Whores and *Niqabées*
The Sexual Boundaries of French Nationalism

Julie Billaud
Max Planck Institute for Social Anthropology

Julie Castro
École des hautes études en sciences sociales

On 8 March 2004, while debates regarding the possible ban of headscarves in schools were at the top of the political agenda in France, feminist groups were marching the streets of Paris for International Women's Day. "Très putes, très voilées" (very whore, very veiled). This slogan, which playfully distorted the motto of the government-sponsored organization Ni putes ni soumises (Neither Whores, Nor Doormats), could be read on one of the many banners displayed in the demonstration. During this event, two feminine figures were relegated to the end of the parade, walking side by side in an unexpected (and involuntary) association: prostitutes and veiled women. None of the feminist organizations present on that day wished to be associated with them and even found that their participation as 'feminists' perverted the emancipatory purpose of the movement. Ironically, veiled women and girls received on their way the same sexist insults as sex workers, their sisters in exclusion. A young woman heckled the activist who held the banner in those terms: "I love your banner! You're right: all veiled girls are whores."[1] Over the past decade, legislators in France have passed a number of laws targeting certain categories of women (veiled school girls, fully veiled women, sex workers) with the intention of regulating their presence in public spaces. The majority of secular French feminists have supported these laws. These new legal measures have also allowed once-marginalized feminist arguments to come to the forefront of political discourse.

Through what dynamics did veiled women and prostitutes become sisters in exclusion? What does this combination tell us about national politics and

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the shaping of citizenship in contemporary France? In what ways do debates around prostitution and headscarves shape the new boundaries of French citizenship and fuel new forms of nationalism? We argue that over the past decade, French nationalism has undergone a rapid transformation that can be captured through an analysis of the social and political handling of two figures: veiled Muslim women and prostitutes. The interest of studying veiled women and prostitutes together lies primarily in the fact that their bodies, either covered or revealed, have been identified by the state as problematic and, therefore, as requiring political intervention. As non-permissible bodies, prostitutes and veiled Muslim women have come to determine the inner boundaries of French citizenship. The symbolic exclusion and criminalization of these problematic bodies, which supposedly represent a threat to the nation and its values, manifest a renewal of French nationalism and its reframing along sexual lines.

This essay aims to explore the nature of contemporary French nationalism by analyzing political discourses, legal interventions as well as spontaneous forms of protest and artistic productions, that have accompanied public debates prior to and during the drafting and adoption of these laws. This displacement of the political into the legal, what John Comaroff calls "lawfare," is symptomatic of a state that seeks to "exert control over and coerce political subjects by recourse to the violence inherent in legal instruments."[2] We look particularly at the law on "passive touting" (or soliciting, as it is more commonly described in the United States), which was voted in 2002, as part of a package of laws related to "internal security"—a package that includes the law banning religious symbols in schools of 2004, and the more recent law against the full veil passed in 2010. We show how French republicanism has hampered the development of more inclusive versions of feminism and relegated Muslim women and sex workers to the margins. Through the exclusion of prostitutes and veiled women from public spaces and the denial of their agency, the French Republic has enforced both a new politics of visibility and a conservative view of the nation. Together, they ensure the preservation of a well-defined French national image. In this new form of nationalism, feminist arguments paradoxically serve a conservative agenda, and gender and sexuality play critical roles.

Territories of the Republic

State intervention on issues pertaining to prostitution and the visibility of Islamic signs in the public domain is not a new phenomenon. Recent policies, therefore, need to be placed in their historical context, starting with the history of national debates on the veil. In the late 1980s, a series of controversies over the presence of girls wearing hijab in classrooms erupted in several public schools in France. School directors alarmed by the growing number of

veiled pupils in their institutions turned to state authorities to find a solution. Lionel Jospin, the minister of education at the time, encouraged school directors and teachers to address the problem on a case-by-case basis. These events reached the national stage in 1989 after a public school in Creil expelled three girls for wearing headscarves. The first "affaire du foulard"—a "moral panic" fuelled by the media—triggered different reactions within the public and the political class, to the extent that the Conseil d'État was requested to give its opinion on the matter. The legal analysis that it released in 1993 considered the expulsion of pupils wearing religious symbols as well as the ban of these symbols in public schools as contrary to the principle of *laïcité*. But because the Front national registered important gains during the legislative elections of the same year, this "laissez-faire" policy could not last for long.

The first attempt at officially regulating the presence of veiled girls in schools was pronounced in 1994 through the Bayrou decree, named for François Bayrou, who served as French education minister from 1993 to 1997. This decree created a distinction between "ostentatious" and "discreet" religious signs. It also argued that the veil represented a form of communitarianism incompatible with the republican value of "égalité."

> The nation and the Republic are, by nature, respectful of all convictions, in particular religious and political convictions, and cultural traditions. But *it excludes the fragmenting of the nation into separate communities*, indifferent to one another.... This is why it is not possible to accept in school the presence of signs so ostentatious that their meaning is precisely to separate certain pupils from the rules of communal life in the school.[3]

In 2002, the Stasi Commission was put in place to further investigate the issue. Its final report insisted on the urgent necessity for the Republic to protect "les filles des cités" (girls from the immigrant suburbs) against a perceived resurgence of sexism, rendered visible by the increased practice of veiling in working-class neighborhoods. As the report stated:

> Paradoxically, the veil offers them the protection that the Republic should grant them. Those who do not wear the veil and who perceive it as a sign that diminishes and isolates women are pointed out as "indecent" or even "infidels."[4]

These discourses juxtaposed the figure of the victimized Muslim woman with that of her supposedly misogynist oppressor: the Arab boy. Instead of proposing pragmatic solutions to the multi-layered and complex problems of poor suburbs that the testimonies had raised, the Commission legitimated claims that young Arab men were "sexist, violent, anti-Semitic, homophobic and sectarian."[5] As an example of a successful integration the Commission showcased the feminine figures of unveiled and emancipated "beurettes" that more successfully fit the republican model.[6] The Stasi Commission therefore added another layer of interpretation to the issue of the veil, slightly different

from the one developed in 1989 during the first "affaire du foulard." Not only did the veil represent a threat to *laïcité* by blurring the line of separation between the private and the public spheres (religious difference should be expressed in the private sphere only), but it also exposed women to sexual violence by making the girls refusing to wear it more vulnerable to sexual harassment. As Éric Fassin puts it: "When in 1989 the republican rhetoric defines itself against the feminist politicisation of sexuality, in 2003 the Republic borrows from feminism to denounce sexual violence perceived as in contradiction with our modernity."[7]

The Gérin Commission, set up in July 2009 to investigate the practice of "full veiling" ("voile intégral"), used another set of arguments. Philosopher Élisabeth Badinter—a fiercely republican feminist who had previously campaigned for the ban of headscarves in school—warned against what she saw as the serious consequences of the appearance of the full veil in public spaces: "the disappearance of a common humanity." Indeed, her talk quickly became a major reference for understanding "le voile intégral." She argued that le voile intégral was contrary to Western civilization, which values the "face" and in which interactions among equal citizens are necessarily "unveiled." The visibility of the "face" was for her the condition *sine qua non* for the perpetuation of the republican principles of "Liberté, Égalité, Fraternité." She concluded:

> In this possibility to be looked at without being seen and to look at the other without him/her being able to see you, I foresee the satisfaction of a triple perverse enjoyment: the enjoyment of one's supremacy on the other, the enjoyment of the exhibitionist, and the enjoyment of the voyeur…. I think we are dealing with very sick women.[8]

The feminist relegation of fully covered women to the status of "insane" and perverted individuals supported the idea that the state had to intervene in order to "liberate" them from the false consciousness of their distorted psyche. Paradoxically, the argument of irrationality was also used during the interwar period in France to deny women's right to vote and in French Africa during the colonial period to justify the "indigenous" status and the refusal of full citizenship rights for "natives."[9] As during the debate on "religious signs in public schools," Badinter denied the possibility for women targeted by the law to be active agents capable of rational choices, as she considered them to be alienated and blind to their own oppression.

Turning to the question of prostitution, we argue that the multiple justifications that motivated state interventions over the past century can be read as the "reversed mirror" of the ones used during the debates on the veil. States have indeed "traditionally tried to curb prostitution for a variety of reasons, such as preserving morals, maintaining public order, containing the spread of sexually transmitted diseases (STDs), or to protect women from sexual exploitation."[10] Debates about prostitution are thus never only debates about

"good sexuality." Policies of prostitution are also means to advance political agendas about public space, hygiene, security, immigration, and drugs.

At the end of the nineteenth century, French reformers and politicians perceived prostitution as a synthesis of all plagues that affected society. It was thus a phenomenon that catalyzed anxieties and fuelled confusions. As a necessary ill of society, prostitution had to be strictly controlled to prevent moral and biological contagion. Reformer Alexandre Parent-Duchâtelet promoted a system of regulationism, whereby prostitutes were physically relegated to a separate sphere—the *maisons de tolérance*—in effect creating a type of quarantine to protect society at large. Prostitution was meant to disappear from public spaces while being made available for state control. But by the end of the nineteenth century, the failure of such policies was obvious. The changes in sexual demands and the transformation of the profession made this form of control irrelevant. At the same time, an intense debate arose at the international level, with the emergence of the "trafficking" cause and the rise of abolitionist discourses. At the national level, the French legislature adopted new forms of regulationism, based ideologically on sanitary and eugenicist arguments. The closed and tightly controlled spaces that had dominated the nineteenth century slowly disappeared and were replaced by behavioral control, which prevailed until World War II.

In 1946, the Marthe Richard law marked the national move from neo-regulationism to abolitionism, which is the political trend that prevails today. Abolitionism aimed initially at abolishing the legislation on prostitution. By extension, the term also refers today to the aim of abolishing prostitution itself. At the core of abolitionism lies the opinion that prostitution is immoral and is a type of violence against women. The last legal and institutional relics of neo-regulationism were abandoned in 1960. From then until 1975, prostitution has been largely absent from public debates and public actions. The "mai 68" movement probably contributed to this disappearance of prostitution from the public debates, as it anchored the rhetoric of liberalism in French political discourse and led to a decriminalization of certain moral transgressions in the name of individual freedom and the right to dispose of oneself. In 1975 a brief coalition emerged between feminists and prostitutes, following repression by the police in the city of Lyon. Once again, however, prostitution receded from public debate between 1975 and 2002.[11] The public authorities adopted a "laissez-faire" attitude, relying on a set of contradictions between the mainstream state ideology and the legal regime.

Whereas the dominant ideology on prostitution continues to affirm abolitionism, the legal regime reveals an important paradox. The law ignores prostitution (by avoiding to provide a clear definition of this activity), but also tends to limit its manifestation (through laws on touting and pimping) and regulates some aspects of it (for social and tax law, prostitution is integrated into the general population).[12] In the 1990s, prostitution made the headlines again in the wake of growing concern over the HIV epidemic. Since then, the

public interest in prostitution has not declined, but the motivations driving this interest shifted from health to national security concerns.

The reactivation of public debates on prostitution in France was initiated on 8 May 2002 when newly appointed Minister of Interior Nicolas Sarkozy was filmed while a police repression mission against prostitution was being conducted in the "hot neighborhoods" of Paris. This moment marked a reframing of prostitution as an internal security issue and more specifically, as a crime: the law on "sécurité intérieure" (LSI) in 2003 reintroduced the offence of passive touting that had disappeared since 1994. This initiative made prostitution—again—a legitimate domain in which the state could exert its power. The redeployment of the state's control and action over prostitution is emblematic of larger shifts in French politics, including the transformation of immigration policies, the creation of programs of urban "purification," and the criminalization of those people living on the margins of mainstream French society. These phenomena in turn reflect the reshaping of nationalism at a time when globalization, economic recession, and European integration deeply challenge the Republic's sovereignty and disrupt the national values of social solidarity and equality. There is indeed a core contradiction between mainstream political discourse based on abolitionism wherein prostitution is a form of violence against women and is incompatible with human dignity, and the law on "sécurité intérieure" that criminalizes the activity itself. In other words, while the ideology identifies the prostitute as the victim, state practices criminalize these "victims" for their actions.

The feminist movement was divided over this law. Whereas in 1975 many feminists had supported prostitutes by denouncing the fierce repression they faced, by 2003 this coalition appeared impossible. Few feminists were present at the march on 5 November 2002 "for the rights of all prostituted persons and against the Sarkozy law project." On the contrary, most feminists supported the 10 December 2002 march denouncing "the prostitutional system, against the repression of prostitutes, and for a world without prostitution."[13] Many left-wing politicians joined as well. Although they pretended to march against the law, the real purpose appeared to be a march against prostitution itself: almost no reference to the law was made during this event. The law was an occasion to mobilize popular support against prostitution. The massive support of the majority of feminist movements was remarkable.

This is not to say that there is only one voice within the feminist movement. Other approaches do exist within the movement, even if they remain marginalized. A group called "femmes publiques" emerged in response to the LSI law and denounced the exclusion of prostitutes from the debates. They proposed a pragmatic approach that would take into account the dynamics of domination but would also recognize the agency of the actors involved.[14] There was also another kind of minoritarian trend that may be called libertarian. Turning the domination paradigm on its head, this group of feminists argues that prostitution is the expression of sexual freedom finally gained. Élis-

abeth Badinter is one of these feminists and while she rejected the idea that the practice of veiling could be motivated by personal choice, in debates on prostitution she advocated for the recognition of sex work as a profession. In an interview with *L'Express*, she said:

> I am in favour of absolute sexual freedom between consenting adults. Yet, nowadays, a number of women … prostitute themselves without pimps.… These women are not the victims of horrible clients.[15]

Prostitution made again the headlines in December 2011 when two members of the National Assembly—one from the left and one from the right, Danièle Bousquet of the Parti socialiste and Guy Geoffroy of the UMP—cosponsored a law targeting prostitution. The press reported on this unusual consensus between two political parties who rarely share any common ground. The proposed law was preceded by a declaration "reaffirming the abolitionist approach of France the objective of which is, in the long term, a society without prostitution.... Prostitution cannot be in any event considered as a professional activity." In commenting on the declaration, parliamentary representatives declared: "prostitution has to be considered as a form of violence against women." The legislative proposal itself, submitted the next day, marked a significant shift toward prohibitionism rather than strict abolitionism. According to this law, clients could be prosecuted for purchasing sex, as is already the case in Sweden. Although the Senate adopted in March 2013 a law project aiming at abrogating "passive touting," the minister of women's rights, Najat Vallaud-Belkacem, made it clear that the country's policy remained firmly abolitionist in spirit, and that prohibitionist policies were not excluded *a priori*.[16] This legal option, which is currently being discussed by the new left-wing government, highlights the growing coalition of a mainstream feminist discourse with political parties (going from left to right) in advancing a certain nationalist agenda.

Far from initiating a radical rupture with the past, recent developments can be read as a continuation of earlier colonial and national attempts at delineating the borders of the French territory and French society. Indeed, policies relating to both prostitution and veiling were important domains of state intervention in colonial Algeria. In his analysis of discourses articulated during the French colonial rule in Algeria, Bradford Vivian highlighted a concern with the need to preserve the unity of French territory through the assimilation of Algerian people and the removal of all distinctive signs (especially the veil) from the public domain.[17] The public unveiling of Algerian women functioned as a symbolic reminder of the colonizers' absolute superiority and sovereignty over the Algerian territory. According to Frantz Fanon: "Every new Algerian woman unveiled announced to the occupier an Algerian society whose systems of defense were in the process of dislocation, open and breached."[18] One way to exert domination was the sexual colonization of women, real or symbolic.

Pointing to the prolific production of postcards showing unveiled Algerian women, Vivian underlines a mixture of exotic fascination and repulsion for Algerian women's bodies escaping from the regulating gaze of the colonizer. Removing Algerian women's veils, "the visible barrier to the establishment of French indivisibility,"[19] became a central motive of the "civilizing mission."[20]

Similarly, one of the first colonial moves in Algeria was to regulate prostitution. Christelle Taraud, in examining the implementation of regulationist policies in French North African colonies, shows how prostitution policies aimed also at colonizing indigenous women.[21] Those policies relied on the legalization of a status, on the structuring of the "milieu" along the lines of class and race and on physical containment through the implementation of specialized and closed spaces. Those spaces had to be immediately accessible to the gaze of colonial authorities, as the father of French regulationism Parent-Duchâtelet had specified. By enclosing women and relegating them to the margins of colonial cities, legislators and administrators aimed at regulating contact not only between classes but also between races. In other words, while visual accessibility and control were also at the core of the regulationist project in metropolitan France, policies that aimed to regulate prostitution in the colonies also served an important function within the wider colonial project. Taraud also highlights that this margin of the colonial society—prostitution—made possible a real colonial encounter with all of its attendant conflicts and ambiguities. A double system of cultural references prevailed in the spaces devoted to prostitution, the one of the colonizers and the one of the colonized. The hybridization that took place was of course sexual, but also social, linguistic, aesthetic, and religious. Prostitutes were border-individuals, belonging to different communities (Jews, Muslims, Europeans) and embodying the existing links and hybridization processes between those communities. During the periods immediately preceding and succeeding the independence of North African French colonies, nationalist movements strived to make those spaces disappear. A virile version of universalist nationalism prevailed, firmly rejecting this counter-society that embodied the reality of a colonial encounter.

This historical retrospective helps us trace the historicity of recent policies applied to veiled Muslim women and sex workers, while underlining some thematic continuities in debates dealing with women's bodies in the postcolonial present. Now, like before, the manipulation of national sentiments serves as a means to divert attention from more pressing social issues. It is not by chance that prostitution and veiling were discussed within the frameworks of internal security and national identity at a moment when the government was facing rising discontent related to the economic crisis. Indeed, prostitutes and Muslim women were easy scapegoats whose exclusion from the "imagined community" [22] served as a placebo solution to answer the need for national unity in a context of growing economic and social tensions. The French state made it a point of honour to get back the "lost territories of the Republic"[23] using the argument that veiling and prostitution are practices that threaten the integrity

of the nation as well as republican values. What these different debates reveal is the consolidation of a form of gendered policy through which a certain narrative of French citizenship that builds upon a system of difference and belonging strengthens prescriptions of permissible feminine bodies.[24] The flagging of the divisional threat that veiled women and prostitutes were supposed to represent drew from an implicit theory of visibility (citizenship is tied to the visibility of the face) and from a peremptory vision of domination (veiled women and prostitutes are oppressed materially and psychologically).

Impossible Victims

Even though drawing a parallel between these two seemingly opposite characters may appear incongruous, the ephemeral and probably involuntary union of these two types of figures marginalized by feminists and targeted by the law is revealing of a certain historical continuity—a certain conception of emancipation that relies on universalist values to deny the agency of some categories of women. To assimilate into the Republic—the only legitimate guarantor of equality and freedom in French nationalist discourse—a woman's body can be neither veiled nor prostituted. A body that is veiled or commodified is necessarily a victimized body. As a consequence those women cannot speak for themselves, and the state is legitimized in acting upon them.

Over the course of the debates on veiling, various parties have set forth slightly different narratives of this oppression. The Stasi report insisted on the urgent necessity for the Republic to protect "les filles des cités" (girls from the suburbs) against a perceived resurgence of sexism, rendered visible by the increased practice of veiling in working-class neighbourhoods. On this issue, the report stated:

> Young women find themselves victims of a resurgence of sexism that is translated through pressure and various forms of *verbal, psychological and physical violence*. Some young people force them to wear covering and asexual outfits, to lower their gaze in front of men, and if they refuse to conform, they are stigmatised as "*whores*"…. In this context, some young girls and women voluntarily wear the veil but some others wear it because of *constraint or pressure*. This is for instance the case of pre-adolescent little girls on whom the veil is *imposed*, sometimes with *violence*. Young girls, once veiled, can go through the stair cases of collective buildings and access the public highway without fear of being booed, or even mistreated, as they were when they ventured bare head.[25]

The Stasi report also mentioned other plights endured by Muslim women: forced or arranged marriages, polygamy, genital mutilation, and repudiation. Presented as victims of a masculine domination legitimized by religious fundamentalism, veiled girls, according to the report, were in urgent need of saving. Arguments that rejected this victimization were hardly heard in a commission that became polarized between the "pro-" and the "anti-veil." In spite of numer-

ous interventions inviting commissioners to acknowledge the multiple and complex meanings of the headscarf (consecutively called "veil" and "tchador," in a semantic twist highlighting its foreignness), the consensus remained that headscarves/veils were synonymous with "the subordination of women and that they were the emblem of an international Islamic movement reaching to Europe from Pakistan, Iran, and Saudi Arabia."[26] This vision was supported by secular feminists like Caroline Fourest and some secular Muslim women from the Ni putes ni soumise (NPNS) trend, such as Fadéla Amara, Loubna Méliane, and Chaddortt Djavann (the French equivalents of Ayaan Hirsi Ali in Holland), whose clear-cut judgments propelled them to the forefront of all public debates on Islam in the years that followed.[27] In an article published shortly before the law against religious symbols in schools was passed in 2004, Fourest, for example, warned legislators about the dangers of "cultural relativism." Mirroring the dominant vision within the Commission, she asked: "Tomorrow, are we going to justify collective rapes of unveiled young Arab women by the fact that they are immodest and therefore, consenting?"[28] The same dynamics were observed during the debates on the full veil. The identikit picture that was made of the burka-clad woman was characterized by her total submission to a misogynist and violent Muslim husband. This description was notably conveyed by the organization NPNS whose founder, Fadela Amara, had joined the Sarkozy government in 2007.[29] The president of the organization, Sihem Habchi, who spoke before the commission, sent out the following cry for "protection":

> The burka is the most violent symbol of women's oppression and it has nothing to do with the religion of Islam, my religion. It is the highest point of a development in France of an archaic vision of women's role, confined in the sexual sphere, far away from the social and economic realm. The burka symbolizes the climax of a system that excludes women and that is taking root in our working-class suburbs. Symptoms have been visible for the past twenty years. Ni Putes Ni Soumises was founded in opposition to the increasing reduction of spaces of freedom for Muslim women. We have paid a high price for this. Need we be reminded? Girls hugging the walls and submitted to the obsessive control of their brothers first, and then of all men. Submission starts here.[30]

As for prostitution, the debate held on this topic at the National Assembly in 2003 revealed a broad consensus across the political class. Following the tradition of abolitionism, all members of parliament agreed that prostitution could not be considered as a freely chosen activity. On the contrary, from the right to the left of the political spectrum prostitution was generally perceived as an infringement on human dignity. A member of the presidential majority, Patrick Delnatte, presented the following view on prostitution:

> I don't think that prostitution is a consensual activity, even though some prostitutes assert this: it is a legitimate reaction and the only means for them to safeguard their dignity. But prostitution is primarily a situation of violence and domination. It is an infringement on human dignity that presents a perverted view of women and the human body.[31]

Jean Danet points out that whatever the political tendencies of the parliamentarians, all agreed on the "quality of prostitutes as victims" and on "the incompatibility of their activities with human dignity."[32] As Milena Jaksic rightly argues, during the debates in the French parliament about the status of victims of trafficking in human beings, an ideal victim was presented.[33] As a young woman—a naive, innocent, vulnerable foreigner—she needed to be protected in the name of human rights. This victim, however, became a suspect once attention shifted to her legal status (undocumented immigrant) or economic activity (prostitution), and the ideal vanished behind national priorities for protecting the country against "undesirables." The tension between these priorities and universal principles produced an "impossible victim" against whom legal instruments were designed to foster her exclusion. Like in the case of veiling, the otherness that was produced in order to justify exclusionary policies was made possible through the ethnicization of prostitutes. In the same manner that "le voile intégral" (full veil) was associated with the patriarchal agenda of some Muslim *intégristes* (fundamentalists), prostitution was eventually assimilated with illegal migration and trafficking. Implicit in this conception of dignity is a state-endorsed rejection of individual responsibility on the part of the victims—dispossessed of their ability to choose for themselves—and a denial of these victims' own voice.[34]

Those debates reveal a convergence in the political agenda of some secular or republican feminists and the current political class in power. At the heart of the discourses legitimizing state intervention in the lives of prostitutes and veiled women lie the issues of "liberté" (freedom) and "dignité" (dignity), in the French republican sense of these terms. Republican discourse considers veiled women to be oppressed by their culture and religion and perceives prostitutes as the victims of patriarchy and capitalism. In both cases, the political class has denied their capacity to be active agents in charge of their own lives. In spite of some attempts at broadening the spectrum of interpretations, their agency is automatically disqualified as "false consciousness" and blindness to their own oppression. The parliamentary report on the practice of full veiling released in January 2010 insists on the "servitude volontaire" ("voluntary enslavement") of the women adopting such practices. In the same manner, parliamentary debates preceding the vote on the law on "sécurité intérieure" (internal security) of 2002 reaffirmed that prostitutes are to be considered primarily as victims whose activities are incompatible with human dignity. These debates referenced the 1949 United Nations convention on the suppression of the traffic in persons and the exploitation of the prostitution of others, to which France is a signatory member. It is interesting to highlight that "liberté" preceded, in the law, "dignité." Dignity emerged after the Second World War and was meant to give a means to prevent another holocaust. Initially limited to crimes against humanity, it was then expanded to include sexual issues.

There was an absolute silencing of the veiled girls who were targeted by the law,[35] as well as of the prostitutes. From the Bayrou decree to the estab-

lishment of the Stasi Commission in charge of investigating the issue in 2002, very little attention was paid to what veiled girls had to say regarding their subjective relation to religion. Silenced by the media and demonized by politicians, they remained the mute objects of the others' (mostly white male French) gaze. The politics of visibility that emerged during that specific moment allowed a unilateral elaboration of "knowledge" and "truth" about Muslim women living in France without interrogating the persons who would be directly concerned by the law. The composition of the Stasi Commission revealed that tendency. The commission was mostly composed of Parisian academics, lawyers, administrators, and politicians. Only one commissioner was Muslim and out of the hundred people auditioned, only two veiled Muslim women were invited to speak.[36] This double dynamic of silencing while claiming their oppression allowed the state to display a rhetoric of "salvation." Like prostitutes, fully veiled women were officially portrayed as women in need of rescue. But the contradictions between the several kinds of arguments used to denounce the veil—universalist feminism—the pragmatics of politics, anti-immigration policies, state islamophobia, and criminalization of the social margins—became increasingly obvious. Some figures were able to manifest these contradictions, such as women wearing full veils who appeared to be "white natives" converted to the Salafi branch of Islam, which has not been that uncommon in European countries where such practices have emerged. The difficulties in naming this all-enveloping robe, interchangeably called "burka" or "niqab" to end up under the umbrella concept of "voile intégral" in France ("full veil" in English), further revealed the attempt to ethnicizing fully veiled women.

A strong link appears between the handling of veiled women and that of prostitutes by the French state, as well as an emerging complicity of some secular feminists in accompanying this denial of agency. At an epistemological level, unveiling domination is part of every critical theory.[37] We argue that what is happening in France is the translation of a certain kind of domination into a state dogma and its conversion into policy. In this process, a fringe of the feminist movement—which may be labelled as "orthodox secular"—is manipulated into the service of the new state doxa. Here we can see a dynamic similar to the one that manifests itself in what Jasbir Puar[38] has identified as "homonationalism" in the United States: the deployment of certain narratives about the supposedly liberal openness of the West towards homosexuality serves to secure the West's identity. This "moral grammar," based on a perceived sexual oppression in Muslim countries, is mobilized in order to justify national and international interventions. Both cases exemplify the instrumentalization of certain feminist/queer discourses in order to serve a nationalist agenda that aims at others goals—namely, blaming and criminalizing the undesirable "others," i.e., immigrants and the poor.

Compulsory Sex

What appears prominently in debates about prostitutes and veiled women is the centrality of sexuality in defining national identity. Indeed, through these debates, norms that regiment sexual codes of conduct and moral principles are being reinforced while the possibility of engaging with these complex issues in a non-passionate way is annihilated. These trends have to be replaced within the larger publicization and politicization of sexual issues, that is to say, within the process of sexual democratization, as Éric Fassin suggests.[39] They also illustrate the fact that over the past century, sex has become a major source of identity assertion and therefore a central focus of self-discipline.[40] Sex is supposed to hold a certain truth about the subject, producing subjectivities through discourses and practices that indirectly reinforce the imperative of self-scrutiny.[41] This new form of policy targeting sexuality and sexual identity plays a crucial role in defining democracy and national belonging. This extension of democracy to issues of sexuality and gender interacts with the rhetoric of the conflict of civilizations and with the production of "otherness" within French policies, especially within the domain of immigration. Norms of gender and sexuality are revisited under the liberal framework that accompanies dominant discourses about "freedom" and "equality," and this gendered construction of republican values comes to play a growing role in the treatment of social "problems" such as prostitution and veiling.

The growing concern for prostitution and veiling has thus to be understood within this larger dynamic of politicization of sexual and gendered issues. When we look closer at how these two figures are politically constructed, new normative and prescriptive trends appear. Their exclusion reveals and strengthens the norm of a hygienic sexuality: neither covered, subtracting itself from the public gaze, nor commoditized, escaping from the normative necessity of reciprocal love (Ni putes, ni soumises, "Neither Whores Nor Doormats"). Within this reconfiguration, the ideology of "free choice" is the new norm that is revealed by debates around prostitutes and veiled women who represent two situations where freedom and agency is denied—in principle—to the subjects.

However, in both cases, sex is inescapable. Whereas this explicitness seems quite obvious for prostitution, it appears that during the debates surrounding the Stasi law, the veil was also highly sexualized. Many participants in the debates considered the veil to signal the restriction of Muslim women's lives to their sexual and domestic dimensions and their exclusion from all other social domains. In this construction, the veiled woman affirms herself primarily as woman within the public sphere, as only women wear veils. This constitutes a withdrawal from the imperative of "égalité," a French Republican motto that involves blindness to sex.

Public interpretations of veiled women and prostitutes as inherently embedded in the sexual sphere, and therefore as bound to remain "private,"

hidden in their homes for veiled women or in the bedroom for prostitutes, contradicts the fact that both figures appear in public. Prostitution has a long tradition of being understood ideologically rather than through the lived experiences that compose prostitutes' social realities.[42] The use of legal instruments to make prostitutes and veiled women disappear from public view ironically becomes a means to make their bodies conform to the stereotypes on which the state relies to justify their exclusion: it is because they are subservient and oppressed that they should be excluded from the public sphere. Yet, veiled women in France have joined universities and are making their way in public transport and in non sex-segregated swimming pools, wearing burkini. As for prostitutes, their presence in the streets highlights the possibility of making sex a commodity and the sex market a market in which (at least) some of them are able to act as "independent workers." Arguments used to make them disappear from the public sphere, according to which veiled women and prostitutes would be under the control of men, do not match the social reality exemplified by their public presence.

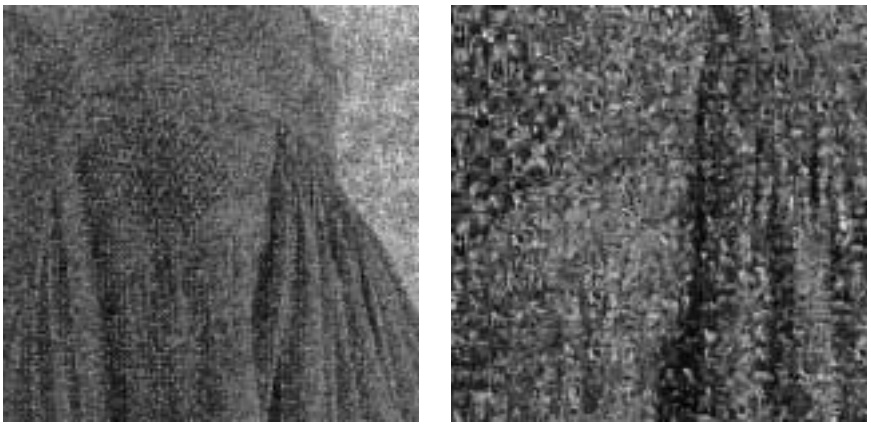
The Perpetual Paradoxes of Public Visibility

The new regime of visibility imposed on veiled women and prostitutes brings to light the paradoxes, contradictions, and ironies of state feminism in contemporary France. It also bears witness to the perpetuation of nationalist and colonial fantasies according to which women's bodies are potential threats to national unity and therefore necessitate constant surveillance and control.[43] However, the necessity for the state to act on these "remarkable identities,"[44] not only by means of exclusionary laws but also through production of narratives of belonging, cannot be considered as totally hegemonic. In recent years, the appearance of humoristic and artistic responses to these representations demonstrates that far from imposing itself as a given, the paradoxical nature of sexual nationalism has been exposed, although in marginal and ambiguous ways. Even though these spontaneous forms of opposition to mainstream discourses may appear anecdotal, it is important not to ignore them as they reveal the "erogenous zones" of French republicanism.[45]

The artwork of contemporary Pakistani artist Rashid Rana entitled "Perpetual Paradox," exhibited in the Guimet Museum in Paris in 2010, highlights some of the paradoxes of the public scandals that the burka and pornography/prostitution have triggered. Rashid Rana's *Veiled series* (his most controversial piece, shining by its absence in the French museum), illustrates well these dynamics. It depicts an anonymous figure dressed under a burka. Upon further inspection, the work is actually a fragmented collage made-up of thousands of small, unfocused pornographic stills of women downloaded from the Internet. In the encounter, the images are both shocking and beautiful. And when one recognizes the pixels, one thinks of the unlikely juxtaposition first

as opposites, and then, numbingly, as the same. This provocative superposition of pornographic images of women and the simultaneous absence of the woman under the burka, forces the viewer to interrogate the machinery of truth that directed his/her initial gaze. Eventually, the thousands of naked women are as depersonalized, sexualized, and faceless as the woman behind the veil. Either naked or covered, "woman," as symbolic reproducer of the nation, is an object of fantasy whose body can be fashioned, made, and unmade according to political and geographic circumstances.

Figures 1 and 2. Rashid Rana – Excerpts from the *Veiled Series*



Source: The artist.

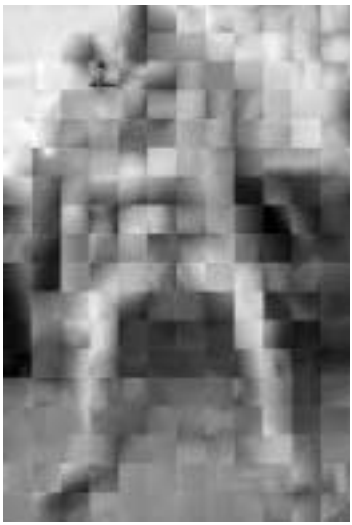
The geographic trajectory of Rashid Rana's *Veiled Series* is interesting because it reveals the impossibility of thinking in terms of ambiguity when it comes to issues such as prostitution, pornography, and veiling. Indeed, the artist was unable to display his work in Pakistan because of the pornographic images contained in the larger picture of the burka-clad woman. The *Veiled Series* were not displayed in the Guimet museum either, making of this disappearance or omission a symbolic reminder that the burka had no place in a French public institution. One can only wonder if this absence was not a direct consequence of the statement made by President Sarkozy in front of the Senate in June 2009, a few months before the setting up of the Gérin Commission in charge of investigating this practice:

> The burka is a sign of women's subjugation. It is not welcome on the territory of the French Republic. We cannot accept in our country women imprisoned behind netting, cut off from social life, deprived of identity. This is not the conception that the French Republic has of women's dignity.[46]

Even if the *Veiled Series* were not likely welcome in the Parisian museum, Rana's images on 9/11, sexuality, and violence occupied an important and central

place in the exhibition. The image chosen to advertise the exhibition was an unfocused image of a sex scene made of small pictures of flesh, with one of them representing a terrorist attack somewhere in Pakistan. Isolated in the left hand corner of the broader image, the observer's gaze was caught in a state of tension between a desire to watch the erotic embrace of the couple scattered with flesh and the need to come closer, driven by a strange morbid attraction, in order to see the details of the terrorist scene. This image, with others analyzed by Jasbir Puar in her book, *Terrorist Assemblages*,[47] is a perfect illustration of the centrality of sexuality in the creation and normalization of knowledge about the East, Islam, and terrorism. Indeed, in the context of the war on terror, Puar argues, discourses of sexuality and race in the US merge with discourses of nation, militarism, and securitization to produce US-nationalist homosexual subjects of rights against racially perverse "terrorist" bodies. The consolidation of this new homosexual normativity travels through Orientalist imaginings of "Muslim sexuality": the perverse, failed masculinity, the polygamy, and the bestiality of the (always male) terrorist, compounded by the hypothesis of Islamic sexual repression, functions to cast the US as enlightened, secular, and tolerant by sexually othering the targets of the US war machine. In this piece, Rana seems to both reiterate and question these assumptions: the embrace of the couple is blurred while the dramatic reality of the terrorist attack is clearly visible only when one approaches the work of art. As a result, the narrative of sexual perversion, produced by the positioning of the audience in this voyeuristic tension, is both subversively "re-cited" and "re-sited" (as the title of the artwork suggests) towards the viewer watching the scene.

Figure 3. Rashid Rana – Site 1



Source: The artist.

In recent years, debates around Islam, prostitution, gender, and veiling in France have inspired a number of spontaneous public performances deconstructing, with irony and provocation some of the ideas and misconceptions spread through the media and political discourse. Shortly after the law against the full veil was passed in parliament, a brief video clip appeared on the internet, making a buzz in cyberspace. The video, entitled "Niqabitch Shakes Paris," showed two young women wearing black niqabs up to the waist with hot pants and heels, walking the streets of Paris with a lively hip hop music in the background. The video also recorded people's reactions, as the two Niqabitch paused to be photo-

graphed by exhilarated passers-by. The authors of this public intervention published an article in *Rue89*, an alternative news magazine, a few days after the broadcast to explain their performance. They revealed that they were in their twenties, that one of them was a Muslim who did not feel very much concerned by the anti-burka law, but that they both felt, as women, the necessity to express themselves in public.

> Let's be frank, to cover one's face and take the appearance of Darth Vader in the name of Islam and its prescriptions, we don't really understand it! But we have heard that the Republic was a space of free expression in which everyone was allowed to choose his/her clothes and to practice his/her religion, as long as no one is forced to adhere to his other convictions. So explain to us on what grounds this woman wearing niqab spotted in the tube yesterday would not be allowed to circulate in the public domain in 2011? This law is absurd![48]

Even though Niqabitch did not make any specific reference to the 2002 law on passive touting, the association of over sexualized clothing with an orthodox form of Islamic veil brought together in the social imaginary the two figures of the whore and the veiled woman in the same manner as the feminist demonstration of 8 March 2004. By walking the streets of Paris in these outfits, pausing in front of public buildings, ministries, and police officers, displaying at once sexual openness and sexual unavailability, Niqabitch underlined the centrality of women's sexualized bodies in symbolically defining the body of the nation. By making themselves vulnerable to a potential punishment under the two laws, they underlined the renewed attention to gender and sexuality in contemporary French nationalism.

Conclusion

This article analyzes the dramatic expansion and reconfiguration of French nationalism over the past decade, namely along prescriptions related to sex and gender. As Anne McClintock points it out, nationalism is "constituted from the very beginning as a gendered discourse, and cannot be understood without a theory of gender power."[49] A parallel investigation of the two figures of whores and *niqabées* reveals the current exclusionary dynamics embedded in the nation-building process as both veiled women and prostitutes function as symbolic signifiers of national difference within the Republic. They are construed as "bodies-boundaries" within the larger new frontiers of the French Republic.[50]

In doing so, the French state echoes larger European trends. As Jasbir Puar and Judith Butler argue,[51] new configurations of sexuality, race, gender, nation, class, and ethnicity are realigning in relation to contemporary forces of nationalism. In this reconfiguration, some feminists and different political factions instrumentalize sexual freedoms to assert Western exceptionalism, to

define the preconditions of citizenship, and to shape the image of the ahistorical "other" trapped in barbarian monstrosity and bound to remain untouched by modernity. Those evolutions also reveal what Didier Fassin and Dominique Memmi have described as "the greater and deeper targeting, by policies, of the private relation that an individual holds with his physical destiny, but also the growing concern for issues related to bodies, health, and life [and we could add sexuality] in the government of societies."[52]

The analysis of the political handling of these two figures highlights the specific use that is made of French republicanism. Some republican feminists support politicians in asserting that whores and *niqabées* are oppressed and blind to their own oppression. What is striking is that this coalition of some feminist discourses with the current political views actually re-enacts and reenforces a virile version of nationalism. As McClintock puts it, "all too often in male nationalisms, gender difference between women and men serves to symbolically define the limits of national difference and power between men. Excluded from direct action as national citizens, women are subsumed symbolically into the national body politics as its boundary and metaphoric limit.... Women are typically construed as the symbolic bearers of the nation, but are denied any direct relation to national agency."[53] In contemporary France, gender differences are again used to define national boundaries: the rhetoric of the oppression of women, supported by the republican values of equality, freedom, and dignity and mobilized by the state with the complicity of some feminists, serve to exclude "other" women from the "imagined community." In short, this rhetoric of oppression is the moral grammar that justifies the denial of women's agency and full citizenship, and their exclusion from the public sphere. According to this view the French female citizen has to embody a sexuality that is neither commoditized, nor tightly controlled by an institution like religion or patriarchy. Sexuality, which has become a central component of identity in postmodern societies, is no longer left to individual self-governance: by identifying and excluding two sexualized figures of female citizens, the state also prescribes a new regime of sexual normativities—shaping a sexual citizenship—through a rigid and contradictory injunction to sexual freedom. Those exclusionary processes mark the installation of a gendered regime of visibility that defines and disciplines women's appearance in the public domain. Like during colonial times, politicians target women's bodies as national territories whose surface and appearance must be compatible with a set of state-defined recommendations. However, as we have suggested, the complicities of a certain feminist discourse with the political power rhetorically produce "visual victims" only to promote a larger political agenda, enforcing a virile nationalism, prescribing new sexual normativities, and criminalizing immigrants and those living at the social margins.

Julie Billaud is a research fellow in the Law and Anthropology Department at the Max Planck Institute for Social Anthropology in Halle, Germany. Contact: billaud@eth.mpg.de.

Julie Castro is a medical doctor and a doctoral candidate in anthropology at the École des hautes études en sciences sociales in Paris.
Contact: julie.castro@ehess.fr.

Notes

1. Djamila Bechoua, "Et toi, pourquoi tu ne le portes pas le foulard?" *Collectif 'Les mots sont importants,'* 2004. Available at http://lmsi.net/spip.php?article228.
2. John Comaroff, "Law and Disorder in the Postcolony," *Social Anthropology* 15, 2 (2007): 133–52, 145.
3. Bradford Vivian, "The Veil and the Visible," *Western Journal of Communication* 63, 2 (1999), 115. Emphasis ours.
4. Bernard Stasi, *Rapport de la Commission de réflexion sur l'application du principe de laïcité dans la République remis au Président de la République le 11 décembre 2003* (Paris: La Documentation française, 2003). Our own emphasis and translation.
5. Nacira Guénif-Souilamas, "The Other French Exception: Virtuous Racism and the War of the Sexes in Postcolonial France," *French Politics, Culture & Society* 24, 3 (2006).
6. Mayanthi Fernando, "Exceptional Citizens: Secular Muslim Women and the Politics of Difference in France," *Social Anthropology* 17, 4 (2009): 379–92.
7. Éric Fassin and Clarisse Fabre, *Liberté, égalité, sexualités* (Paris: Belfond, 2003), 259. "Tandis qu'en 1989 la rhétorique républicaine se définit contre la politisation féministe de la sexualité, en 2003 la République emprunte au féminisme pour dénoncer les violences sexuelles, pensées comme contradictoires avec notre modernité."
8. André Gérin and Éric Raoult, *Rapport de la mission d'information sur la pratique du port du voile intégral sur le territoire national* (Paris: Assemblée Nationale, 2010). Our own translation.
9. Alice Conklin, "Redefining Frenchness: The Republican Idea of Empire in France and West Africa," in *Domesticating the Empire: Race, Gender and Family Life in French and Dutch Colonialism*, ed. Julia Clancy-Smith and Frances Gouda (Charlottesville, VA: University of Virginia Press, 1998), 67.
10. Joyce Outshoorn, "The Political Debates on Prostitution and Trafficking of Women," *Social Politics: International Studies in Gender, State & Society* 12, 1 (2005), 141.
11. Lilian Mathieu, *La Condition prostituée* (Paris: Éditions Textuel, 2007).
12. Sarah-Marie Maffesoli, "Le traitement juridique de la prostitution," *Sociétés* 1 (2008): 33–46.
13. Catherine Deschamps and Anne Souyris, *Femmes publiques: Les féminismes à l'épreuve de la prostitution* (Paris: Éditions Amsterdam, 2008).
14. Ibid.

15. Claire Chartier, "Prostitution: il y aura toujours des clients," Interview with Élisabeth Badinter, *L'Express*, 13 March 2011. Available at: http://www.lexpress.fr/actualite/societe/prostitution-il-y-aura-toujours-des-clients_981603.html. Our own translation.
16. P. É. "La pénalisation du client est une piste de réflexion," Interview with Najat Vallaud-Belkacem, *Le Parisien*, 16 March 2013. Available at: http://www.leparisien.fr/espace-premium/actu/la-penalisation-du-client-est-une-piste-de-reflexion-16-03-2013-2644345.php.
17. Vivian, "The Veil and the Visible," 115.
18. Franz Fanon, *A Dying Colonialism* (New York: Grove Press, 1967), 47.
19. Vivian, "The Veil and the Visible," 127.
20. Julia Clancy-Smith, "Islam, Gender and Identities in the Making of French Algeria, 1830–1962," in *Domesticating the Empire*, 154–74; Conklin, "Redefining Frenchness."
21. Christelle Taraud, *Sexes et colonies: Virilité, "homosexualité" et "tourisme sexuel" au Maghreb (XIX^e et XX^e siècles)* (Paris: Éditions Payot, 2003).
22. Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (London: Verson, 1999).
23. Emmanuel Brenner, *Les Territoires perdus de la République: Antisémitisme, racisme et sexisme en milieu scolaire* (Paris: Mille et une nuits, 2004).
24. Nira Yuval-Davis, *Gender and Nation* (London: Sage, 1997).
25. Stasi, *Rapport au Président de la République*, 46. Our own translation and emphasis.
26. Joan Wallach Scott, "Symptomatic Politics: The Banning of Islamic Head Scarves in French Public Schools," *French Politics, Culture & Society* 23, 3 (2005), 116.
27. Nilüfer Göle and Julie Billaud, "Islamic Difference and the Return of Feminist Universalism," in *European Multiculturalism(s): Cultural, Religious and Ethnic Challenges*, ed. Anna Tryandifillidou et als. (Edinburgh: Edinburgh University Press, 2011).
28. Caroline Fourest, "Les enjeux cachés du voile à l'école," *ProChoix* 25 (2003): 27.
29. For an analysis of the pivotal role 'les musulmanes laïques' like Fadela Amara have played in reinforcing the Republican model of assimilation, see Fernando, "Exceptional citizens."
30. Gérin and Raoult, *Rapport de la mission d'information sur la pratique du port du voile intégral sur le territoire national*, 319.
31. Quoted in Amélie Maugère, "La régulation de la prostitution en France à l'époque contemporaine: le passage d'un référentiel social à un référentiel sécuritaire?" in *Comment l'Europe fait-elle notre lit? La régulation des sexualités en Europe* (Brussels: Université Libre de Bruxelles, 2011), 11. Our own translation.
32. Jean Dannet, *Action publique et prostitution* (Rennes: Presses Universitaires de Rennes, 2006).
33. Milena Jaksic, "Figures de la victime de la traite des êtres humains: de la victime idéale à la victime coupable," *Cahiers internationaux de sociologie* 124, 1 (2008).
34. Deschamps and Souyris, *Femmes publiques*.
35. Ismahane Chouder, Malika Latrèche, and Pierre Tevanian, *Les Filles voilées parlent* (Paris: La Fabrique, 2008).
36. John R. Bowen, *Why the French Don't Like Headscarves: Islam, the State, and Public Space* (Princeton: Princeton University Press, 2007), 118.
37. Luc Boltanski, *De la critique: Précis de sociologie de l'émancipation* (Paris: Gallimard, 2009).
38. Jasbir Puar, *Terrorist Assemblages: Homonationalism in Queer Times* (Durham and London: Duke University Press, 2007).
39. Éric Fassin, "La démocratie sexuelle et le conflit des civilisations," *Multitudes* 26, 3 (2006).
40. Michel Bozon, *Sociologie de la sexualité* (Paris: Armand Colin, 2009).

41. Michel Foucault, *Histoire de la sexualité*, Vol. 1, *La Volonté de savoir* (Paris: Gallimard, 1976).
42. Mathieu, *La Condition prostituée*.
43. Meyda Yegenoglu, *Colonial Fantasies: Towards a Feminist Reading of Orientalism* (Cambridge: Cambridge University Press, 1998).
44. Guénif-Souilamas, "The Other French Exception."
45. Ibid.
46. Cécilia Gabizon, "Sarkozy : 'La burqa n'est pas la bienvenue,'" *Le Figaro*, 23 June 2009. Our own translation. Available at: http://www.lefigaro.fr/politique/2009/06/23/01002-20090623ARTFIG00055-sarkozy-la-burqa-n-est-pas-la-bienvenue-.php.
47. Puar, *Terrorist Assemblages*.
48. "Minishort et niqab: balade de 'niqabitch' dans Paris," *Rue89*, 30 September 2010. Our own translation. Available at: http://www.rue89.com/2010/09/30/minishort-et-niqab-balade-provoc-dans-paris-avant-la-loi-168779.
49. Anne McClintock, "Family Feuds: Gender, Nationalism and the Family," *Feminist Review* 44 (1993): 63.
50. Didier Fassin, *Les Nouvelles Frontières de la société française* (Paris: La Découverte, 2010).
51. Judith Butler, "Sexual Politics, Torture, and Secular Time," *British Journal of Sociology* 59, 1 (2008): 1–23. Jasbir Puar, "The Remaking of a Model Minority: Perverse Projectiles under the Specter of (Counter-)Terrorism," *Social Text* 22, 3 (2004): 75–104.
52. Didier Fassin and Dominique Memmi, *Le Gouvernement des corps* (Paris: Éditions de l'EHESS, 2004), 10.
53. McClintock, "Family Feuds," 62.