (Badran, 2008, 103).

Margot Badran, an Egyptian feminist scholar and historian, argues that in the twenty-first century, a growing number of Muslim women in the East and West are being energized and encouraged by the progressive *qur’anic* discourses of gender equality and justice and becoming part of the Islamic feminist surge as women increasingly decide for themselves how to be Muslims and how to be women within their diverse contexts (2008: 104). How these women will sustain their Muslim-ness will be determined by their daily needs.

**Conclusion: Future Prospects**

We have illustrated how the veil has represented women’s agency in Iran and France that has been controlled by patriarchal and authoritarian tropes that resulted in alienating female ideals. “Both the Iranian and French governments demonstrate and marginalise women’s voices and agency through authoritative laws on veiling/unveiling that are direct discursive parallels” (Noel, N and Shaikh, S. 2007: 124). “Despite all the rhetoric of equality and freedom from oppression (especially in the Western discourses), both the Iranian and French narratives severely restrict Muslim women’s choices” (Noel, N and Shaikh, S. 2007: 124). “The formation of Muslim identity, drawing from diverse public gender representations and the personal meaning given to the veil suggests an examination of transformed and alternative feminism” (McGinty, 2006: 124).

\textsuperscript{30}Margot Badran, a feminist scholar, Muslim women have generated two major feminist paradigms, which they have referred to as “secular feminism and “Islamic feminism”. “Secular feminism arose on the soils of nation states and Asia from the late nineteenth century through the first half of the twentieth century, during the processes of modernisation, national anti-colonial struggle and the independent state building” after demise of the Ottoman Caliphate (Badran, 2009: 2-3). The full reference appears in the bibliography.
The Iranian, French and feminist discourses on the veil are vastly different, so too are the significant differences in how women define, understand and practice Islam. Given this diversity, it is impossible to speak on behalf of all Muslim women and to generalise about the varied versions of Islam people practice. In the social and cultural context of women the veil is understood in terms of identity, sacredness, power and independence. For many women, veiling is intimately connected with the notions of the self, the body and community, as well as with the cultural construction of identity and space (El Guindi: 1999).

In the contemporary world, Muslim women will have to engage their sacred texts and associated sources to discover the real reasons why they wear the hijab and the veil [or choose not to] and whether it impedes or enhances their religious belief and practices. What are the possibilities for future discourses with regard to gender justice and the wearing of the veil? For many Muslim women the hijab and the veil constitute a modesty that relates to religious piety and chastity. In the twenty first century many Muslim women are promoting a modest dress code that embraces the idea of this religious piety, perhaps with a fashion statement. The Muslim dress has not excluded Muslim women from expressing their individuality and various expressions and manifestations of their identity, culture and resistance to oppression. Amina Wadud, an Islamic scholar upholds that “the hijab can give some semblance of a woman’s affiliation with Islam and it offers no guarantee of respect or protection” (2006: 219). She further opines that the hijab of coercion and the hijab of choice looks the same”(Wadud, 2006: 219).

Women will use vehicles for their own agendas so that they can embrace solutions that are meaningful, which incorporate individual choices such as secularism, spirituality, ethics and justice. The tradition of Islam has a strong moral character of resisting oppression and injustice and it also has the possibilities to reinvent and renew itself as the situation requires. This particular understanding of change by Muslim women is one that will be challenged by patriarchal understandings of the Islamic tradition and this is where the decisions will have to be determined to secure a process to “cross the Rubicon”31 towards gender equality and justice. It’s not that people will not follow a particular religious view or support political programs, however social influences will regulate the development of society as a whole. This influence can take shape when people agree or identify with others, which raises critical questions of assimilation and integration, especially of Muslim minorities in Western countries.

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31 The idiom "Crossing the Rubicon" means to pass a point of no return, and refers to Julius Caesar’s crossing of the river in 49 BC, which was considered an act of insurrection. Because the course of the river has changed much since then, it is impossible to confirm exactly where the Rubicon flowed when Caesar and his legions crossed it. Macmillan Dictionary. 2011, http://www.macmillandictionary.com/dictionary/british/Rubicon [Date Accessed: 12/06/2011].
I have argued that the Muslim woman’s dress is a complex human experience of people’s self-understanding and appreciation. There is a need to understand Islam and a deeper knowledge of dialogue within Muslim and Western countries in creating societies characterised by pluralism so that people can coexist with justice and equity as forms of self-representation. Wearing the hijab, the veil, the chador or burqa and other religious symbols will have to be negotiated as such self-representations of dialogue and interrogation so that Muslim women are informed about their rights, virtues and the difference that protects their autonomy. This challenge creates anxieties about sociability and nation building, but these anxieties can lead to self-understanding provided that it underpins that promise, which reflects a fullness of human experiences that will fulfil equal treatment and justice.
Bibliography


YMMA. (n.d.), *Islamic Hijab (Purdah)*, Benoni: YMMA


