INTRODUCTION

On March 15, 2004, the French government passed a law that banned the wearing of “conspicuous signs” of religious affiliation in public schools. Article 1 is the key provision:

In public elementary, middle and high schools, the wearing of signs or clothing which conspicuously manifest students’ religious affiliations is prohibited. Disciplinary procedures to implement this rule will be preceded by a discussion with the student.

There is also an explanation of what counts as “conspicuous”:

The clothing and religious signs prohibited are conspicuous signs such as a large cross, a veil, or a skullcap. Not regarded as signs indicating religious affiliation are discreet signs, which can be, for example, medallions, small crosses, stars of David, hands of Fatima, or small Korans.

Although the law applied to Jewish boys in skullcaps and Sikh boys in turbans, as well as to anyone with a large cross around his or her neck, it was aimed primarily at Muslim girls wearing headscarves (hijab in Arabic; foulard in French). The other groups were included to undercut the charge of discrimi-
nation against Muslims and to comply with a requirement that such laws apply universally. The headscarf, or, as it was soon to be referred to almost exclusively, the veil (voile), was considered inimical to French custom and law because it violated the separation of church and state, insisted on differences among citizens in a nation one and indivisible, and accepted the subordination of women in a republic premised on equality. For many supporters of the law, the veil was the ultimate symbol of Islam’s resistance to modernity.

France is not the only country to worry about girls or women in headscarves. Similar legislation has been proposed in Belgium, Australia, Holland, and Bulgaria. In Turkey, which presents a different set of issues—a secular state since 1923 (modeled on the French republic), it has a majority Muslim population—a ban applies to elected officials, civil servants, and school and university students. In Bulgaria, which has long had a significant Muslim minority, a law to prohibit headscarves is still being discussed, but its proponents seem driven at least in part by a desire to be acceptable “Europeans.” In Germany, most of whose Muslims come from Turkey, many regional states prohibit teachers (though not students) from wearing the hijab. The European Court of Human Rights has weighed in on the matter too, ruling in a Turkish case that governments are within their rights when they prohibit headscarves in schools. This ruling is meant to apply to all European countries, not only to Turkey. A dissenting note has been sounded by the UN committee charged with implementing CEDAW (the convention outlawing all forms of discrimination against women): in 2005, it expressed concern about the effects of such bans on women’s access to schools and uni-
versities. Still, there seems to be a consensus about the meaning of the headscarf and the challenge to secular democracy that it represents, even though the girls and adult women who wear them are decidedly a minority within diasporic Muslim populations.

Indeed, the numbers do not explain the attention being paid to veils. In France, just before the law was passed, only 14 percent of Muslim women polled wore the hijab, although 51 percent declared that they actively practiced their religion.1 In the Netherlands, which proposed outlawing the burqa (the full-body covering worn by women), it is estimated that only fifty to one hundred women wear it, out of a population of about a million Muslims.2 Similarly, in England, where the niqab, which covers a woman’s entire face except for her eyes, was the focus of controversy in 2006, the number of wearers is tiny, though BBC news reported an increase in sales of niqabs in reaction to ex–foreign secretary Jack Straw’s proposal to ban them. Banning the headscarf or veil is a symbolic gesture; for some European nations it is a way of taking a stand against Islam, declaring entire Muslim populations to be a threat to national integrity and harmony. The radical acts of a few politically inspired Islamists have become a declaration of the intent of the many; the religious practices of minorities have been taken to stand for the “culture” of the whole; and the notion of a fixed Muslim “culture” obscures the mixed sociological realities of adaptation and discrimination experienced by these immigrants to the West.

My question in this book is, why the headscarf? What is it about the headscarf that makes it the focus of controversy, the sign of something intolerable? The simple answers offered by
politicians who pass the laws and some feminists who support them is that the veil is an emblem of radical Islamist politics. In the words of the Australian Brownyn Bishop, “it has become the icon, the symbol of the clash of cultures, and it runs much deeper than a piece of cloth.” In addition, it is widely argued that veils stand for the oppression of women. So insists Margaret De Cuyper of Holland: “Women have lived for too long with clothes and standards decided for them by men; this [the removal of the veil] is a victory.”

These answers don’t explain enough. Headscarves (or veils) are worn by only a small fraction of Muslim women, the vast majority of whom have assimilated in some way or another to the Western values and dress of the countries in which they now live. Moreover, veils are not the only visible sign of difference that attaches to religious Muslims, not the only way a religious/political identity can be declared. Men often have distinctive appearances (beards, loose clothing) and behavior (prayers, food preferences, aggressive assertions of religious identity tied to activist politics), yet these are not considered to be as threatening as the veil and so are not addressed by legal prohibition. The laws do not go on to challenge the structures of gender inequality in codes of Muslim family law; these codes have been allowed to stand in some Western European countries, and are left to religious authorities to enforce, even if they are not the law of the host country. Even more confounding, concern with gender inequality seems limited to Muslims and does not extend to French or German or Dutch practices that also permit the subordination of women. It is as if patriarchy were a uniquely Islamic phenomenon!

What is it about the status of women in Islam that invites
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special remedial attention? Why has the veil been singled out as an icon of the intolerable difference of Muslims? How has insistence on the political significance of the veil obscured other anxieties and concerns of those obsessed with it? How has the veil become a way of addressing broad issues of ethnicity and integration in France and in Western Europe more generally? To answer these questions we cannot take at face value the simple oppositions offered by those who would ban it: traditional versus modern, fundamentalism versus secularism, church versus state, private versus public, particular versus universal, group versus individual, cultural pluralism versus national unity, identity versus equality. These dichotomies do not capture the complexities of either Islam or “the West.” Rather, they are polemics that in fact create their own reality: incompatible cultures, a clash of civilizations.

A number of studies argue convincingly that the Islamic headscarf is a modern, not a traditional, phenomenon, an effect of recent geopolitical and cultural exchanges that are global in scale. The French sociologist Olivier Roy, for example, describes the current religiosity of Muslim populations in Europe as both a product of and a reaction to westernization. The new Islamic religiosity, he maintains, parallels similar quests for new forms of spirituality in the secular environments of the West. “Islam,” he writes, “cannot escape the New Age of religion or choose the form of its own modernity.” I would add that while present-day Islam is undeniably “modern,” there is not one universalizing form of its modernity, and it is especially the differences that matter. I agree with Roy that today’s Islam is not a throwback to earlier practices, nor does it emanate from bounded traditions or identifiable communities.
There is not, Roy insists, a single Muslim “culture” which corresponds to the sociological and demographic profiles of the immigrant populations now residing in Europe. Indeed Islam is historically decentralized; unlike Catholicism, with its headquarters in Rome and a single figure of authority at its head, Islamic theology is articulated through continuing debate and interpretation, much like Jewish theology. Moreover, there is no single theology, but a plurality of them. Among Muslim immigrant populations, there are, to be sure, attempts to establish group identifications, but these are voluntary, Roy says, since they do not correspond any longer to fixed places—territories, states—or even to institutions like the family. In fact, voluntary groupings tend to divide generations; religiosity is one way for children to declare their independence from family constraints. It is also a way for dominated groups to insist on the legitimacy of their religion. The contexts within which populations assert Islamic identity need to be specified. What does establish Muslims as a single community, a “virtual” community in Roy’s description of it, is “specific legislation” that serves to “objectify” them. Various judicial and legislative decrees in Western Europe, prominently among them the French law banning Islamic headscarves, are examples of this objectification.

The intense debates about passing such laws serve another purpose as well: they offer a defense of the European nation-states at a moment of crisis. As membership in the European Union threatens national sovereignty (borders, passports, currency, finance) and calls for an overhaul of social policy (the welfare state, labor market regulation, gender relations), as globalization weakens the standing of domestic markets, and
as former colonial subjects seek a permanent place in the metropole, the question of national identity has loomed large in Western Europe. Depending on particular national histories, the idealization of the nation has taken various forms. In France it has taken the form of an insistence on the values and beliefs of the republic, said to be a realization of the principles of the Enlightenment in their highest, most enduring form. This image of France is mythical; its power and appeal rests, to a large degree, on its negative portrayal of Islam. The objectification of Muslims as a fixed “culture” has its counterpart in the mythologizing of France as an enduring “republic.” Both are imagined to lie outside history—antagonists locked in eternal combat.

This dual construction, France versus its Muslims, is an operation in virtual community building. It is the result of a sustained polemic, a political discourse. I understand discourse to refer to interpretation, to the imposition of meaning on phenomena in the world; it is mutable and contested, and so the stakes are high. Discourse is an important way of characterizing what I am studying; I use the term to counter the notion of culture that was employed in the debates. Culture in those usages implied objectively discernible values and traditions that were homogeneous and immutable; complexity, politics, and history were absent. Culture was said to be the cause of the differences between France and its Muslims. In fact, I argue that this idea of culture was the effect of a very particular, historically specific political discourse. Creating the reality one wants requires strong argument and the discrediting, if not silencing, of alternative points of view. Outlawing the veil, even though it was worn by very few students in French public schools, was an
attempt to enact a particular version of reality, one which insisted on assimilation as the only way for Muslims to become French. The presentation of what it meant to be “French” required suppressing not only the critics who were themselves French (and not Muslim) but also the Muslims (many of whom were French citizens) who offered conflicting evidence about the meanings of their religious identifications and of the place of the headscarf in them.

The study of political discourse is best undertaken through close readings of arguments advanced in their specific political and historical contexts. Without history we aren’t able to grasp the implications of the ideas being advanced; we don’t hear the resonances of words; we don’t see all of the symbols contained—for example—in a piece of cloth that serves as a veil. For that reason this book is centered on the politics of headscarf controversies in France—a country whose history I have been studying for almost forty years. There are, of course, insights I offer that have more general application. These insights are based on my belief that we need to recognize and negotiate differences, even those that seem irreducible—an outlook many French commentators would dismiss as American and multiculturalist (synonymous in their view). To be sure, my ideas are an expression of my political outlook, but it’s not so much an American way of thinking as it is a particular understanding of what democracy requires in the present context. There are many Americans who do not share my views, just as there is a significant minority in France, many of whom I cite in the course of this book, who do share them.

These reflections about processes of politics and the handling of differences are not confined to national contexts; they
have wider application. The objectification of Muslims; the attribution of their differences to a single, inassimilable culture; the idea that a secular way of life is being threatened by “fundamentalists”—all this is evident in the reaction of Western European leaders to Muslim immigrants in their midst. Still, the specific ways in which these ideas are expressed and implemented as policy differ according to national political histories. These histories are critical for our understanding of the “Muslim problem” in Europe. For that reason I have confined my analyses to France, not only to gain the depth this issue requires, but also to highlight the local nature of the imagined general conflict between “Islam” and “the West.” It is, of course, true that there is a global dimension to these conflicts, the more so as the Middle East becomes a central strategic concern of American foreign policy, the site for the enduring “war against terrorism,” and as identification with a transnational Islam becomes the basis for rallying political opposition to the West in general and to the United States in particular. But, I argue, the situation of Muslim immigrants in Western European countries can be fully grasped only if the local context is taken into account. So, for example, a nation’s policy for naturalizing immigrants plays a part in its reception of Muslims; the experience of Pakistanis in England differs from that of Algerians in France; that of Turks in Germany is different yet again, while Bulgaria’s Muslims are not immigrants at all. We don’t learn very much by lumping all of these cases together into one Muslim “problem.” In fact, we exacerbate the problem we seek to address. I think that exactly this kind of heightening of difficulties was produced in France by the ways in which politicians, public intellectuals, and the media re-
sponded to the fact of a growing population of Muslim “immigrants” in their midst—immigrants whose diversities were reduced to a single difference that was then taken to be a threat to the very identity of the nation.

This book is a study of the political discourse of those French republicans who insisted that the only way to deal with what they perceived to be the threat of Islamic separatism was to ban the headscarf. There are not many Muslim voices in this book, in part because there weren’t many to be heard during the debates. The headscarf controversies were largely an affair of those who defined themselves as representatives of a true France, with North Africans, Muslims, and “immigrants” consigned to the periphery. I do consider the many meanings the veil may have for Muslims and arguments among them about how and whether to assimilate to French standards, but only briefly and then as a way of highlighting the inconsistencies of French characterizations of them. This is not a book about French Muslims; it is about the dominant French view of them. I am interested in the way in which the veil became a screen onto which were projected images of strangeness and fantasies of danger—danger to the fabric of French society and to the future of the republican nation. I am also interested in the way in which the representation of a homogeneous and dangerous “other” secured a mythic vision of the French republic, one and indivisible. I explore the many factors feeding these fantastic representations: racism, postcolonial guilt and fear, and nationalist ideologies, including republicanism, secularism, abstract individualism, and, especially, French norms of sexual conduct taken to be both natural and universal. Indeed, I argue that the representation of Muslim sexuality as unnatural and oppressive
when compared to an imagined French way of doing sex intensified objections to the veil, grounding these in indisputable moral and psychological conviction.

In France many of those who supported a ban on headscarves insisted they were protecting a nation conceived to be one and indivisible from the corrosive effects of *communautarisme* (which I have translated as “communalism”). By that term, they do not mean exactly what Americans do by “communitarianism.” In France *communautarisme* refers to the priority of group over national identity in the lives of individuals; in theory there is no possibility of a hyphenated ethnic/national identity—one belongs either to a group or to the nation. (In fact, of course, there are French Muslims who were recognized as such at the end of the Algerian War, but that history was conveniently forgotten in the outburst of republican myth-making associated with the celebration of the bicentennial of the French Revolution in 1989.) American multiculturalism was offered negatively as the embodiment of communalism. Consisting of a multiplicity of cultures, riven by ethnic conflict and group identity politics, the United States is depicted as unable to grant individuals the equality that is their natural right. That equality is achieved, in French political theory, by making one’s social, religious, ethnic, and other origins irrelevant in the public sphere; it is as an abstract individual that one becomes a French citizen. Universalism—the oneness, the sameness of all individuals—is taken to be the antithesis of communalism. And yet, paradoxically, it is a universalism that is particularly
French. If America permits the coexistence of many cultures and grants the legitimacy (and political influence) of hyphenated identities (Italian-American, Irish-American, African-American, etc.), France insists on assimilation to a singular culture, the embrace of a shared language, history, and political ideology. The ideology is French republicanism. Its hallmarks are secularism and individualism, the linked concepts that guarantee all individuals equal protection by the state against the claims of religion and any other group demands.

French universalism insists that sameness is the basis for equality. To be sure, sameness is an abstraction, a philosophical notion meant to achieve the formal equality of individuals before the law. But historically it has been applied literally: assimilation means the eradication of difference. That is why the French census makes no record of the religion, ethnicity, or national origin of its population; such figures would represent France as fractured and divided, not—as it claims to be—a united, singular entity. The ideal of a nation one and indivisible harkens back to the French Revolution of 1789, which (after several years of bloody conflict) replaced a feudal corporate regime, characterized by hierarchies of privilege based on birth and wealth, with a republic whose citizens were deemed free and equal individuals. At the time, not all members of the population were considered individuals—women and slaves lacked the requisite qualities—but the ideal stood and became part of the national heritage, inspiring the claims of excluded groups for equal rights. I will talk more about the dilemma faced by excluded groups claiming the rights of individuals in chapters 2 and 4. Here I want simply to underscore the idea that French individualism achieves its universalist status by positing the
sameness of all individuals, a sameness that is achieved not simply by swearing allegiance to the nation but by assimilating to the norms of its culture. The norms of the culture, of course, are anything but abstract, and this has been the sticking point of French republican theory. Abstraction allows individuals to be conceived as the same (as universal), but sameness is measured in terms of concrete ways of being (as Frenchness). And ascriptions of difference, conceived as irreducible differences, whether based on culture or sex or sexuality, are taken to preclude any aspiration to sameness. If one has already been labeled different on any of these grounds, it is difficult to find a way of arguing that one is or can become the same.

In the last two decades or so, this contradiction has been exposed and challenged. The requirement of assimilation has come under attack by groups demanding recognition of their difference. Since women, homosexuals, and people of North African origin (stubbornly referred to as immigrants long after many had become citizens) were discriminated against as groups, it was as groups, they argued, that they must receive their rights—or as individuals whose difference from the norm is acknowledged and respected. The leaders of the feminist mouvement pour la parité insisted that discrimination against women in politics would end only when it was understood that all individuals came in one of two sexes. Sex, unlike ethnicity or religion, they argued, was universal. It divided all humans and so could not be abstracted: even abstract individuals were sexed. These feminists called for (and won) a law requiring equal numbers of women and men on the ballots for most elected political offices. The leaders of the gay and lesbian movement demanded the same rights for homosexual as for
straight couples, including the right to be considered families. They gained the equivalent of our domestic partnership contracts, but not access to adoption or reproductive technology. In effect, the law implies that families can be formed only by two individuals of the opposite sex—the cultural norm of the heterosexual nuclear family must remain in place. North Africans, many of whom are Muslims, claimed that the only way to reverse discrimination against them was to consider their religion on a par with that of Christians and Jews. If individuals with those commitments could be considered fully French, so could Muslims, even if the requirements of their religious beliefs led them to pray and dress differently—women wearing hijabs, for example. There was, of course, great contest about what these beliefs entailed, including whether the Koran even required women to cover their heads. There was also disagreement about the wisdom of passing a law banning the foulard; many Muslims told pollsters they did not oppose such a law even as they protested the discrimination they felt it would encourage. But whatever the controversies were among Muslims, what united them as a group was the desire to be considered “fully French” without having to give up on the religious beliefs, communal ties, or other forms of behavior by which they variously identified themselves.

The reaction of politicians and republican ideologists to these demands for the recognition of difference was swift and uncompromising. They insisted that the way things had always been done was the right way and that the challenges from groups such as women, homosexuals, and immigrants would undermine the coherence and unity of the nation, betraying its revolutionary heritage. Even as they granted that discrimina-
tion might exist and allowed some measures to correct it, they did so in ways that would not endanger the bottom line: the need to maintain the unity of the nation by refusing to recognize difference. After much debate, it was established that the exception was sexual difference. Embodied in the nuclear family, it was considered to be a natural difference, the foundation not only of French culture but of all civilized cultures.

As for Muslims, their claims were rebuffed on the ground that satisfying them would undermine *laïcité*, the French version of secularism, which its apologists offer as so uniquely French as to be untranslatable. Any word has specific connotations according to its linguistic context, of course. Nevertheless, *laïcité*, the French version of “secularism,” is no less translatable than any other term. It is part of the mythology of the specialness and superiority of French republicanism—the same mythology that paradoxically offers French universalism as different from all others—to insist that *laïcité* can only be used in its original tongue.6 *Laïcité* means the separation of church and state through the state’s protection of individuals from the claims of religion. (In the United States, in contrast, secularism connotes the protection of religions from interference by the state.) Muslim headscarves were taken to be a violation of French secularism and, by implication, a sign of the inherent non-Frenchness of anyone who practiced Islam, in whatever form. To be acceptable, religion must be a private matter; it must not be displayed “conspicuously” in public places, especially in schools, the place where the inculcation of republican ideals began. The ban on headscarves established the intention of legislators to keep France a unified nation: secular, individualist, and culturally homogeneous. They vehemently denied the
objection that cultural homogeneity might also be racist. Yet, as I show in chapter 2, there is a long history of French racism in which North African Muslims are the target. The veil plays a particularly important part in that story.

One of the fascinating aspects of the headscarf controversy was the way in which words became conflated with one another. Muslim women in France wear what they refer to as a hijab; in French the word is foulard; in English, headscarf. Very quickly, this head covering was referred to in the media as a veil (voile), with the implications that the entire body and face of its wearer were hidden from view. As I will argue in chapter 5, the conflation of headscarf and veil, the persistent reference to hidden faces when, in fact, they were perfectly visible, was a way of expressing deep anxiety about the ways in which Islam is understood to handle the relations of the sexes. It was also a way of insisting on the superiority of French gender relations, indeed, of associating them with higher forms of civilization. Although I do not want to reproduce that anxiety (rather I want to analyze it), I have found it impossible to make a rigorous or consistent distinction in my own terminology. My using “veil” and “headscarf” interchangeably reflects the way in which the words were deployed in the debates.

A similar set of conflations came with the word Muslim, a religious identification often (though not always) signified for women by the veil. Although it designated followers of the religion of Islam, “Muslim” was also used to refer to all immigrants of North African origin, whatever their religion. Sociol-
ogist Riva Kastoryano tells us that since at least the 1980s “im­migrant,” in France, has been synonymous with North African. Moreover, little distinction is made between North Africans, Arabs, and Muslims, although not all North Africans are Arabs, not all Arabs are Muslims, and not all Muslims in France come from North Africa. In the political discourse of French republicans, however, the different meanings are hard to distinguish, the terms bleed one into another. As with “veil,” “Muslim” evokes associations of both inferiority and menace that go beyond the objective definition of the word itself: “Muslims” are “immigrants,” foreigners who will not give up the signs of their culture and/or religion. Invariably, too, the religion they are said to espouse is painted as “fundamentalist,” with incontestable claims not only on individual comportment but on the organization of the state. In this discourse the veil denotes both a religious group and a much larger population, a whole “culture” at odds with French norms and values. The symbolism of the veil reduces differences of ethnicity, geographic origin, and religion to a singular entity, a “culture,” that stands in opposition to another singular entity, republican France.

For a small piece of cloth, the veil is heavy with meanings for French republicans who are worried about schools and immigrants, freedom and terrorism. Having an opinion about it serves to establish one’s credentials on the heady topics of individualism, secularism, and the emancipation of women—it is an ideological litmus test. Banning the veil also became a substitute solution for a host of pressing economic and social issues; the law on headscarves seemed as if it could wipe away the challenges of integration posed for policymakers by former colonial subjects (most often perceived as poor and beyond re-
demption even if some were established members of the middle class). In a fascinating way, the veil in republican discourse served to cover a body of intractable domestic issues even as it revealed the anxieties associated with them. Getting beyond that veiling is the purpose of this book.

The answer to the question “why the veil?” then is complicated. Or perhaps a better word is “overdetermined.” There were many reasons why French policymakers focused on the veil, even as they emphasized just one (the protection of women’s equality from Islamist patriarchs). These reasons went beyond defending modernity against traditionalism, or secularism against the inroads of religion, or republicanism against terrorists. In this book I explore these reasons by treating separately the topics of racism, secularism, individualism, and sexuality, although all four were actually intertwined. To make sense of the complex fabric of French republican discourse on the veil, though, I have had to separate its interwoven strands. Each strand contributed to drawing and fortifying a boundary around an imagined France, one whose reality was secured by excluding dangerous others from the nation. At the same time, the political discourse of embattled republicanism created a firmer community of identification for Muslims than might otherwise have existed. The veil became a rallying point—something to defend as a common value—even for those who did not wear it.

My insistence on history and complexity is not just a scholarly indulgence; it has urgent political implications. Simple oppositions not only blind us to the realities of the lives and beliefs of others but create alternative realities that affect our own self-understanding. A worldview organized in terms of good
versus evil, civilized versus backward, morally upright versus ideologically compromised, us versus them, is one we inhabit at our risk. It leaves no room for self-criticism, no way to think about change, no way to open ourselves to others. By refusing to accept and respect the difference of these others we turn them into enemies, producing that which we most feared about them in the first place. This has happened in France and, with local variation, elsewhere in the West. Indeed, the French law seems to have inspired other countries to follow suit in what is fast becoming a consolidation of sides in a clash between “Islam” and “the West.” The inability to separate the political radicalism based in the religion of a few from the religious and/or customary practices, or simply the ethnic difference, of the many has alienated disporic Muslim populations, even those who want nothing more than to become full citizens of the lands in which they live. And it has secured “us” in an inflexible and thus dangerously defensive posture in relation to “them.”

I have not used the word toleration to talk about how we should deal with those radically different from ourselves because, following political theorist Wendy Brown, I think toleration implies distaste (her word is aversion) for those who are tolerated.8 I want to insist instead that we need to acknowledge difference in ways that call into question the certainty and superiority of our own views. Instead of assimilation we need to think about the negotiation of difference: how can individuals and groups with different interests live together? Is it possible to think about difference non-hierarchically? On what common ground can differences be negotiated? Perhaps it is the common ground of shared difference, as French philosopher
Jean-Luc Nancy has suggested. Nancy argues that it is wrong to think of community as a shared essence, a common being, because that “is in effect the closure of the political.” Instead, he says, we must recognize that we all share “being-in-common,” which “has nothing to do with communion, with fusion into a body, into a unique and ultimate identity.” Common being presupposes sameness while “being-in-common” says only that we all exist and that our very existence is defined by our difference from others. Paradoxically, it’s difference that is common to us all.

We must stop acting as if historically established communities were eternal essences. This is one of the challenges of our time—one that French leaders were unwilling and unable to meet. Their story is for me an object lesson in politics, an example of the misuse of history and the blinding effects of hysteria. We need to think about the limits of their approach in order to develop alternatives to it—alternatives that will, of course, vary according to national context, but that will in each case allow for the recognition and negotiation of difference in ways that realize the promises of democracy.