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SECULARISM AND RELIGIOUS (IN-)SECURITY
REINTERPRETING THE FRENCH HEADSCARF DEBATES

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> In brief, this world is 'secular' not because scientific knowledge has replaced religious belief (that is, because the 'real' has at last become apparent) but because, on the contrary, it must be lived in uncertainly, without fixed moorings even for the believer, a world in which the real and the imaginary mirror each other (Talal Asad 2003: 64-65).

Introduction

French secularism has often been presented as an exceptional variety of more moderate and tolerant versions of secularism in Europe, particularly after France's adoption of the controversial law of 2004 prohibiting the wearing of headscarves in public schools and while performing public functions. However, in at least one important regard, the French discourse on secularism presents an inflated version of other European discourses, rather than an exception to them. And so we can learn from the French case for understanding secularism in a broader European context. For as I will argue, a crucial motive that French discourses appealing to secularism share with other European discourses doing so, is their frequent reliance on a modernist understanding of religion in terms of religious interiority, and a related understanding of secularization. Such interpretations have been criticized in the social sciences for some decades already (Asad 1993, 2003; Casanova 1994) and more recently also in philosophy (Bader 2007; Taylor 2007). I will trace how the implicit understanding of religion in terms of religious interiority affects secularist interpretations of a religious practice like the wearing of the headscarf.

In a second step, then, I will argue that the secularist interpretation of religion and religious practice plays a paradoxical role in the increasingly securitizing attitude towards Muslims in France. For while this interpretation suggests that religion as it is interiorized and privatized will cease to be politically relevant, and while it thus appears to de-ethnicize and depoliticize religion, it politicizes it instead. It does so by interpreting religious practices as 'semiotically insecure', separate from the 'real' intentions of the practitioners. I will argue that such an interpretation provides a systematic but undertheorized layer in the processes of racialization and securitization that Muslims have to deal with anyway due to the impact of terrorism carried out in the name of Islam. To substantiate this claim, I will show that an important but as yet underanalyzed motive for the law against the headscarves in France was the perception of a Muslim presence as a potential security issue, a fear of what was 'behind the scarf', and that the logic of this fear is intimately connected to secularist assumptions surrounding religious interiorization.

Finally, I shall take up some issues with Talal Asad's related reading of the headscarf law and of French secularism. I will argue that although his reading of the headscarf law is incisive, he connects it to a too-monolithic understanding of secularism and of its relation to liberalism. As an alternative, I will propose that there are productive tensions between the two historically most central interpretations of secularism. In the first one, secularism is understood in terms of a combination of religiously indifferent political institutions with religious liberty. In the second one, the interpretation of secularism is grounded in an interpretation of secularization in terms of religion's interiorization. The first interpretation can be used to criticize or at least question the second interpretation.

Let me make one preliminary remark. Talking about French secularism in a general sense is problematic since there is no one French 'model' of secularism, or *laïcité*. In the French debates circulate many interpretations of secularism that understand it in terms of separation of Church and

State based on the 1905 law prescribing their strict separation. But what this law exactly requires in practice is contested. It is also quite sure that many actual forms of religious governance are on a tense footing with this law. To give just one small example, contrary to what the law of 1905 prescribes, and what received opinion thinks is the case, the French state does finance private religious schools and religious associations, and even finances the maintenance of core religious buildings such as the famous French cathedrals. Moreover, the French state has a long tradition of the-*gestion* of (governmental dealing with) religion. This not only implies its accommodation within the public sphere, but also, more strongly, its centralization and at least partial control by the state (see Roy 2005, Bowen 2007, Bader 2007 and many others).[1] Struggles over how we should interpret secularism, and what would be the right way to implement it, have been a central feature of French debates about religion in the public sphere over the last years. The only near consensus is that it is impossible to read the headscarf law as an 'implementation' of a specifically French Republican institutional framework; from there opinions start to diverge. The French political historian Pierre Rosanvallon caught the situation rather well by stating that *laïcité* has become the most cacaphonous term in French debates over the last two decades (Rosanvallon, quoted in Bhargava 2009).

This has implications for comparing French secularism to other secularisms, which are at least as internally diverse. Taylor (2009) and Bader (2010) make explicit that 'secularism' is an extremely fuzzy and politicized concept in contemporary political discourse. Taylor's dictum that 'it is too late to ban the word secular' and his suggestion that the most important reason to still use it might be that we simply cannot leave the concept to the 'secularists' (2009: xxi), rivals Bader's distinction between ten different meanings of secularism in constitutional debates alone (Bader 2010). So I am not claiming to characterize French secularism in a general sense by what I am trying to tease out in what's following; rather I analyse a few recurring strands in the French debates that we also encounter in other European discourses surrounding secularism, and which should urge us to take the specific historical context in which they emerged systematically into account.

1. The interiorization of religion as an interpretation of secularism in contemporary European discourses

I would like to briefly reflect on a provocative comment put forward in a response to the work of Talal Asad by the American philosopher William Connolly, who has been critical of secularist biases in philosophy for a number of years:

'Indeed, the best definition of Europe itself – as presented by those constituencies assuming themselves to be qualified to define its core authoritatively – is the idea that to be European is to express religious beliefs in the private realm and to participate as abstract citizens in the public realm. This innocent and tolerant-sounding definition promotes Christian secularism into the center of Europe and reduces Islamic peoples into a minority unlike other minorities; they are distinctive because they alone are unwilling or unable to abide by the modern agenda. [...] You might even say that the inner connection between Christianity and Europe today [...] resides in the demand, growing out of the Christian Enlightenment, to disconnect the expression of religious belief from participation in embodied practices, so that it becomes possible to imagine a world in which everyone is a citizen because religious belief is relegated to the private realm and the interior of the self.' (Connolly 2006: 78)

We could read this as a dramatic account of the relationship between Europe and Islam, and actually, between Europe and any non-Christian religion. According to Connolly's evocation, Europe, as defined by the most powerful constituencies within it, is defined by an intransigent secularism, deeply rooted in European (Christian) culture. It is an exclusionary Europe incapable of critically scrutinizing its own parochial secularism, Christian history and Enlightenment-based narcissism.

It would be easy to criticize Connolly's account by unpacking and diversifying the characteristics of 'Europe' as he constructs it. Connolly defines Europe by bringing together a number of tendencies that have historically been in tension with each other. To mention but a few obvious objections: can we speak of a Christian Enlightenment when Christianity has been greatly divided in Europe firstly among its own protagonists, and secondly

in relation to the Enlightenment itself? And hasn't there been a radical strand in the Enlightenment that it would be difficult to qualify as Christian, even if we acknowledge the importance of the emergence of Protestantism for the development of Enlightenment thought?

Moreover, in one breath Connolly mentions three interpretations of secularism that he thinks European majorities pile up in their concept of secularism, but which he does not distinguish between either: in the first place, he closely connects the privatization of religion with its interiorization. However, religious privacy does not necessarily imply the rejection of religious practice or the pressure to interiorize religion. I will return to this point. As a third interpretation, Connolly then also links secularism to the idea of abstract citizenship. The contemporary European irony however is that abstract citizenship has only returned in a context of the religious/secular divide while not in a comparable measure in conceptions of citizenship more generally; indeed, it rather seems that citizenship has become more strictly attached to the diverse national European cultures over the last years.

Another consideration is that neither at the level of legal practice nor at the level of social expectations is there a question any longer of a strict privatization of religion. This is the case in all regimes of secularism in Europe. All of them deal publicly with the governance of religious diversity, however diverse these modes of governance may be (see e.g. Bader 2007). Perhaps this is the case in France (and Turkey) even more so than in other countries, because the focus on the religious 'neutrality' of the public sphere in laicism, as a specific version of secularism, goes along with age-old policy traditions of 'support-and-control' of religion (see Bowen 2007b, Hurd 2008; Dressler 2010; Müftügil 2011).[2] Hence, the secularism that Connolly is talking about is strictly limited to the ways in which it is often defined in public discourse, rather than in actual practices of governance, and it is questionable that these discourses alone could help us to 'define Europe'.

In addition, if we look at religious studies for example, it appears that the 'Protestant' bias, surrounding the separation of belief and practices has been criticized from many sides and has slowly led to a methodological and conceptual transformation in which the material and performative sides of all religions, Protestantism included, are emphasized. For example, my own post-doctoral research project formed part of a larger research program financed by the Dutch Organization for Academic Research (NWO) about the 'future of the religious past'. According to its programme text, we need to study religion through its 'gestures', implying the study of religious actions as *creating*, not only communicating or transmitting values, authority, holiness, transcendence […]' (NWO 2002: 21). In line with studies critiquing mentalist, Cartesian theories of the subject – whether it be those by Wittgenstein, Derrida, Foucault, Taylor or Asad – the correction concerns the interpretation of modern religion as 'pure' mental experience occurring within an interior self. The focus on religious performance also appreciates religion's relationship to authority from the start, and therefore implicitly seems to question both classical liberal and secular interpretations of 'religion' insofar as these contend that religion is separable from power, and that this should be so.

However, notwithstanding these qualifying remarks, I do think that Connolly touches upon the emergence of a discourse concentrating on 'secularism' that has become vociferous in Europe since September 11, 2001, but that has been emerging since the late 1980s, and that has become an important strand in public debates since the Rushdie Affair and the French headscarf affairs. The secularism defended here does present a specifically European mélange of Christian and Enlightenment theological, philosophical and political motives. It is in this historical context, I would contend, that the French debates about *laïcité* surrounding the adoption of the law on the headscarves have been scrutinized and even emulated in other European countries. This has occurred perhaps even more than we could have expected after the distant irony that had often been publicly displayed surrounding the French obsession with the scarves before the actual adoption of the law in 2004. Moreover, this context may also have played a role in the subsequent spread of measures against the scarves and other icons of public Islam all over Europe. Particularly insofar as the Enlightenment has recently been presented as a specifically European legacy that needs to be defended in the renewed confrontation with rising fundamentalisms, and with Islamism in particular – a thought that has been strengthened after 9/11, the murder of Theo van Gogh and the Lon-

don bombings – the framing of questions surrounding Islam and the position of Muslims in Europe in terms of a conflict between secularism and political religion has attracted serious attention in many European countries. This has replaced, at least to a certain extent, a framing of the debate about the position of Muslims in terms of social inclusion, cultural diversity, equality, racism and socio-economic incorporation.

This recent European discourse, about 'the Enlightenment' to be defended against fundamentalisms, often conflates precisely those three aspects of secularism that Connolly mentions: religion's interiorization, its privatization, and the idea that secularism implies both abstract citizenship and a strict separation between religion and state. My suggestion will be that we had better see how the tensions within the different interpretations and practices related to 'secularism' make room for interpretations more accommodating to persons from non-Christian backgrounds, instead of suggesting that secularism (or Enlightenment) implies a full package to either take or to leave.

I will now briefly address what I understand by the 'interiorization' of religion, and particularly discuss the ways in which it has been interpreted by Connolly and Asad.[3] I will also make some preliminary notes about the relation of religious interiorization to religious privacy, while postponing the more detailed exploration to my interpretation of French secularism. The thesis that modernity implies a progressive interiorization of religion has long informed European philosophy and sociology, and is an important strand in the secularization thesis. Modernity seemed to imply the increasing 'subjectivation' or individualization of religion into 'religious experience' or 'spirituality'. Many persons, perhaps scholars in particular, even expected that this would finally result in the decline of religion in general, or in any case to the decline of any form of religious organization (Casanova 1994; Asad 2003; Bader 2007).

This interpretation of secularization does overlap historically with the most current interpretations of the 'privatization' of religion, but it is not necessarily synonymous: privacy is a spatial and political-legal term whereas interiorization is a psychological or metaphysical one. Interiorization means a gradual rejection of outward religious practices in general and a concentration on the inner self, or in any case the attempt to separate out a mental 'belief' from religious practices. According to that last interpretation, religious practices are inessential to what 'religion' really is. They only symbolize or represent it, instead of forming a constitutive part of it. Privatization, by contrast, does not in principle imply an interpretation of the relation between religious practice and the inner self, but only religion's giving up any public or direct political roles. I will return to the historical interwovenness of these two interpretations.[4]

The thesis of the progressive interiorization of religion in modernity has been challenged from many sides as a central element in the contestation of the secularization thesis in general (for example Casanova 1994, Asad 2003, Bader 2007, Taylor 2007). In the passage from Connolly just discussed, he refers to its survival in European expectations surrounding secularism when talking about the 'relegation of religious belief to the interior of the self'. However, this phrase does not entirely do justice to his further argumentation in the essay. The problem he describes concerns precisely the idea of whether we can or should separate something mental and interior called 'belief' from religious practices at all, an idea that, as Asad has argued, implicitly governs much of our understanding of religion (1993).

The idea of 'religion' as essentially independent from specific religious practices, and hence, from particular religious traditions (or 'churches') emerged in early modernity, in the context of the search for a common denominator helping to end the religious wars.[5] Summarizing this tradition, Immanuel Kant distinguishes religion from diverse confessions:

'Religious differences – an odd expression! As if we were to speak of different *moralities*. There may certainly be different historical *confessions*, although these have nothing to do with religion itself but only with changes in the means used to further religion, and religious *books* (the Zend-Avesta, the Vedas, the Koran, etc.). But there can only be *one religion* which is valid for all men and at all times. Thus the different confessions can scarcely be more than the vehicles of religion: these are fortuitous, and may vary with differences in time or place.' (Kant 1991 [1795]: 114)[6]

Kant interprets religious differences as an effect of history in which confessions were connected with power hierarchies, in the first instance the Catholic Church. A 'future' religion of reason, actually the only real 'religion', is independent from organizational hierarchies, from 'cultic', practical aspects.

In religious studies and anthropology, Talal Asad's *Genealogies of Religion* (1993) has been groundbreaking in showing how pervasive are the legacies of the Enlightenment concept of religion, specifically the Kantian version, in today's common understandings of religion, in which we consider religion as a system of meanings eventually to be symbolized by certain practices instead of being constituted by them. Part of Asad's point about this legacy was that an abstract, essentialized concept of religion can easily be used as a measure to compare 'higher' and 'lower' religions, a practice that has been a popular option in the humanities since the Enlightenment (1993: 42) and which has been an important motive in contributing to imperial projects in the name of 'civilization'.

Asad mainly refers here to the context of imperial encounters, but it is not unimportant to mention the intra-European differences, struggles and hierarchies in the context of which the concept of 'religion' emerged. Early modern thinkers often interpreted Protestantism as a pre-stage of a freestanding, 'secular' morality guided by reason, while connecting Catholicism to a Mediaeval world in which political and religious hierarchies were thoroughly entangled. For example, John Locke excluded Catholics from toleration because he considered their obedience to the Catholic Church a sign of political loyalty to Rome. Spinoza interpreted Judaism as in many senses a 'pre-modern', theocratic religion. We get a sense of this hierarchy's relatively wide and early dissemination when we read 'the 'Editor's Introduction' to the first English edition of Uriel Acosta's *A Specimen of Human Life* (1967 [1740]). Acosta was a freethinker who influenced Spinoza in the early modern Amsterdam of the seventeenth century. The editor's introduction to his autobiography starts by saying that Acosta 'too hastily' concluded that all religion was 'fraud' and 'invention' through his confrontation with the 'absurdities in Popery, as well as modern Judaism', and that he had failed to examine 'what had been wrote in defence of the *purer* part of it, professed by the Protestants' (Acosta 1967 [1740]: 83, my italics).[7]

Kant criticizes Catholic worldly power, clerical hypocrisy and the policing of people's minds in the first place, but he does not exempt Protestantism from critique. However, he does argue that we encounter the links between religion and power in Catholicism and Judaism more systematically than in Protestantism, because these religions at least partly require obedience, not moral conviction from individual believers (Kant 1793, part IV). In a comment on Moses Mendelssohn's interpretation of the relation between Judaism and the Enlightenment in *Religion within the Limits of Reason Alone*, Kant suggested that the Jews submitted themselves to a 'yoke of exterior observances' (Kant 1990 [1793]: 185). Kant denied Judaism the status of religion, and called it a 'cult' (125), because he considered it a 'statutory' confession, which conceptualised God as requiring obedience, not moral reasoning. Because Mendelssohn wanted to retain a meaning for Judaism within modernity, Kant saw him as someone who did not draw the full consequences of the Enlightenment. Mendelssohn himself argued that the Enlightenment could be reconciled with particular religious practices, and saw that this is also the case with regard to other religions that do not strictly separate a 'pure', or at least private, concept of religion or morality from (religious) practices. Mendelssohn argued that universal morality is not only compatible with Jewish moral law, but also with the religious practices of many peoples, and thus he refused to go along with the Kantian 'either-or' suggestion about the meaning of the Enlightenment.[8] Because of these interfaith aspects of the debates about religion during the Enlightenment, it seems rather inaccurate to talk about 'Judaeo-Christian secularism', as do some authors. Doing so adds to a too-monolithic presentation of options that have been available in Europe, and which have been tragically unequal in competing for the meaning of the Enlightenment; reminding ourselves of the diversity within historical Europe might help us to accommodate and recognize the practices of Muslims today.

If we now return to the contemporary debate, we can say that Asad and Connolly have extended the Enlightenment concept of religion into the present, even if the thesis of a full subjectivation has been on the wane, together with modernist theories of the subject. To my mind they have

also convincingly shown that a universalized, and in this sense interiorized, concept of religion can only grasp religious traditions on its own terms, and will always reduce religious practice to something exterior, mechanical, servile and inessential to what religion really is, instead of understanding it in terms of a more dynamic relationship with what could now only be called 'interiority' in a metaphoric sense. Such a more dynamic and performative understanding of religion would be in line with the many critiques of the modern subject that have followed after the linguistic, postmetaphysical turn in philosophy (Connolly 2006).

Connolly and Asad stress that this insight also has consequences for how we conceive of liberty of conscience, and hence for the meaning of religious privacy. The production of interiority in and through practice implies the entanglement of the supposedly free, spontaneous heart (or a Kantian independent reason) with discipline, with society, and hence, with power. Questioning religious interiority , according to both Asad and Connolly, thus has consequences for the liberal idea that religion could be insulated from power once it is privatized. Religion's *free* (private) exercise in a secular state does not imply the absence of power, hence religion is inescapably connected with politics as well and so not as free as liberal philosophies might have hoped. This point has been powerfully restated in Taylor's *A Secular Age*, where he traces the disciplinary sides of the emergence of secularity in early modernity in terms of 'Reform' (Taylor 2007).

A question I would like to raise at this point is how the interiorization of religion as one underlying strand in interpretations of secularity is situated in the contemporary European intellectual and political landscape. In the work of Connolly and Asad, this strand in the interpretation of secularity is presented as essential for European secularism, even for European power structures in general, particularly because of the great overlap they suggest between interiority and privacy.[9] By contrast, I will try to show that in the European intellectual and political landscape, interpretations of religious liberty and privacy, and of the state's religious neutrality, play roles that are in critical tension with interiorization, instead of being dependent on it, and that these have to be disentangled carefully. Let us now first turn to France.

2. Laïcité and liberty

France has a special status in Europe when it comes to matters of secularism, particularly because of the 2004 law on the headscarves. This law has been criticised by many actors in many European countries, and was mostly interpreted as resulting from an exaggerated, unnecessarily strict interpretation of secularism, a deviation of French *laïcité* from other, acceptable modes of secularism.[10] On the one hand, *laïcité* has been criticised for being too ideologically liberal, in the sense of expecting a privatization of religion to a degree that is blind to its practical limits, and overly distrustful of religion's necessarily public aspects. This too-abstract understanding of private-public relations becomes manifest for example in the many recent appeals to the law of 1905 instituting the strict separation of Church and State. I already mentioned that, in practice, there are abundant examples that show the complex interrelations between church and state, and between religion and state more generally (see for example Bowen 2007). On the other hand, the French practices of religious governance that do exist have been criticised for not being liberal enough, they are the legacies of a-liberal or pre-liberal policy traditions and intellectual motives. For example: Rousseauian civil religion (Baubérot 2008; Laborde 2002); the policy tradition of *gallicanisme* (support-and-control of religion) (Bowen 2007); a combined 'ideological obsession with the religious' and 'a fascination for the monarchy' (Roy 2005: 63). The basic problem for all of these critics seems to be the (neo-)Republican focus on civic unity and, basically, a deficiency in the recognition of 'the fact of pluralism'.

As I already mentioned, nearly all the more detailed interpretations of the French context implicitly or explicitly contest the idea that the law on the headscarves more or less naturally follows from a typically French institutional 'model' of *laïcité*, or even that such a model exists. In particular the American anthropologist John Bowen has meticulously reconstructed the many interpretive spaces between *laïcité* as a concept and its 'application' in the law concerning religious signs. More generally, he (and others) have stressed the many diverging governmental practices that actors themselves explain as in compliance with *laïcité* (2006, 2007).[11] Also, there was much less consensus in France about the law on the headscarves than the large parliamentary majority that voted in favour of the law might

suggest: many opposing voices argued against the law in the name of a different, *non-exclusive, more liberal laïcité*, and others were more generally critical of the appeal to the principle. Many of these critical voices addressed underlying problems of racism, and a tradition of securitizing approaches toward Islam, as a colonial legacy. In sum, *laïcité* is an essentially contested concept in France as much as it is elsewhere, and its interpretation is largely dependent on political-historical contexts.[12]

A few important factors influencing the adoption of the law that were not very internally related to *laïcité* were mentioned during conversations that I had with some of the French protagonists.[13] When I had the opportunity to ask Alain Touraine, who served on the Stasi Committee, in summer 2008 about his vote in favour of the law on the headscarves, he put forward three strands of reasoning. He first mentioned the 'official' French reason stating that diversity is an enrichment but separationism is not and that 'a boundary had to be drawn'.[14] However, he also said that if the Stasi Committee would have advised otherwise, 'a million people would have been on the streets the day after', and suggested that the political hysteria of the moment had forced a decision upon the committee in order to prevent grave civil unrest. Finally, he told me that there had been a lot of tension between its members more generally and that he personally had had to quarrel with other members to make certain that *two* women actually wearing scarves were interviewed by the committee (*sic*!). Which testifies to the poor state of French democracy rather than to anything specifically secularist, unless we argue, with Veit Bader (2007), that contemporary secularists, just as much as other theologising politicians, cannot accept that 'error has the same rights as truth' (90), and that contemporary secularism is the historical product of a scientism which has always tended to exclude the voices of religious people and hence, is inherently on a tense footing with democracy.

In any case, notwithstanding the fact that there is no 'national institutional model' of *laïcité* which could explain (or legitimize) the law on the headscarves, we can hardly underestimate the influence of what I would call *a culture of laicism* in France on interpretations of religion, of religious practices, and of Islamic ones in particular. I suspect that this particular cultural layer in laicism plays an important role in the increasing securitization of attitudes towards Muslims in France. In order to further explore its role, however, we have to address the 'secular' not as an institutional model, but as 'a concept that brings together certain behaviors, knowledges, and sensibilities in modern life' (Asad 2003: 25). In this context, expectations surrounding the interiorization of religion are crucial, but not at face value. Let me explain.

The contemporary French culture of laicism has been analyzed and critiqued in terms of what could be called, in Rawlsian terminology, a comprehensive doctrine: a modernist, neo-Kantian doctrine of moral autonomy which transpires through many interpretations of the headscarf as a sign of women's submission – for example in the work of Cathérine Kintzler, Henri Pena-Ruiz, the many signers of a petition to prohibit the scarf by the magazine *Elle*, in the program of *ni putes ni soumises* (see Jansen 2006, Asad 2006, Scott 2007). Also the historical antecedents of this culture have been traced. It has been argued that laicisation in the early Third Republic not only implied a protestantisation of French political structures, but went together with a neo-Kantian moral pedagogy of *laïcité interiorisée*[15], which could be seen as a counterpart of interiorized religion (Agulhon 1981; Raulet 1999, Jansen 2006).[16]

In critiques of the politics of laicism that have been formulated from within France itself, comprehensive laicism is often seen as an ideology, while racism and security are considered the underlying motives for various policies towards Muslims, and North-African Arab Muslims in particular (Bourdieu 1989, Geisser & Zemouri 2007, Deltombe 2005; Balibar 2007). The American historian Joan Scott has suggested, alternatively, that security is *not* so much the issue in France, but that it is more the protection of this exclusive, simultaneously racist and universalist culture of laicism, the 'preservation of a mythical notion of France' (Scott 2007: 173).

But as I already suggested, there is a more intrinsic relation between the culture of laicism and the *perception* of Muslim presence as a potential security issue. And this internal link between security and the culture of secularism might be an important but somewhat neglected aspect of French secularism, for it is less contested and less easy to understand than the more obvious 'comprehensive laicism'.

From the Stasi report and the subsequent debates, it becomes clear that comprehensive laicism itself was a motive of *some* of the committee members, but not the motive that constituted the consensus among the committee members about the necessity of legislation.[17] Instead, the near unanimous decision to propose legislation against the headscarf was motivated by the committee's perception that it was dealing with an issue concerning public order that was overruling the concern for liberty of religious expression:

'In the secular framework, spiritual or religious choices form part of individual freedom; however this does not mean that these things should be confined to the intimacy of conscience, 'privatised', or that all social dimensions or public ways of expressing them should be denied to them. *Laïcité* distinguishes free spiritual or religious expression in public space, which is legitimate and even essential to democratic debate, from the attempt to control it, which is illegitimate [*de l'emprise sur celui-ci*]'. (Stasi 1.2.1, my translation)

The committee's decision was based on the idea that with regard to the headscarves, at least in 2003, there was an issue of public order at stake, where there was no longer a question of the deliberative participation in the democratic debate, nor even with a negotiation on the basis of spiritual values, but with an attempt, by Islamist groups, to control the democratic debate.[18] This presumed attempt to control justifies the measure against the scarves:

'Freedom of conscience does indeed form the rule and police measures should be the exception, but public powers always do have the possibility of taking measures that limit the manifestation of the freedom of conscience in order to prevent risks of troubles to public order (2.2.2). [...] The commission thinks that today it is no longer the freedom of conscience which is at stake, but public order.' (4.2.2.1)

Because of this presumed threat to public order, the committee deems it necessary for public forces to send off 'strong signs' to the 'islamist groups', and the prohibition of the scarf at school will be the most important one (4.2.2.1). (This was done partly at the request of schoolteachers who had reported conflicts between groups of pupils of diverse backgrounds, and of girls who had reported that strong pressures were exercised on them to wear a headscarf). So we have to do with an exceptional 'police' measure, a proposal for an intrusion by the law into a domain of society usually and preferably left to the citizens themselves, not with a reasoning on the basis of comprehensive laicism.

In my opinion it would be too easy to present this line of reasoning as being a legalistic front for comprehensive laicism. Various members of the Stasi Commission stated afterwards that in their eyes there existed a genuine public order problem, not only in terms of conflicts within schools between Muslims and other groups, but also with regard to the threat of general public unrest were the law not to be enacted. The securitizing turn that the debates within the committee must have taken in the course of the interviews becomes even more clear from a letter written to all the members of the Stasi committee by Alain Touraine, during the last weeks of the committee's hearings. This letter was published in 2004 by Jean Baubérot, the only committee member who opposed legislation:

'We have to separate clearly the *defense* of personal rights from the *struggle against* communitarianist *attacks* against institutions. [...] I add, more concretely, that it would be manifestly absurd to prohibit the veil in the name of feminism and the dignity of women, because such a decision would imply that women are considered manipulable, incapable of taking decisions themselves and consequently, to consider them 'minors'. In the same manner, in the present circumstances it is impossible that an entirely negative or even repressive orientation could be considered as anything else than an *act of hostile closure* of a West that feels itself being attacked – and justifiably so – by *the Islamist offensives*.' (Alain Touraine, quoted in Baubérot 2004: 114)

I have italicized the metaphors of, and literal references to, conflict, violence and even war. Please note that Touraine explicitly rejects comprehensive laicism as a reason to propose legislation. Astonishingly, when Touraine wrote this letter, not long before the Stasi Committee recommended the law, he still opposed it because it would be seen, as he writes, as an act of closure.[19] However, at the time he wrote this letter Touraine

already conceived of the measure against the scarves in terms of an answer to a (perceived) struggle between 'The West' and 'the Islamist offensives'. This again presents material with which to argue that it is not the relative severity of *laïcité*, but the perception of an exceptional 'threat' to French public order by Islamist groups, and the idea that legislation against the scarf could function as a semiotic 'weapon', that caused the surprising consensus among the committee members about the necessity for legislation.

We can explain the committee's, obviously nearly univocal, *perception* of this trouble in terms of the culture of laicism. In which case we do not focus on the idea that this culture implies a normative expectation of a fully privatized, even interiorized, religion. Instead, it structures the perception of visible Islamic presence as the sign of a potential threat to public order. The first thing worth noting then is that it is not the scarves themselves that cause the worries, but rather the conflict-seeking groups 'behind' them. This is corroborated by the many references in the French context to 'what is *behind* the scarf' – see the abundance of formulations like 'derrière le voile/le voile, que cache-t-il?' In this sense, the scarves derive their public relevance not from their visibility, nor even from their allegedly proselytizing significations, but from their potentially underlying dangerous, inimical, politics. And if these claims are hidden behind the scarf, then its public relevance, ironically, is a symbol of something 'private', not in the sense of 'apolitical', but in the sense of 'secret,' or 'interior'.

We have already seen that the legacy of religious interiority can be traced to the idea that religious practices can be separated from their meanings. On that interpretation, practices can also quite easily mean something *else* than what the practitioners themselves say about them or their official meanings. The separation of practice and meaning thus also makes it possible that people outwardly adapt but inwardly revolt. The secular in terms of religious interiority produces this fundamental 'insecurity' and 'invisibility' systematically, precisely by locating religion in conscience, and by interpreting religious practice as accidental, and potentially being nothing but a mask. This modern insecurity has been thematized from the secular's emergence in early modernity, when for example Bacon started to reflect on the uses of dissimulation and 'secrecy' in politics (Asad 2003).

Insecurity may lead to the use of sophisticated semiotics to detect 'real' meanings. Talal Asad has read the Stasi Committee's interpretation of the scarf as a 'religious sign' in such a light: by taking it as a sign instead of as a religious duty constitutive of a 'way of being,' as many wearers do, the committee gives a secular interpretation of the practice. By then also claiming that the scarf is a *religious* sign, the committee does what the sovereign secular state has always done: defining what religion is and what it is not. Asad questions the idea put forward in French discourses that to 'display' a (visible) religious sign can be interpreted as 'the will to (make) appear an Islamist identity (Asad 2006: 502). With this intrusion into conscience, one claims privileged access to the wearer's intentions. In so doing, Asad contends, the French state transgresses its own guarantees of privacy and is 'in the business of uncovering dangerous hidden meanings', which it will always find, just as the Spanish Inquisitors always found hidden beliefs (502).

I agree with much of Asad's interpretation, but I am not sure that the fascination and fear surrounding the headscarves in the French population are produced by a presumed 'will to make appear an Islamist identity' by the wearers. Many French citizens feel they do not know what the scarf means, nor what it might mean in the future, precisely because for them it is a 'sign' and because they do not fully trust those wearing scarves.[20] And this feeling is related to the typically modern simultaneous production of interiority and insecurity. However, this tendency is not always as strong, and it is triggered by experiences that cause fear, which Asad tends to overlook. In France, 9/11 caused fear, partly because it revived the memory of the metro terror attacks in Paris (1995) by members of the Algerian GIA – causing the death of 208 people. There was also great awareness in France of the Algerian terror of the 1990s, especially among immigrants, who were partly refugees from Algeria. The extremely violent struggles between the Algerian state and various groups of Islamists caused between 150,000 and 200,000 deaths (the numbers are contested). They were perceived by many as struggles between various actors wanting to unify the social body entirely (whether it be the nationalist state or the

Islamists), and it made many Algerians long for 'a space of life and *laicized* thinking in which freedom is no longer the privilege of the monarch or the state' (Bensmaïa (1998): 4, my italics).

Ironically, in the French-Algerian context, the scarf had been an exemplary icon of typical *secular, modern* politics long before the events of the last decades, and before the terms in which we understood political conflict became those of political religion and secularism. For example, in Gillo Pontecorvo's famous movie about the Algerian War of Independence, *The Battle of Algiers* (1966), Algerian women hide their inimical intentions toward the French behind their scarves just as pragmatically as behind their modern dresses. Starting by hiding the guns of the Algerian underground under their *haïk*s (long white scarves covering the whole body) while playing out their piety against French soldiers, when it becomes appropriate they take off their scarves, cut off their hair, and dress very 'French' in order to carry bombs into the French Algerian quarters of Algiers. The curious thing is that the scarf, obviously an icon of a refusal of secularity, is actually *also,* in French cultural memory, an icon of the modern and secular motive of violent political resistance potentially hidden 'behind' the religious sign. This ambiguity is an important reason for the mix of fascination and fear that the scarf produces.[21]

There are several options for a state to react to (potential) insecurity. France is famous for the Jacobin tendency toward further control, toward the creation of a state 'where one's innermost thoughts are themselves criminal,' and whose ideal is 'perfect social and psychological visibility' (Ozouf 1984: 83). Legislation targeting the wearers of headscarves to 'send off signs' to the potentially violent Islamist groups behind them could be interpreted as a first step in this progression. And the more recent legislation against the *burqa* could be interpreted as a next one. But it will perhaps not be enough when Muslims take off their scarves: the fear of what might be hidden could also be enhanced when Muslims become more invisible, which only makes the meanings of their actual thoughts and practices more instable.[22] After all, some of them might still sympathize with radicalism without wearing scarves, especially when they have been blackmailed or forced to remove them. The suggestion that prohibiting the scarf is a sign to Islamist groups deemed as posing a threat to public order can only enhance the xenophobic perception of Muslims as citizens with potentially something to hide. The islamophobic topos of an Islamic obligation to *taqiyya*, according to which Muslims should suppress their true theocratic feelings until they are in power – recently appropriated by Geert Wilders and other islamophobes – could perhaps become a further step in the continuation of the fear of what is 'behind the scarf' once visible differences between Muslims and 'secular' people have disappeared.

A more liberal reaction would have taken Muslims at their word until they would have been *individually* proven to pose a threat to public order, instead of suspecting them collectively. It would have taken seriously the words and deeds of those who say they do *not* sympathize with radicalism while wearing a scarf and who argue that there are legitimate reasons for wearing a scarf that do not overlap in any way whatsoever with adherence to a violent Islamism. For example by claiming orthodoxy or piety, but also by giving other more pragmatic, historical or even outright *political* reasons. (For an account of the diversity of reasons that people actually give for wearing scarves, see for example Gaspard and Khosrokhavar 1995; Bowen 2007).

Sovereignty, Interiority, Freedom of Conscience and Privacy

I return now to my initial proposal to build on the productive tensions within different interpretations of secularism by taking up an issue with Talal Asad. In his essay on the headscarf law, which he sees as a 'window into *laïcité,*' Asad starts by noting that contemporary political cultures, as modern nation-states, are fixated upon ideas of integration, which has sometimes had the most disastrous, even genocidal consequences (Asad 2006: 514). He traces this fundamental problem of the modern nation-state to the emergence of the state itself in late mediaeval Spain, when 'religious difference' started to be interpreted in secular terms of 'nationality' and minority formation (Asad 2006: 494-496).

Asad interprets contemporary French secularism against the background of the early modern emergence of the secular, and particularly stresses

the relevance of the *cuius regio, eius religio* principle that emerged at the end of the European religious wars. For him this entailed the installation of a single absolute power, the (Hobbesian) sovereign state, which Durkheim interpreted in terms of integration (494). Its principal attitude toward religion is *not* neutrality but a political concern with identifying and controlling religion, and with homogenizing populations. Analogously, he suggests, the French debates about the headscarves were 'not so much about tolerance. […] not even about the strict separation between state and church (500).' What was at stake 'is sovereignty, which defines and justifies exceptions' (507). This power to decide on exceptions 'confirms Republican sovereignty in the Schmittian sense' (507). Whereas the *laïc* Third Republic homogenized the many Catholic standpoints into a Catholic Christianity, Republican 'political theology' is now vital again in 'the struggle with another enemy – a homogenized 'fundamentalist Islam' (507).

Now I do think that the headscarf *law* may be interpreted in terms of a Republican political theology insofar as it has created, or at least corroborated, the image of a homogeneous Islamic population posing trouble for public order. However, I hesitate to interpret the law itself as a window into *laïcité*, and then take *laïcité* itself as a principle characterizing the French state – or French political culture – as incapable of practicing religious tolerance or any real separation between church and state, private and public, toward contemporary Muslims. I would argue that the debates in France *were* about tolerance, religious freedom and separation, and that French political culture made a remarkable *shift* toward a securitizing discourse to justify the headscarf law.

Asad interprets modern French secularism in relation to sovereignty and the ethno-religiously homogenizing *cuius regio eius religio* principle. And indeed, we can argue that sovereignty and homogenization are two sides of the same coin when religious difference is confined to interiority – as in Hobbes –, and we can stress the totalitarian character of the Leviathan. We may also argue that processes of national homogenization were indeed the basis of actual practices of governance and that the religious neutrality of the early modern state is a myth – although toleration did exist on a rather large scale, but rather at local levels, and in terms of tolerant practices (Kaplan 2007). However, there is also tension between the state's theoretical neutrality and its homogenizing practices, and this has from the beginning opened up a space for a liberal motive in terms of the tolerance of religious minorities and, later, of freethinkers.

Even Carl Schmitt, on whose concepts of sovereignty, enmity and politics Asad leans, in his very fear and hatred of liberalism, acknowledges that there is an 'interior,' 'secret' moment within the proto-liberal, Hobbesian state that it can never fully control:

'Everything pertaining to religion derives its legitimacy, *vim juris*, only through the dictate of state power. State power however only determines the outward cult. The separation of interior and exterior is already available in Hobbes, but in a germ-like state. […] But the Jewish philosopher (Spinoza, YJ) drives this germ to its ultimate unfolding, up until the point where the opposite has been reached and the Leviathan has been robbed of its soul from within.' (Schmitt 2003 [1938]): 87)

Schmitt locates an inevitable threat to sovereignty in its own creation of privacy, however minimally (purely interiorly) conceived. This is systematically connected to his anti-Semitism, which is based on the fear that a potentially inimical ethno-religious minority might abuse privacy and organize itself invisibly.[23] The securitizing reasoning about the potential violence behind the scarves follows a similar logic.

A liberal answer to (potential) insecurity goes in the opposite direction. German historian Reinhart Koselleck, not coincidentally a student of Schmitt, but a liberal democrat, shows how Hobbesian 'interiority' is the *noeud* from which an 'Innenraum,' a private *space* emerges, which becomes more public in the course of modernity. While in Hobbes morality is still 'tacit and secret,' in Locke it is no longer a matter of the individual but receives its own generality from the 'secret and tacit consent' among citizens organized in secret 'societies' (Koselleck 1959: 43). Thus, (religious) privacy is gradually extended into the formation of associations in civil society and goes far beyond being the political-legal mirror of interiority. This process does not occur because relatively homogeneous majorities may always come to like, respect, or even trust the 'different,' but because

of the insight that full control is impossible and that the price for the attempt to realize it might be real insecurity for minorities in the first place, but also, ultimately, for everyone.

Giving weight to the contrary opinions in France that have argued against the neo-Republican (or rather neo-Jacobin) interpretation of *laïcité* might help to counter the idea that modern states act 'naturally' when they react in deeply integrationist, nationalist, and xenophobic ways to the presence of Muslims today. After all, resorting to discourses and practices of 'exception' *is* a specific act that stands in a tense relation with liberal principles. Liberal thought reserves a central place for individual religious conscience and choice, and thus, for religious agency. I do not think one has to deny the implication of sovereign, disciplinary and security forms of power in subject-formation under (neo-)liberalism, to argue that this liberal argument makes a difference.[24] Such liberalism does imply, however, a certain acceptance by the state, and by majorities, of a risk of being too late, of not controlling a particular individual's, nor a population's, intentions, nor their expressions, nor even their associations, until they *prove* that they threaten public order. This was definitely not the case with all the girls and women wanting to wear headscarves at school, in civil service, or, for that matter, on the street. A liberal reaction would have exercised a minimum degree of principled *naïveté* and would have been more reluctant about allowing semiotics into politics.

Suggesting, as Asad does, that integrationist sovereignty is not only deeply entangled with both liberalism and secularism but that there is even no tension between them, might lead us to overlook valuable sources of critique within contemporary liberal democracies. Instead, it is important to stress *laïcité's* (or more generally, secularism's) complexity and internal instability as a concept immanently linked to interiority, neutrality, and religious freedom and privacy in its genealogy. We can learn this for example from the distinction made in the French debates. between a Lockean, liberal interpretation of *laïcité* and a Jacobin, neo-Republican one, which has been a defining tension in the French debates (see Baubérot 2010). Baubérot also argues that the early Third Republican laïcists knew 'how to deflate conflict' and that their laicism was motivated by their 'long term intelligence', an intelligence he finds lacking in today's neo-Republicans claiming the legacy of *laïcité* (Baubérot 2004: 70). It is also important to mention the distinction made by Cécile Laborde within contemporary Republicanism, between, on the one hand, a critical Republicanism which wants to be sensitive to actual shortcomings in state neutrality towards religion, and, on the other hand, a vociferous contemporary Republicanism claimed by public intellectuals arguing for policies which undermine the contemporary French state's religious neutrality rather than strengthen it (Laborde 2008).

In conclusion, in the French debates it has become quite clear that *even* in France, with its many vociferous advocates of comprehensive laicism, securitizing arguments had to be added before a law prohibiting the headscarves could become acceptable. It remains to be seen to what extent other European countries will adopt the French arguments and legislation, but they may do so, especially when real threats to public order exist or are at least perceived to exist. In any case, general laws against the wearing of the *burqa* on the street or in public buildings are being prepared in the Netherlands and in Belgium. This may lead to an increase in racism, perhaps especially in those countries where the egalitarianism also inherent in French Republicanism has weaker traditions, and especially in nationalist contexts in which the authority of the European Court of Human Rights, which might reject the new laws, is increasingly undermined. Such a process of ethno-religious securitization may have long-term consequences: once religious difference has been interpreted as a *sign* of *potential* danger that states should act upon (in the name of protecting majorities), fear and scrutiny of 'intentions' may only intensify when Muslims become less visibly different but still remain potentially so. We have only to hope that Muslims (and persons with a Muslim background) do not end up paying a still higher price for their assimilation, if not in France, then elsewhere in Europe.[25]

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References

Achi, R. (2004) 'La séparation des Églises et de l'État à l'épreuve de la situation coloniale. Les usages de la dérogation dans l'administration du culte musulman en Algérie (1905-1959)', *Politix* 17 (66): 81-106.

Acosta, U. (1967 [1740]) *A Specimen of Human Life*. New York: Bergman Publishers.

Akan, M. (2008) 'Laïcité and multiculturalism: the Stasi Report in context', *The British Journal of Sociology*, 60 (2): 643-661.

Arendt, H. (1979 [1948]) *The Origins of Totalitarianism*. San Diego, New York, and London: Harcourt Brace & Company.

Asad, T. (1993) *Genealogies of Religion. Discipline and Reasons of Power in Christianity and Islam*. Baltimore: The Johns Hopkins University Press.

——— (2003) *Formations of the Secular : Christianity, Islam, Modernity*. Stanford: Stanford University Press.

——— (2006) 'Trying to Understand French Secularism'. In: H. de Vries and L. Sullivan (eds.) *Political Theologies*. New York: Fordham University Press, 493-526.

Bader, V. (2007). *Secularism or Democracy? Associational Governance of Religious Diversity*. Amsterdam: Amsterdam University Press.

——— (2010) 'Constitutionalizing secularism, alternative secularisms or liberal-democratic constitutionalism? A critical reading of some Turkish, ECtHR and Indian Supreme Court cases on "secularism"', *Utrecht Law Review* 6 (3), 8-35.

Balibar, E. (2004) 'Dissonances within *laïcité*', *Constellations* 11 (3), 353-67.

——— (2007) 'Uprisings in the Banlieues', *Constellations* 14 (1), 47-71.

Baubérot, J. (2010) 'The Evolution of Secularism in France; Between Two Civil Religions'. In: L. Cady and E. Shakman Hurd (eds.) *Comparative Secularisms in a Global Age*. New York: Palgrave Macmillan.

——— (2004) 'Voile, école, femmes, *laïcité*'. In: A. Houziaux (ed.) *Le voile, que cache-t-il?*, 49-79.

——— (2004) 'Proposition faite par Jean Baubérot à la Commission Stasi'. In: A. Houziaux (ed.) *Le voile, que cache-t-il?*, 111-117.

——— (2000) *Histoire de la laïcité en France*. Paris: PUF.

Bensmaïa, R. (1998) 'The Vanished Mediators: on the Nature of Violence in Algeria', *Parallax* 4 (2), 3-16.

Bhargava, R. (2009) 'Review Symposium: Why not Secular Democracy?', *Ethnicities 9* (4), 553-560.

Bowen, J. (2007) *Why the French Don't Like Headscarves; Islam, The State and Public Space*. Princeton: Princeton University Press.

——— (2007) 'A View from France on the Internal Complexity of National Models', *Journal of Ethnic and Migration Studies* 33 (6), 1003-1016.

Bozzo, Anna (2005) 'Islam et République; une longue histoire de méfiance'. In : *La Fracture Coloniale; La société française au prisme de l'héritage colonial*, 75-82.

Casanova, José (1994) *Public Religions in the Modern World*. Chicago and London: University of Chicago Press.

——— (2006) 'Secularization revisited: A Reply to Talal Asad'. In: D. Scott and C. Hirschkind (eds.) *Powers of the Secular Modern: Talal Asad and his Interlocutors,* 12-31.

——— (2007) 'The Stillborn God: The Great Separation', review of Mark Lilla's *The Stillborn God,* available at: http://www.ssrc.org/blogs/immanent_frame/2007/12/07/the-great-separation/.

Connolly, W. (2006) 'Europe, a Minor Tradition'. In: D. Scott and C. Hirschkind (eds.) *Powers of the Secular Modern: Talal Asad and his interlocutors*. Stanford: Stanford University Press, 75-93.

Deltombe, T. (2005) *L'Islam imaginaire: la construction médiatique de l'islamophobie en France, 1975-2005*. Paris: Éditions La Découverte.

Geisser, V. (2003) *La nouvelle Islamophobie*. Paris: La découverte.

Geisser, V. and A. Zemouri (2007) *Marianne et Allah. Les politiques Français face à la 'question musulmane'*. Paris: La découverte.

Gaspard, F. and F. Khosrokhavar (1995) *Le foulard et la République*, Paris: La Découverte.

Gauchet, M. (1998) *La religion dans la démocratie: Parcours de la laïcité*. Paris: Gallimard.

Göle, N. (2005) *Interpénétrations, L'Islam et l'Europe.* Paris: Galaade éditions.

——— (2011) 'The new faces of the European far-right'. Available on The Immanent Frame: http://blogs.ssrc.org/tif/2011/05/11/the-european-far-right/ (accessed on 29 July 2011).

Gross, R. (2007) *Carl Schmitt and the Jews: The 'Jewish Question', the Holocaust, and German Legal Theory* (trans. Joel Golb). Madison: University of Wisconsin Press.

Guénif-Souillamas, N. and E. Macé (2004) *Les féministes et le garçon arabe.* Paris: Éditions de l'aube.

Huysmans, J. (2006) *The politics of insecurity; fear, migration and asylum in the EU*. London and New York: Routledge.

Jansen, Y. (t.a. 2012) *Secularism, Assimilation and the Crisis of Multiculturalism in Europe; Marcel Proust and the Actuality of the Paradoxes of Assimilation*. Amsterdam: Amsterdam University Press.

——— (t.a. 2011) 'Postsecularism, Piety and Fanaticism; Reflections on Saba Mahmood's and Jürgen Habermas' Critiques of Secularism', *Philosophy and Social Criticism* 11.

——— (2009) 'Contemporary French Secularism in the Light of the History of Jewish Assimilation; Rereading Hannah Arendt on Marcel Proust', *Constellations; an International Journal for Critical and Democratic Theory*.

——— (2006) '*Laïcité* or the Politics of Republican Secularism'. In: H. de Vries and L. Sullivan (eds.) *Political Theologies*: *Public Religions in a Post-secular World*. New York: Fordham University Press, 475-493.

Kant, I. (2003 [1793]) *Die Religion innerhalb der Grenzen der blossen Vernunft*. Hamburg: Felix Meiner Verlag.

——— *Political Writings* (1991 [1795]) *Perpetual Peace*. Cambridge: Cambridge University Press.

Kanie, M. (2007) '*Al-almaniyya [secularisme]*: de geschiedenis van een begrip', *Wijsgerig Perspectief* 46, 28-36.

Kaplan, B.J. (2007) *Divided by Faith: Religious Conflict and the Practice of Toleration in Early Modern Europe*. Cambridge, Mass.: Harvard University Press.

Koselleck, R. (1959) *Kritik und Krise*. Freiburg/München: Karl Alber Verlag.

Laborde, C. (2002) 'On Republican Toleration', *Constellations* 9 (2), 167-83.

——— (2005) 'Secular Philosophy and Muslim Headscarves in Schools', *The Journal of Political Philosophy* 13 (3), 305-29.

——— (2008) *Critical Republicanism.* Oxford: Oxford University Press.

Leezenberg, M. (2007) 'Islam en Verlichting', *Wijsgerig Perspectief* (46), 3-16.

Machelon, Jean-Pierre (Commission de réflexion juridique sur les relations des cultes avec les pouvoirs publics) (2006) 'Les relations des cultes avec les pouvoirs publics.' Available at: http://lesrapports.ladocumentationfrancaise.fr/BRP/064000727/0000.pdf

Maussen, M. (2009) *Constructing Mosques. The Governance of Islam in France and the Netherlands*. Amsterdam: Dissertation University of Amsterdam.

Mendelssohn, M. (1989) [1783] *Schriften über Religion und Aufklärung*. Darmstadt: Wissenschaftliche Buchgesellschaft.

Nicolet, C. (1994 [1982]) *L'idée Républicaine en France* (1789–1924). Paris: Gallimard.

NWO (2002) 'The Future of the Religious Past: Elements and Forms for the 21st century'.

Ozouf, M. (1984) *L'école de la France. Essais sur la Révolution, l'utopie et l'enseignement*. Paris: Gallimard

Pontecorvo, G. (1966) *La battaglia di Algeri.* (Movie).

Raulet, G. (1999) *Apologie de la citoyenneté.* Paris: Cerf.

Renouvier, C. (1896) *Philosophie analytique de l'histoire*, Tome IV, Paris.

Roy, O. (2005) *La laïcité face à l'islam*. Paris: Éditions Stock.

Saunders, D. (2009) 'France on the knife-edge of religion': commemorating the centenary of the law of December 1905 on the separation of church and state'. In: G. Brahm Levey and T. Modood (eds.) *Secularism, Religion and Multicultural Citizenship*. Cambridge: Cambridge University Press, 56-81.

Schmitt, C. (2003 [1938]) *Der Leviathan in der Staatslehre des Thomas Hobbes. Sinn und Fehlschlag eines politischen Symbols*. Stuttgart: Klett-Cotta.

Scott, J. (2007) *The Politics of the Veil*. Princeton: Princeton University Press.

Shakman Hurd, E. (2008) *The Politics of Secularism in International Relations*. Princeton: Princeton University Press.

Shepard, T. (2006) *The Invention of Decolonization. The Algerian War and the Remaking of France*. Ithaca and London: Cornell University Press.

Stasi, B. (Commission de réflexion sur l'application du principe de laïcité

dans la République) (2003) 'Rapport au Président de la République.' Available at:
http://lesrapports.ladocumentationfrancaise.fr/BRP/034000725/0000.pdf

Taylor, C. (2007) *A Secular Age*. Cambridge and London: Harvard University Press.

——— (2009) 'What is secularism?'. In: G. Brahm Levey and T. Modood (eds.) *Secularism, Religion and Multicultural Citizenship*. Cambridge: Cambridge University Press, xi-xxii.

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[1] State intervention in religion was perhaps even stronger in the Algerian colonial context, where the doctrine of *laïcité* was not always applied, and often accompanied by strong state interventions in religious matters (see Raberh Achi, 2004).

[2] I will return to this while discussing French secularism in more detail. Elizabeth Hurd even *defines* laicism as the combined focus on the absence of religious signs from the public sphere and the control of religion by the state, and hence overcomes the too easy suggestion that France has a (liberal democratic) regime of separation, while Turkey has a statist, 'security' regime of control (Hurd 2008).

[3] To my knowledge Asad himself hardly uses the term, but in what follows it will become clear why I focus on the term 'interiorization' instead of 'subjectivation', 'universalization' or 'essentialisation', terms that actually all overlap but that occur in different semantic and academic fields.

[4] See for a differentiation of the diverse meanings attached to the notions of religious subjectivation, individualisation and privatization, Bader 2007: 43-49.

[5] For a longer explanation, see Asad 1993.

[6] See also Kant 2003 [1793]: 125.

[7] The fact that the editor writes this is rather ironic, because Acosta himself argued in his book that what is 'excellent in the law of Moses or any other institution' could also be found in natural law, thus making the secular argument without implying a hierarchy between the diverse confessions (Acosta 34-35).

[8] In Mendelssohn's eighteenth-century German: 'Nach den Begriffen des wahren Judentums sind alle Bewohner der Erde zur Glückseligkeit berufen und die Mittel derselben so ausgebreitet als die Menschen selbst […]!' [According to the notions of true Judaism, all inhabitants of the earth have been called to happiness and the means to achieve it are as extended as human beings themselves […]! (my translation)] (Mendelssohn 1989 [1783]: 412).

[9] A similar point has been put forward by José Casanova, when he suggests that Asad presents European history too much as the history of 'the secular', and does not see enough of the diverging tendencies within it: '[…] in my view Asad's genealogy of the secular is too indebted to the triumphalist self-genealogies of secularism he has so aptly exposed […]. Asad seems to assign to the secular the power to constitute not only its own near-absolute modern hegemony but also the very category of the religious and its circumscribed space within the secular regime' (Casanova 2006: 20-21).

[10] The word is used in Italy and Spain as well (laïcità, laicismo) but there have been no comparable struggles over headscarves there. Turkish *laiklik* is strongly inspired by French secularism. It combines the problematization of what it defines as political-religious signs in the public sphere with strong state influence on religious organization, i.e. is rather a system of 'support-and-control' (see Shakman Hurd 2008; Bowen 2007).

[11] The Dutch political scientist Marcel Maussen has recently investigated the many interpretations of *laïcité* in the context of French debates about mosque building (Maussen 2009).

[12] Many of these critical voices have been brought together in a book that would merit to be translated.

into English to get a more balanced view of French intellectual culture surrounding secularism: *Le foulard islamique en questions* (2004). Secularism's links with securitization in the colonial context, particularly the Algerian one, and its legacies in contemporary France have been analysed in Achi 2004; Bozzo 2007, Deltombe 2005, Zemouri and Geisser 2007; The racialization of Arabs and Muslims in the name of feminism has been analysed by Guénif-Souillamas and Macé 2004.

[13] This committee, appointed by President Chirac and headed by the Christian-democratic politician Bernard Stasi, wrote a report about *laïcité* in December 2003, in which it redefined *laïcité* for contemporary France and advised prohibiting the wearing of headscarves in schools and while performing public functions. For a detailed reading of this report, see Terray 2004; Asad 2006; Akan 2008; Jansen 2006; 2012. During a conversation in Istanbul, Charles Taylor pointed to the role of the civil servants in the meetings of the Stasi Committee. They made the schedules for the committee, and decided when it had to stop deliberating and start voting. Taylor said this would have been impossible in the Canadian committee which dealt with similar questions that he presided over in 2007.

[14] Touraine's vote in favour of the law was so significant because he had been one of the important French sociologists who had always defended multiculturalism and cultural diversity against the more intransigent Republicans. The argument Touraine gave to my question was in line with what he said in an interview in January 2004 in *Le Monde,* in which he explained that he had always supported cultural diversity and *bricolage*, but not a separationist '*communautarisme*'.

[15] The term was introduced by Claude Nicolet in 1994 (quoted from Raulet 1999).

[16] Nineteenth century French rejections of Catholicism's political pretences were all formulated in terms of the need for pedagogies that could create citizens capable of critical (rational) judgement and not submitting to 'a priesterly and absolutist' religion, as the neo-Kantian philosopher Charles Renouvier put it (1896: 142). Contemporary political philosopher Cécile Laborde, one of the few French philosophers to have taken notice of the international debates on secularism and to take a critical stance on philosophical defences of *laïcité* says: 'Rather, as the Kantian philosopher Renouvier put it, *laïque* morality should explicitly aim to 'take minds away from superstitious beliefs, and above all from doctrines which contradict [the ideal of justice]. Under the influence of Enlightenment critical rationalism and nineteenth century positivism, many republicans believed that a secular, critically orientated life was more valuable than a religious and conformist one (Laborde 2002: 172). (Laborde leaves undecided the question of whether the juxtaposition of religiosity and conformism is a paraphrase of Renouvier only, or whether she herself goes along with this interpretation of religion).

[17] Perhaps the importance of this report has been overestimated in terms of its actual role in the making of the law. French sociologist Valéry Amiraux even suggested to me in a personal comment that the actual decision to propose the law on the scarves had already been taken in political circles in June 2003, long before the Stasi Committee had issued its report. Also, the later report of the Machelon Committee has a better reputation in terms of its academic qualities. But as a resource for understanding the French culture of laicism the report is very valuable and the motives I am drawing out here have been largely overlooked until now. The only committee member who refrained from voting was Jean Baubérot, all others voted in favour of legislation.

[18] Please note that in this sense the committee was less 'secularist' than much of liberal political theory: it does explicitly acknowledge the legitimacy of religiously motivated political argument.

[19] He obviously radically changed his opinion about what adopting a law could achieve during this struggle, because several weeks after, he voted in favour of the law, but that's another matter. I already mentioned the answer he gave upon my asking him about this change of mind.

[20] This distrust might help to explain why only two women wearing headscarves were interviewed by the Stasi Committee (Bowen 2007). This rather curious disinterestedness has also been explained in terms of the idea that women wearing scarves were regarded as 'oppressed' and without agency. So either they are considered without political agency, or with too much, and potentially inimical, political agency. For the role of gender in the debates surrounding the scarf, see Etienne Balibar 2004, Nilüfer Göle 2005 and Nacira Guénif-Souillamas and Eric Macé 2004.

[21] For a detailed account of the politics related to the scarf in French Algeria and during the war of independence, see Shepard 2006.

[22] For an interpretation of how a similar fascination for the 'signs' of hidden allegiances affected the French Jews during the Dreyfus Affair, see Jansen 2009 and 2012. But this was in a context without *real* terrorist attacks.

[23] On the relation between Carl Schmitt's political theory and his anti-Semitism, see Raphael Gross 2007.

[24] I make this remark because I received two comments by reviewers arguing that I wasn't realistic enough about contemporary liberalism's own tendencies towards control and public order.

[25] See also Nilüfer Göle 2011.