

# Religion, Coloniality and Women's Rights

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ABSTRACT

In response to Rola El-Husseini's article, "Double Standards and Dissonance: Women's Rights and Freedom of Religion in the Global North," this paper addresses the French approach to secularism and women's rights within a context of coloniality. Analyzing France's secular framework, I explore the secular control over Muslim women's attire and identity, tracing these regulations back to colonial practices. By examining how religious expression, particularly in relation to Islam, is selectively restricted, this commentary highlights the paradox of French "laïcité" as both a liberating and oppressive force, revealing ongoing colonial legacies in contemporary women's rights discourse.

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KEYWORDS

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I have read with much interest the fascinating and inspiring paper by Dr. Rola El-Husseini, and admired the way she shows how women's bodies are a major issue for political powers all around the world, and how they keep on trying to control it, either in the name of religion or in the name of a secular ideology. In conversation with her, I should like to focus on the French case and highlight a few points that seem particularly significant to me.

## SECULARISM AND COLONIALITY

Commenting on the Burkini controversy, Dr. El-Husseini remembers a discussion she had once in Paris with a fellow student, who spoke about the French *“laïcité”* as a *“catho-laïcité”*: a mutation of Catholicism in the French way of secularism. Prominent specialists in the history or the sociology of religions, such as Jean-Paul Willaime or Jean Baubérot, use this expression, which seems accurate for characterizing the French *“laïcité”*, as nowadays it addresses mainly Islam, and lost its initial purpose, the effective separation of the State and religion, which in 1905 meant freedom of worship in a country which had been under the domination of the Catholic Church. Over the last twenty years or so, the number of Catholics in France has fallen sharply, with Catholicism taking on a largely cultural form. Willaime and Baubérot refer to this new falsified form of secularism (*“laïcité falsifiée”*, wrote Jean Baubérot) (BAUBÉROT 2014) as ‘civil religion’, echoing the republicanism so often invoked.

And in fact, according to the Italian historian Carlo Ginzburg, with the French Revolution, civil religion became the religion of a civil state, in which secular power *“uses the aura (which is also a weapon) of religion”* (GINZBURG 2017). More recently the historian Valentine Zuber (2014) has shown how at the time of the French Revolution, a civil religion was established in which Catholicism was replaced by a new humanist ideology, and in which the State, now named the Republic, was made sacred and became the object of its own cult. As Catholicism in the old Ancient Régime, the French *laïcité* claims exclusivity and universality while proclaiming freedom of worship, *“provided that their manifestation does not disturb the public order established by law”*, according to the Declaration of the Rights of Man and of the Citizen of 1789.

One must not forget that the claim to universality was invented inside and by the Catholic Church and used to conquer, dominate and colonize large parts of the world, even if the Christ message has been also used as a tool towards emancipation (Liberation Theology). With this vision of the world, not only secularism was designed on the basis of the model of Catholicism, as other faiths were also designed according to this same model. Within the frame of Christianity, as was the case with Judaism at the beginning of the 19<sup>th</sup> century, Islam is being asked to become a religion of the interior in the sense of being invisible in the so-called public sphere. In September 2023, when qamis and abaya were banned from French schools, the philosopher Abdenour Bidar, who presents himself as an intellectual of Muslim culture, and who argued, many years ago, that women who say they wear a *hidjab* voluntarily don't know what they are saying, wrote the following in the newspaper *Le Monde* (BIDAR 2023) (translated by the author):

*“There is certainly an opportunity for Muslims to see this external impediment as a reminder that faith is an inner affair, that it is not essentially worn on the garment or outside, but is lived and expressed within, in the intimacy of the soul and heart, the place of a personal and secret relationship with the divine [...]. Nothing today in France, absolutely nothing, prevents Muslims from cultivating their interiority as believers, and outside themselves, nothing prevents them from worshipping in mosques, or from expressing their faith in the most sublime of its manifestations: ‘good behavior’, the ‘noble qualities’ (Makârim-al-Akhlâq) whose model Islam finds in the figure of the Prophet.”*

Actually the related issues, and then the ban on the Islamic scarf and other “clothing expressing religious affiliation”, have arisen when Muslims, mainly Muslim girls and women, went outside of their assigned space. As housewives or cleaning ladies, Muslim women were invisible. Now that they are students, civil servants or employees, their Muslimness must remain invisible if they want to be truly a part of the nation, and not be considered as aliens and potential enemies. As Dr. Rola El-Husseini (2024: 8) states, “it is hard to believe that the recent movement toward suppressing religious dress in France is anything other than a smokescreen for anti-Muslim sentiment.”

Henri Grégoire, known as l' Abbé Grégoire, advocated during the French Revolution for the emancipation of and access to citizenship for the Jews. But he said that Jews first had to be “regenerated”. But at the same

time, according to him it was also necessary to combat the “*Talmudic reveries*” that constitute “*a cesspool in which are accumulated the delusions of the human mind*”. He urged others to break up the Jews’ “burlesque” religious rites and traditions, which, according to him, are ultimately nothing but “trifles”. Two centuries later, the same republican principles are invoked with regard to Muslims and especially Muslim women. They are at the same time constructed as others and summoned to become “similar”, i.e. to erase their otherness. Through this assimilation policy, the nation state defines its own identity by drawing a border in relation to an Other that is deemed unassimilable (HAJJAT, 2012).

Meanwhile the specificity of Islam is completely ignored. By showing the historicity and the diversity of Islam as a “discursive tradition”, the anthropologist Talal Asad highlighted the importance of practices. “*A tradition consists essentially of discourses that seek to instruct practitioners regarding the correct form and purpose of a given practice that, precisely because it is established, has a history*” (ASAD 2009: 20). Muslims are “practitioners”, not just believers individually reduced to their inner selves. Religion is not a “*trans-historical and transcultural phenomenon*” in spite of the “*Christian attempts to achieve a coherence in doctrines and practices, rules and regulations*” (ASAD 1993: 29). Religion, as separated from other practices, is a European concept imposed on the colonized people “*as a means of exercising Western cultural and political hegemony*” (MEZIANE 2021). So secularization is one of the faces of colonialization, and today of coloniality, as defined by the Peruvian sociologist Anibal Quijano: the living legacy of colonialism in contemporary societies in the form of a social discrimination that outlived formal colonialism and became integrated in the succeeding social orders (QUIJANO 2000).

## GENDER, SEXUALITY AND COLONIALITY

At this point, according to my own researches and writings, I’ll try to complete Dr. El-Husseini’s brilliant analysis by pointing out the role of coloniality in the current situation of Muslim women in France. Colonization is gendered. It is a typical masculine and masculinist enterprise. In the 19<sup>th</sup> century, the Orient (the Muslim world) was associated with the “*escapism of sexual fantasy*” and “*the freedom of licentious sex*” (SAID 2023). In fact, colonization has most often been accompanied by rape. But rape also appears as a fantasy as well as on a symbolic level, as colonization has often been

described as raping or penetrating a virgin, who is at first reluctant, but then so pleased to be possessed. The metaphorical figure of rape underlies the sentences used by some Orientalists to characterize their work. Commenting on a passage from a book by Raphael Patai, Edward Said writes: *“The Middle East is resistant, as any virgin would be, but the male scholar wins the prize by bursting open, penetrating through the Gordian knot, despite the ‘taxing task’. ‘Harmony’ is the result of the conquest of maidenly coyness; it is not by any means the coexistence of equals”* (IBID.: 309).

All these sexual fantasies have exacerbated the desire for undressing and unveiling “Oriental” women. The brothel becomes a substitute for the harem, and French European males visiting Algeria at the beginning of the 20<sup>th</sup> century, sent postcards representing supposed “*almehs*” and “*bayaderes*”, revealing an intense preoccupation with the veiled female body (ALLOULA 1986). In his famous essay “L’Algérie se dévoile” (*Algeria Unveiled*) Frantz Fanon, as a psychiatrist and an activist, gives a powerful analysis of this male colonizer obsession. He emphasizes the ambivalence of the European men towards the Algerian women who veil their faces.

*“A strand of hair, a bit of forehead [...] strengthen the European’s persistence in his irrational conviction that the Algerian woman is the queen of all women. But there is also in the European the crystallization of an aggressiveness, the strain of a kind of violence before the Algerian woman. Unveiling this woman is revealing her beauty; it is baring her secret, breaking her resistance, making her available for adventure. [...] The European faced with an Algerian woman wants to see. He reacts in an aggressive way before this limitation of his perception. Frustration and aggressiveness, evolve apace. [...] The rape of the Algerian woman in the dream of a European is always preceded by a rending of the veil. We here witness a double deflowering. Likewise, the woman’s conduct is never one of consent or acceptance, but of abject humility”* (FANON 1965: 43–44).

Fanon wrote this piece in 1959, after a classic campaign of Westernizing Algerian women that took place on May 16<sup>th</sup> 1958, where *“servants under the threat of being fired, poor women dragged from their homes, prostitutes, were brought to the public square, and symbolically unveiled to the cries of ‘Vive l’Algérie française’”* (IBID.). The public unveiling of these Algerian women was presented as a recognition of the French domination of Algeria and Algeria being a French possession, and as the liberation of these Muslim

women from the Muslim patriarchy in which they were supposed to be imprisoned. At a time when Algerian women were struggling against colonization, some of them carrying weapons and being thrown in jail and tortured, they were exhibited as mere sex symbols.

As Marnia Lazreg asserts, the veil made not only men but also colonial women feel uncomfortable. It was the “*perfect alibi for rejecting the Algerian woman’s culture and denigrating her*” (LAZREG 1994: 136). When she is in presence of an unveiled woman, the colonial woman exults “*in what she perceives as the triumph of her culture over that of the colonized*” (IBID.: 136). Unveiled Muslim women had to face remarks like “You see, if it were not for us, you would be wearing the veil just like your mother”. Colonized women, and in particular Muslim women, could only be seen as passive victims who had to be not only rescued but freed from the native patriarchy which was supposed to imprison them. Their agency was completely denied.

One of Eugène Delacroix’s (1798–1863) most famous paintings is *La liberté guidant le peuple*. Here freedom is represented as a half-naked woman, with both breast bare, waving the French flag. Delacroix also painted some Orientalist paintings that were beautiful indeed, where the depicted women were either naked like in some imaginary harem (*Odalisques*) or only very lightly clad (*Femmes d’Alger*), thus offering Oriental women’s faces and bodies to the gaze of the European public. The contrast between these fantasies and the women colonizers met or could not meet was very deep. This colonial view or, better, colonial blindness persisted in the postcolonial era, when “*laïcité is primarily understood as sexual secularism, insofar it pertains to women and sexuality rather than the separation of church and state in schools, as was the case from the Third Republic until the 1980s*” (FASSIN 2010). It is expressed in particular in the widely shared conviction that Muslim women, as victims of Islamic oppression who are supposed to be sexually repressed (SCOTT 2018), cannot claim freedom of religion. They have to be liberated from the retrograde and archaic manifestations of their religion and, if possible, from their religion itself.

## A NEW THEOLOGICAL-POLITICAL ORDER

In August 2023, with the ban of the “abaya”, the discourse changed completely. The question was no longer about women’s rights or women’s liberation,

but about the threat this piece of cloth worn by a small number of students (298 in September 2023) represented. Nobody could really define what the abaya is. Probably a long, possibly loose dress or jacket. But long dresses were in fashion then, and in one or two cases, girls with long dresses without sleeves were accused of wearing an abaya at school. Of course they were Muslims: their long fashionable dresses could only be abayas. However, some teenagers, uncomfortable with their bodies, simply wore loose clothes to hide their curves. These imprecisions have been the source of many conflicts within schools, with Muslim girls being the only targets.

However, the main question is why and how a minor phenomenon could unleash such a media and political storm. Olivier Véran, at that time a minister in the French government, declared that the abaya was a political attack on the republic. In an interview for the French radio channel France Inter on September 13<sup>th</sup> 2023, Édouard Philippe, another important right-wing politician, declared at the same moment that Islam could not be treated the same way as other religions. In his view, the 1905 law imposing “*laïcité*” should not apply to Islam. He added that one day the day will come when the state will force Islam to either organize or reform.

One needs to also understand the apparent consensus surrounding the ban of the abaya, as if all types of controversy or debate have been forbidden. And in fact all forms of public debates were replaced by an anathema (I intentionally use the religious word “anathema”) against all those who may wish to sustain another opinion or initiate a rational discussion. This strategy was, and still is, aimed to disqualify political opponents, and exclude them from the political community similarly to how, formerly, one could be excluded from the religious and social community (excommunication). But moreover it appears as a symptom of a collapsing democracy, as dissensus and debate are fundamental for the democratic principle (RANCIÈRE 2005).

In place of the political order, we see the imposition of a new theological political order based on the “republican” civil religion, which is limited to the national community while defining it. Islamic dress proclaims that those who wear it refuse to form an alliance with the rest of the French society, “*which makes it impossible for Muslims to fully integrate into a non-Muslim society*”, states the sociologist Philippe d’Iribarne in an

OpEd published in *Le Monde* on August 18<sup>th</sup> 2016. Thus there is no longer a border between the political realm and this new religion. Regardless of freedom of religion, a sacralized state with a heavy colonial past seeks to take control of Muslim women's bodies, using symbolic and sometimes physical violence against them. As most convincingly demonstrated by Dr. El-Husseini in her outstanding paper, when it comes to Muslim women, France, as a secular state, uses gender washing and double standards. My few remarks intended to show that this hypocritical policy contains a legacy of colonial times, and the imposition, behind secularity, of a new authoritarian religion and a new theological political order which excludes diversity.

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