

Banning Burkas: Freedom or Discrimination?

In September 2010, the French Parliament passed a bill prohibiting people from concealing their faces in public areas. While this law applied to all citizens and all forms of face covering, it became known as France's "burka bill" because the rhetoric surrounding the bill targeted Muslim women who wore burkas—religious garments covering the face and body—in public.

French lawmakers argued that the law was important for the separation of church and state and for the emancipation of women. Similar to the 2004 bill that outlawed the use of conspicuous religious symbols in public schools, including Muslim headscarves and Christian crosses, this law sought to further remove religious expression and iconography from public spaces in France. Some legislators argued that the burka was a harmful symbol of gender inequality that forced women to assume a subservient status to men in public. According to them, the law freed women from a discriminatory, patriarchal subculture.

However, some in the French Muslim community saw the bill as an infringement of religious freedom and an act of cultural imperialism. They argued that French legislators were imposing their idea of gender equality onto their culture. Many of them, including some women, argued that wearing burkas actually emancipated women from the physical objectification so common in Western culture. A number of women protested the bill by dressing in burkas and going to the offices of lawmakers who supported the legislation. Other reports from individual women suggested that the law created a more hostile atmosphere for Islamic women in France. One of these women critiqued the bill, stating, "My quality of life has seriously deteriorated since the ban...the politicians claimed they were liberating us; what they've done is to exclude us from the social sphere."

The law was challenged in 2014 and taken to the European Court of Human Rights. The court upheld the legality of the law.

**Discussion Questions:**

1. Lawmakers might argue that they were creating a more pluralistic society by banning all forms of religious expression in public places, whereas detractors might argue that the ban does just the opposite. Which side do you agree with, and why?
2. Should all religious practices be tolerated in a free society? Are there limits to what you think should be allowed? Explain your reasoning.

3. Do you think your home country should implement a ban on face coverings in public? Why or why not?
4. Should religious garments and iconography from all faith traditions be banned in public schools as occurred in France in 2004? Why or why not?
5. According to some accounts, the law inspired instances of people acting violently against women who continued to wear burkas. Do the principles of separation of church and state and the emancipation of women outweigh these consequences? Defend your position.

Resources:

France's burqa ban: women are 'effectively under house arrest'

<http://www.theguardian.com/world/2011/sep/19/battle-for-the-burqa>

France's burka bill - background to a bitter debate

<http://www.english.rfi.fr/france/20100526-sarkozy-and-burka>

France's burka ban is a victory for tolerance

<http://www.telegraph.co.uk/news/worldnews/europe/france/8444177/BurkaFranceNational-FrontMarine-Le-PenMuslimFadela-AmaraAndre-Gerinhijab.html>

French Senate votes to ban Islamic full veil in public

<http://www.bbc.com/news/world-europe-11305033>

Pourquoi No Burqa?

<https://www.sandala.org/blog/pourquoi-no-burqa>

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