Muslim headscarves in France and army uniforms in Israel: a comparative study of citizenship as mask
Leora Bilsky

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ABSTRACT   On 15 March 2004 the French government passed a law that banned the wearing of 'conspicuous signs' of religious affiliation in public schools. The ban was the result of an ongoing controversy in France about the admissibility of the hijab worn by Muslim schoolgirls. On 8 November 2007 Professor Nizar Hassan, a Palestinian citizen of Israel, asked a Jewish student of his, who came to class wearing his army uniform, to refrain from wearing it to his classes in the future. Following the incident a public storm erupted in which high-ranking officers in the Israeli army participated. Considering these two very different controversies involving individuals belonging to minority groups can provide a new perspective on current debates about citizenship and difference. It can shift the focus of the investigation from the Islamic Other as an object of enquiry to the interaction between the state and the individual as participants in a complex symbolic conversation. The two controversies should be read against the background of two contrasting conceptions of the public sphere and its relations to equality: while the French republic insists on creating a neutral public sphere as a pre-condition for equality, in Israel the possibility of equality is connected to guaranteeing a separation between the public and the private sphere. Comparing the two controversies, Bilsky considers one recurrent theme that dominated them both, the accusation of hypocrisy, and she analyses the ways in which this accusation distorted the public debate. She argues that the focus on hypocrisy reveals an important aspect of citizenship that was misinterpreted in both cases, namely, 'citizenship as mask'. Without a proper understanding of the role of masks in democratic citizenship, we witness the transformation of a debate about equality and plurality into a competition for the exposing of hypocrites. Bilsky returns to Hannah Arendt's reflections on citizenship as a way to understand the limits of a theory of equality based on sameness, and uses the two controversies to demonstrate the need to develop a theory of citizenship that can better respond to both equality and plurality.

KEYWORDS   citizenship, equality, France, Hannah Arendt, hijab, hypocrisy, Israel, mask, Nizar Hassan, plurality

Covering and uncovering

On 15 March 2004 the French government passed a law that banned the wearing of 'conspicuous signs' of religious affiliation in public schools. The ban was the result of an ongoing controversy in France about the admissibility of the hijab worn by Muslim girls to school. France is not the only European country to worry about girls or women wearing the Muslim headscarf. Similar legislation has been proposed in Belgium, Holland and Bulgaria. In this article I will focus on the controversy in France since it represents what we can call an 'ideal type' of the republican model of accommodating minority religious groups, one based on a commitment to secularism, abstract individualism,[1] and the integration of minorities through assimilation. I will contrast this model with the Israeli model of a 'Jewish and democratic' state. The Israeli system is based on the opposite values of non-separation between church and state, on collectivism and on the *millet* system for accommodating the religious differences of minority groups. As a point of comparison with the French controversy over the hijab, I will use a less well-known Israeli controversy over army uniforms. Specifically, I will consider one recurrent theme that dominated the two controversies, the accusation of hypocrisy, and analyse the ways in which this accusation distorted the public debate. I will then offer a theory of citizenship that can explain this peculiar choice of rhetoric. I argue that the focus on hypocrisy reveals an important aspect of citizenship that underpins both debates, namely, 'citizenship as mask'. Without a proper understanding of the role of masks in promoting democratic citizenship, we can witness, as we did here, the transformation of a debate about equality and plurality into a competition for the exposing of hypocrites.[2]

On 3 December 2007 the Israeli Knesset education committee published a statement condemning Professor Nizar Hassan of Sapir College in Sderot. Hassan, a filmmaker, is a Palestinian citizen of Israel. He was denounced for insulting an Israeli army officer in uniform. The incident occurred on 8 November 2007 when a film student who came directly from his military service appeared in Hassan's classroom in army uniform. Hassan asked the student to avoid coming to his class in uniform in the future. Following the incident a public storm erupted in which high-ranking officers in the Israeli army participated. Lieutenant General Gabi Ashkenazi, Chief of General

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1 The notion of 'abstract individualism' assumes that essential human characteristics are properties of every individual regardless of particular circumstances. For more on 'abstract individualism' in the context of the French controversy over the hijab, see Joan Wallach Scott, *The Politics of the Veil* (Princeton, NJ: Princeton University Press 2007), 124–50.

2 See Leora Bilsky, 'Uniforms and veils: what difference does the difference make?', *Cardozo Law Review*, vol. 30, no. 6, 2009, 101–29 (forthcoming), for a full comparison of the two controversies. Here, I focus on the theme of hypocrisy, and develop a theory, based on Hannah Arendt's writings, that can explain its role in the two debates.

Staff, demanded an explanation. General Stern, in charge of human resources in the army, required an apology. After a Knesset committee condemned him, Sapir College suspended Hassan and appointed a hearing committee that published its report on 31 January 2008. The committee, consisting of three academics, recommended that Hassan's further employment should be on condition that he apologize to the student. Subsequently, the president of Sapir College, Zeev Tzahor, wrote a letter to Hassan in which he required, in addition to the apology, that Hassan submit a statement in which he declared his commitment to honouring the uniform of the Israel Defence Forces (IDF). Hassan refused to apologize under such conditions. These events received broad media coverage and caused a public uproar. Hassan threatened to sue the college in the labour court. Later, he reached an agreement with the college according to which he would be re-employed after one semester, and compensated for the time in which he was suspended; in return, he withdrew his legal suit. The college never officially withdrew its requirement that Hassan apologize.

The debate over the hijab in France and the one over the uniform in Israel evinced some basic similarities. Both dealt with the accommodation of individuals belonging to a minority group. Both involved the education system (secondary schools in France, higher education in Israel). They both focused on the use of symbols, specifically, the wearing of certain 'conspicuous' articles of clothing in the public sphere. Both ignited a public storm, condemnations, identifications and a heated debate that included even the national parliaments. These similarities notwithstanding, a basic difference remained: the diametrically opposite ways in which individuals belonging to a minority group chose to challenge the terms of citizenship offered to them by their respective political systems. In France, some schoolgirls chose to question the principles of abstract individualism and secularism by showing up at school after the ban wearing the hijab. This act challenged the republican model whereby one's social, religious, ethnic and other origins remain invisible in the public sphere. In Israel a Palestinian professor moved in the opposite direction. He challenged the political system—which routinely labels and classifies people according to their religious, ethnic and national origins—by excluding the 'mark' from his classroom. Hassan required that any 'conspicuous' sign, in particular, army uniforms of any kind, be removed in order to create a neutral space in his classroom, a space in which a dialogue could be conducted between teacher and student as equal human beings.

The two controversies should be read against the two different conceptions of the public sphere and its relations to equality. While the French republic insists on creating a neutral public sphere as a precondition for equality, in Israel the possibility of equality is provided by the guarantee of a separation between public and private spheres. That is, the public sphere might be a non-neutral space, shaped by the symbols of the dominant Jewish group, but the individual rights of people belonging to religious minority

groups are protected by law.[3] Moreover, while the Israeli public sphere is shaped by Jewish symbols, individuals belonging to different religious and ethnic groups are welcome to enter it with their group markers, be it hijab or *kaffiyeh*. Notwithstanding this difference, in both cases, the challenge of the individuals seemed to pierce the 'mask' of equality presented by the state. The official reaction to this challenge was to adopt further masks by redirecting the blame back on to the individuals, by accusing them of being political extremists—of 'covering up' radical Islamist or nationatlist beliefs—and by narrowing the boundaries of freedom of speech. The accusation of hypocrisy became a focal point in both debates.

How can a comparison of the two controversies advance our thinking about the accommodation of religious, ethnic or national minorities by a democratic state? I argue that it can help us to go beyond the essentialist understanding of Islam that is inherent in the 'clash of civilizations' paradigm, and to develop a more contextual understanding of the terms of citizenship offered to minorities. This allows for a shift in focus away from individuals (their choices, family backgrounds, religious beliefs) to the interrelations between an individual belonging to a minority group and the citizenship regime constructed by a political community. A comparison of these two cases can shed light on the way individuals belonging to minority religious and ethnic groups fare under very different organizations of a public space (republican and ethno-democratic).[4]

Both debates, about pieces of clothing, were quickly turned into debates about hypocrisy. The arguments on both sides in both debates engaged the opposition between authenticity and hypocrisy. Each side tried to pierce the 'mask' of the other side, exposing him/her as a hypocrite. In order to make sense of this recurrent rhetorical move and the emotional charge that it produced, I turn to theory. Specifically, to the writings of the political thinker Hannah Arendt on hypocrisy, and her subsequent articulation of an ideal of citizenship based on the metaphor of the Greek theatrical mask. I suggest that Arendt's writings on the subject offer a key to understanding the pathologies of the two controversies. In particular, I argue that contemporary theories of citizenship are locked in the tension between two ideals that push in opposite directions: 'equality as sameness' and 'authenticity as difference'. But, before getting to the theory, it's worth describing the contexts in which the charge of hypocrisy was raised in the French and Israeli controversies.

3 For an elaboration on the view that there is no necessary contradiction in Israel's being simultaneously 'Jewish' and 'democratic', see Ruth Gavison, 'The Jews' right to statehood: a defense', *Azure*, vol. 15, 2003, 70–108.
4 See Ruti Teitel, 'Militating democracy: comparative constitutional perspectives', *Michigan Journal of International Law*, vol. 29, no. 1, 2007, 49–70 (58–62). Teitel suggests focusing on the different conceptions of public space in the United States (libertarian) and in Europe (militant) in order to understand the differing approaches to church–state relations.

Context

My analysis begins with an unexpected commonality between the two controversies. Both debates about articles of clothing were quickly turned into debates about hypocrisy and the terms of citizenship offered to minority groups. It is the charge of hypocrisy, I claim, that can offer a key to understanding the significance of wearing symbolic pieces of clothing in the public domain. The occasion for the accusation of hypocrisy and 'cover-up' was the act of veiling (hijab) in the one case, and the demand for unveiling (uniform) in the other. The accusation of hypocrisy points to a complex association of democratic citizenship to the concept of the mask. On the one hand, democratic citizenship promises equality, and this is to be achieved first and foremost by offering a legal mask (legal persona) to all citizens alike. On the other hand, the foundation of a democratic culture is transparency, whereby deceit is seen as threatening the very foundation of public debate. Moreover, democracy is also based on individualism, and this, in turn, points to the need to recognize the uniqueness of each individual. These contradictions are reflected in contemporary debates about the conflicting values of assimilation and multiculturalism as two paradigms for the public sphere and citizenship.[5] Those that express surprise that an 'innocent' piece of cloth like a headscarf can cause so much anxiety and emotion miss this dimension of the controversy. In my view, the symbolic power of the hijab or the uniform relates to the unresolved tension at the heart of democratic culture between 'covering' and 'transparency'. Before developing this idea, I will outline the contexts in which the accusations of hypocrisy were raised. As the French controversy is more familiar, I will dedicate more space to the Israeli case.

France

Historian Joan Wallach Scott, in her recent book *The Politics of the Veil*, maintains that the significance of the French controversy over the hijab in public schools cannot be explained by numbers alone since it did not involve a significant number of students.[6] She poses the question: 'What is it about the headscarf that makes it the focus of controversy, the sign of something

5 Rogers Brubaker, 'Immigration, citizenship, and the nation state in France and Germany', in Gershon Shafir (ed.), *The Citizenship Debates: A Reader* (Minneapolis: University of Minnesota Press 1998), 131–67; Charles Taylor, 'The politics of recognition', in Charles Taylor, *Multiculturalism: Examining The Politics of Recognition*, ed. Amy Gutmann (Princeton, NJ: Princeton University Press 1994), 25–75.
6 Scott, *The Politics of the Veil*, 3. As Scott points out, only 14 per cent of French Muslim women wore the hijab before the law was passed. See also the case of *Dogru* v. *France* [2008] ECHR 1579, in which the European Court of Human Rights upheld the decision to expel a French Muslim student from her public school on the grounds that she insisted on wearing her hijab. In the decision, it is noted that, in the year 2004–5, when the law was passed, a total of 639 religious signs were recorded in French public

intolerable?' She rejects the formal answer that presents the conflict in terms of a cultural clash between Islam and the values of French republicanism, in particular secularism, abstract individualism and gender equality. Scott argues that the controversy was not about the separation between church and state, and instead attributes its origins to racism, immigration problems and France's colonial past.

According to Scott, the headscarves that the Muslim girls wear exposes a symbolic veil of abstract republicanism behind which unresolved problems of French citizenship are hidden. The act of wearing the hijab in public schools challenges at a symbolic level the republican ethos of equality by demonstrating that it cannot accommodate difference. That is, a woman who claims that the very demand to 'unveil' unequally burdens her makes the promise of equal citizenship a sham.

Scott's analysis exposes the layers of hypocrisy shaping the debate. In particular, she raises doubts about claims that the ban defends the ideals of French universalism and gender equality. Indeed the first layer of hypocrisy she describes relates to the ideal of universalism. The 'universality' entailed by the republican ideal has been presented as a demand for the creation of a religiously neutral public sphere. The ban on the hijab demonstrates the intention of legislators to ensure that France is a unified nation, and its public sphere is secular. However, since the Muslim and Jewish religions, for instance, are at once religious and cultural, the effect of this intention is to create a culturally homogeneous public sphere. Those supporting the ban vehemently deny that the demand for neutrality might also be discriminatory against certain religious groups, and might even be racist. For example, they ignore the fact that the legislation originally excluded the hijab from schools and only later was reformulated to include all religious signs. Scott dedicates a chapter to exploring the long history of French racism during which North African Muslims were the target.[7] She argues that the rush to ban the hijab avoided dealing with the more complicated problem of the social and economic integration of immigrants from former colonies by targeting the victims of discrimination as the cause of the problem.[8]

Scott's second layer of hypocrisy relates to the role of gender in the debate. The hijab is considered by supporters of the ban to be inimical to the French

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schools, and that this total was less than 50 per cent of the signs that were recorded during the year before. This means that about 1,300 cases were noted in the year before the law had been passed.

7 Scott, *The Politics of the Veil*, 42–89.

8 Ibid., 85–9. Likewise, Ruti Teitel argues that, behind the arguments in defence of equality, one can find religious discrimination: 'the language of the proposed garb law suggests it is designed not to equalize, but rather to cover up present discrimination against millions of France's Muslim citizens': Ruti Teitel, 'Through the veil, darkly: why France's ban on the wearing of religious symbols is even more pernicious than it appears', *FindLaw's Writ* (online), 16 February 2004, at http://writ.news.findlaw.com/commentary/20040216_teitel.html (viewed 21 May 2009).

republican principle of equality because it signifies the subordination of Muslim women. However, in a chapter dedicated to exploring gender relations in France, Scott demonstrates how the ideal of an abstract individual upheld by French republicanism is hard to square with gender equality, and with the need to accommodate the difference that gender (and in particular female sexuality) makes in the public sphere. The very focus on the hijab is interpreted by Scott as a sign of a hypocritical political discourse that avoids discussing the issues of racism, gender equality, and economic and social discrimination, all hiding behind the veils of a few Muslim girls.

Hypocrisy plays a central role in Scott's analysis of the failures of the French controversy. She suggests that the main justification for the support of the ban, the republican ideals of universalism, secularism and equality, cannot withstand close scrutiny. These ideals are hypocritical in the sense that they are masks that hide deeper problems of French citizenship, namely, racism, the unsuccessful integration of immigrants and gender inequality, and that they fail to accommodate differences (religious, ethnic or gender). A genuine debate on French citizenship would have to defend the assumption that equality requires 'similarity' or assimilation to a dominant norm, against the argument that it is precisely these requirements that entrench inequality and discrimination against groups deemed 'unassimilable' or groups that insist on being treated as equals without hiding away their differences.

Israel

The uniform controversy in Israel erupted over the actions of an individual Palestinian Arab professor. As in the French case, we can ask: 'What is it about the army uniform that makes its exclusion from the public sphere a sign of something intolerable?' The search for an answer leads us to examine the problems of citizenship under the terms of the Jewish and democratic state.

While in France the accusation of hypocrisy was mainly raised against the defenders of the ban, in Israel it was first directed at the individual who triggered the debate.[9] Following the public outcry over Hassan's treatment of an officer in uniform, Sapir College appointed a hearing committee on 25 November 2007 to investigate the incident and make recommendations. The committee published its report and recommendations on 31 January 2008. The report begins by stating the 'facts': 'The clash between Professor

9 This difference can be connected to the public perception of the different agents involved. In France the teenage girls were depicted as lacking free agency or real choice; hence, the concept of 'hypocrisy', which depends on a distinction between outside/inside, between internal motives and external explanations, cannot apply to them. Nevertheless, we can find a variation on the accusation of hypocrisy when wearing the hijab is taken to represent a commitment to radical Islam. However, as Scott notes, this type of accusation contradicts the depiction of the girls as lacking meaningful agency: Scott, *The Politics of the Veil*, 124–50.

Nizar Hassan and the student Eyal Cohen concerned the request by the lecturer to the student, who arrived directly from his military service wearing his uniform, not to appear in uniform in class in the future.'[10] This statement is not contested. However, its interpretation by the two parties diverges dramatically. Hassan explained to the hearing committee that his request stemmed from his commitment to the values of humanism and universalism. He explained that he wanted to meet his students in the classroom as individual human beings, not as soldiers, neither as Jews nor as Arabs. He did not mean to humiliate the student. He saw the uniform as an expression of violence and militarism, and reacted against it.

The committee dismissed Hassan's explanation: 'Even though Nizar [*sic*] attempted to present his behaviour as motivated by purely humanistic values, the committee thinks that it was actually a result of his deep reservations about unambiguous symbols of Israeli existence.'[11] In place of humanist values, the committee saw radical nationalism. The language of 'cover-up' and play-acting was repeated throughout the report. The committee saw Hassan as attempting to provide cover for himself with anti-militaristic rhetoric. It concluded:

> Nizar [*sic*] abused his status and authority as a professor in order to display his views, feelings and frustrations, as a son of the Arab minority in Israel, while disguising himself [literally, *covering himself in a cloak*] as a 'humanist' holding a 'universalist' world-view. In truth, he adopted an aggressive position with a clearly nationalist character, analogous to other radical nationalist views common in Jewish Israeli society.[12]

The report first set out to strip away the mask of humanism that Hassan purportedly took on by pointing to the underlying 'truth' about his nationalism. The work of the committee was presented as an act of unveiling: it pierced the mask of abstract individualism adopted by Hassan, and discovered behind it the frustrations of someone belonging to the 'Arab minority'. In short, Hassan was presented as a hypocrite: a nationalist disguised as a humanist. It is interesting to note that, by means of this unveiling, the committee was able not only to fit Hassan into the familiar category of 'Palestinian nationalist', but also to assign to itself the role of the moderate centrist, threatened alike by radical Jewish and Palestinian nationalists. The accusation of hypocrisy thus helped to avoid dealing either with Hassan's position as a Palestinian citizen of Israel or his individual

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10 'Duah ha-vaada li-vdika ve-shimua le-berur ha-tluna neged ha-martse Nizar Hassan', 31 January 2008, available on the Sapir College website at http://college.sapir.ac.il/sapir/News/shimua.pdf (viewed 22 May 2009). All excerpts from the Hebrew report are translated by the author.
11 Ibid.
12 Ibid.

claim to humanism. Moreover, it helped to avoid discussion of the central issue Hassan raised about the non-neutrality of the public sphere of education in Israel undermining the possibility of equality.

In an interview with *Haaretz*, Hassan conveyed his response to the committee's report. It was the accusation of hypocrisy that enraged him the most.

> First of all I am not the 'son of a minority'. I am a Palestinian and proud of it. Second, how could they decide that I don't hold humanist values, and that it is not my principled view? They did not even ask me how I would treat a Jordanian or Lebanese or French or any other soldier. The committee had no doubt that I am acting out of frustration. But how can they talk about the experience of the Arab minority in Israel when they don't have a clue what it is? They don't even understand Arabic.[13]

The hearing committee accused Hassan of hypocrisy, and he in turn accused the committee of being hypocritical. He took issue in particular with the committee's characterization of the wearing of army uniforms. The report stated that 'reserve service in Israel cannot be separated from civilian life. This is a fundamental fact that cannot be denied or repressed, and it is unique to Israeli life ... This is a civilian army in the full sense of the word.' It was to this characterization of the IDF as an 'army of civilians', neither separate nor separable from Israeli civic society, that Hassan objected:

> Say that you are a militaristic society that cannot live without weapons and uniforms and we'll end the story. What do you want from me? Take me out of the game and build yourself a college in your image, a Jewish and Zionist college, with the values that the hearing committee talks about, and a precondition for working in it will be a promise to honour the uniform. But stop with this double standard. It is not acceptable to me that a student will enter my classroom wearing a uniform and weapons ... not out of a feeling of frustration, as the committee claims, but out of a belief that a complete separation is needed between the two systems.[14]

Hassan's complaint about the 'Jewish and Zionist' college echoes (in a distorted way) Israel's self-characterization in its foundational laws as 'Jewish and democratic'.[15] He argued that, behind the veil of democracy,

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13 Tamara Traubman and Yuval Azulai, 'Hayal, shaper hofaatha!', *Haaretz Magazine*, 23 April 2008.
14 Ibid.
15 Israel is defined as a 'Jewish and democratic state' in its basic laws. See 'Basic Law: Human Dignity and Liberty', clause 1, passed by the Knesset on 17 March 1992; 'Basic Law: Freedom of Occupation', clause 2, passed by the Knesset on 9 March 1994.

lay the reality of ethnocracy.[16] His employment at Sapir College served as a fig-leaf, a gesture meant to show the equality enjoyed by Palestinian citizens in Israel. However, it was not a real commitment to democracy since the moment he attempted to exercise his academic freedom (trying to shape his classroom as a neutral space free of uniforms), he was suspended and his employment became expressly conditional on his commitment to honour the Israeli army uniform. In other words, his act triggered a hidden contract, one that put the 'Jewish' before the 'democratic' whenever the two collided.[17]

According to Hassan, Israeli democracy is flawed in another way. Behind the presentation of the IDF as a 'civilian army' lies the reality of a militaristic society. Since its inception the Israeli army has been presented as a key instrument in Israel for achieving *mamlachtiyut*.[18] According to this ethos, compulsory and nearly universal service is central to the army's assimilatory and equalizing role.[19] The army is understood, alongside the public school, to be a central component in the national and democratic revolution

16 The term 'ethnocracy' was first used in the Israeli context by Oren Yiftachel, who argued that Israel should be defined as an 'ethnocracy', a regime that is neither authoritarian nor democratic since, although it exhibits several democratic features, it facilitates a non-democratic seizure of the country by one ethnic group (the Jews). In this regime, there cannot truly be equal citizenship for those who are not part of the dominant ethnic group, i.e. non-Jews: Oren Yiftachel, '"Ethnocracy": the politics of Judaizing Israel/Palestine', *Constellations*, vol. 6, no. 3, 1999, 364–91 (364). Similarly, but with some difference, Sammy Smooha characterizes Israel as an 'ethnic democracy', a democratic regime that gives individual civil and political, as well as some collective, rights to minorities, while attempting to create a homogeneous nation–state, a state of and for a particular ethnic community. In this type of regime minorities are treated as second-class citizens, but are allowed to engage in democratic struggles to improve their status: Sammy Smooha, 'Ethnic democracy: Israel as an archetype', *Israel Studies*, vol. 2, no. 2, 1998, 198–241 (199–200).

17 For more about the conflict between 'Jewish' and 'democratic' as it was played out in the trial of Yigal Amir, the assassin of Prime Minister Yitzhak Rabin, see Leora Bilsky, *Transformative Justice: Israeli Identity on Trial* (Ann Arbor: University of Michigan Press 2004), 201–36.

18 There is no English equivalent of *mamlachtiyut*. Hebrew-English dictionaries translate the term as 'statehood' or 'sovereignty'. However, as legal historian Nir Kedar points out, this could be misleading as it misses the important normative aspect of the term. Kedar suggests that *mamlachtiyut* 'is a contemporary political ideology that copes simultaneously with the form and substance of two basic characteristics of the modern state: sovereignty and norm ... the term not only implies sovereignty (i.e. power) and formal state machinery but is a normative expression that stresses "state consciousness", i.e. society's ability to construct a sovereign polity based on the respect of democracy, law and civic values': Nir Kedar, 'Ben-Gurion's *mamlkhtiyut*: etymological and theoretical roots', *Israel Studies*, vol. 7, no. 3, 2002, 117.

19 For more on the role of the army in Israeli democracy, mainly in the country's early years, see Uri Ben-Eliezer, *The Making of Israeli Militarism* (Bloomington: Indiana University Press 1998), 193–206. For the implication of the construction of citizen-as-soldier for the citizenship of women, see Niza Berkovitz, '"Eshet hail mi imtsa": nashim ve-ezrahut be-Israel', *Sociologia Israelit* (Israeli Sociology), vol. 2, no. 1, 1999, 277–317.

envisioned by the founding Zionist movement. Hassan challenged this understanding by advancing a critical reading of the role of the army in Israeli society. Where others see democratization, he sees militarization. The contrast between these two interpretations is particularly revealing when Hassan demands the exclusion of the army uniform (that is, the uniform as worn by students) from the classroom in the name of democratization.[20] Instead of seeing both military and educational institutions as harmonious components of the Israeli democratization project, each stands in contradiction to the other. Hassan claims that only by separating the army from the system of education can democracy be achieved.[21] In other words, Hassan attempts to show that, behind the mask of a 'civilian army' that seems to be harmonious with democratic ideals, lies the reality of militarism, of the penetration of the army into Israeli civil society and the subsequent unequal distribution of power to different groups according to their relation to the army.[22]

Interestingly, Hassan refrains from complaining about the discrimination against Arabs in Israel's higher education system. For example, he does not point to the very small percentage of Arab professors teaching in Israeli universities and colleges.[23] In fact, in his interview, Hassan argued that, if he had taken upon himself the assigned role of 'son of a minority' asking for

20 It is interesting to compare this notion to the argument over whether the draft of women into combat units promotes democratic values and equality. For more on this argument, see Daphne Barak-Erez, 'Al tayasot ve-sarbaniot matspun', in Daphne Barak-Erez (chief ed.), *Iyunim Be-Mishpat, Migdar VeFeminism* (Srigim-lion: Nevo 2007), 65–98. For a critical view of the military draft's ability to promote democratization and gender equality, see Hassan Jabareen, 'Likrat gishot bikortiot shel ha-miut ha-Palestini: ezrahut, leumiut ve-feminism ba-mishpat ha-Israeli', in Daphne Barak-Erez (ed.), *Tsava, Hevra ve-Mishpat* (Tel Aviv: Ramot Press 2002), 53–93.

21 For a discussion of the different meanings of 'militarism', see Baruch Kimmerling, 'Militarism ba-hevra ha-Israelit', *Teoria ve-Bikoret* (Theory and Criticism), vol. 4, 1993, 123–40. Kimmerling rejects the argument, posed by several political scientists, that militarism has not developed in Israel despite the army's central role. Kimmerling distinguishes between different types of militarism and argues that Israel is characterized by 'civil militarism', which is manifested by a penetration of the army into civil spheres such as education and politics.

22 For more on the army as an instrument of stratification between various social groups in Israel, see Gershon Shafir and Yoav Peled, *Being Israeli: The Dynamics of Multiple Citizenship* (Cambridge: Cambridge University Press 2002), 101–3, 126, 143–5; Yagil Levi, *Tsava Aher Le-Israel: Militarism Homrani Be-Israel* (Tel Aviv: Yedioth Ahronoth Books 2003); and Orna Sasson-Levy, 'Constructing identities at the margins: masculinities and citizenship in the Israeli army', *Sociological Quarterly*, vol. 43, no. 3, 2002, 357–83.

23 According to research conducted by Sikkuy (The Association for the Advancement of Civic Equality in Israel), in 2007 Arabs constituted only 1.4 per cent of the senior academic staff of universities in Israel, and 13.8 per cent of the senior staff of colleges: Yaser Awad, 'Yetsug ha-ezrahim ha-Aravim be-maarehet ha-haskala ha-gvoha 2008', December 2008, available on the Sikkuy website at http://www.sikkuy.org.il/docs/haskala2008.doc (viewed 21 May 2009).

special consideration and understanding of his personal problem with IDF uniforms, there would have been no problem. And, indeed, it is apparent from the report that what the committee found most difficult was taking Hassan's position at face value, as a principled objection to the non-separation between the army and the educational system in Israel.[24] For this reason the committee characterized his views and opinions as psychological in nature, as the feelings and frustrations of 'a son of the Arab minority', assuming that his group affiliation explained everything there was to explain about his views.

Hassan attempted to shape the space of his classroom based on the French republican principles of abstract individualism, universalism and humanism. In the name of these principles, Hassan justified his exclusion of the IDF uniform. He explained that he wanted to teach in a space free of national symbols, uniforms of any kind, in order to be able to meet his students as equal human beings. While Muslim students in France ask that the enforced neutrality of the public sphere be limited to accommodate their religious difference, Hassan asks that this neutrality be adopted in order to correct the conditions of inequality. His problem stems from the fact that, in Israeli public space, individuals are constantly labelled according to their social/ethnic/religious group, and are not offered a neutral mask of citizenship. Hassan's ban on uniforms was a private one, and did not have the force of law. It was the initiative of an individual, an act that tried to expose the non-separation of the various sectors of society (educational, political, military) as a failure of Israeli democracy. For this intervention, he was disciplined and publicly condemned.

Theory

The charge of hypocrisy is based on a demand for uncovering, for the mask to be pierced to reveal the 'truth' about the politics behind it. Although the French Muslim schoolgirls and Nizar Hassan made diametrically opposing demands—to cover on the one hand, and to uncover on the other—both were accused of hypocrisy. One way to articulate the injury that they suffered is offered by the American law professor Kenji Yoshino in his book *Covering*. Yoshino engages in exposing a hidden type of discrimination that is formulated as a demand for 'covering' or 'ton[ing] down a disfavored identity to fit into the mainstream'.[25] We see that neither the Muslim students nor Hassan experience the classical type of discrimination. They are

24 Henriette Dahan-Kalev and Udi Lebel, 'Generalim be-batei ha-sefer: al ha-kesher ha-mitatsem bein tsava ve-politica', *Politika: Ktav-Et Le-Mada Ha-Medina ve-Yahasim Bein-Leumiim* (Politika: Journal of Political Science and International Relations), vol. 11/12, 2004, 27–40.

25 Kenji Yoshino, *Covering: The Hidden Assault on Our Civil Rights* (New York: Random House 2006), ix.

not asked to 'convert' or to 'pass', that is, to conceal their identities as members of a religious or ethnic minority group. In both cases, individuals belonging to such minority groups are accepted as participants in the system of education, either as students or as teachers. Moreover, no special demand is directed at them as members of that group: they ask for a dress code, or are asked to comply with one, that is or would be universally applied. So, of what does the discrimination consist? Yoshino suggests the term 'covering' to explain the injury, a demand that is directed at individuals belonging to minority groups, pressuring them to assimilate or disguise their different appearances. Yoshino maintains that gays, people of colour and women are faced with pressure to cover their different appearances and that anti-discrimination law should protect them against such pressure.

We can interpret the demand directed at the Muslim girls in France to unveil as a demand to cover their difference (their religious dress code) by 'uncovering', to arrive at school without a hijab. The demand is not to negate their religious belief, but only to cover its conspicuous representation, to cover its public manifestation.[26] The 'covering' demand is more subtle in Hassan's case since his appearance is no different than that of any other Israeli. His difference stems from his attitude to the army uniforms of Jewish students. In the eyes of an Israeli Jew, these army uniforms are virtually invisible since they appear everywhere. Accordingly, Hassan's demand that they be excluded from his classroom directs our attention to his 'difference': he refuses to 'cover' and to treat the uniforms as invisible. His refusal reveals the symbolic meaning of army uniforms, a meaning that is not universally shared throughout the society. He thus contests the problematic equation (or identity) made between a citizen and a soldier in Israel.

Understanding the demand for 'covering' as an unequivocal injury depends on further assumptions: first, the existence of an 'authentic self', prior to any social interaction; and second, the negative evaluation of the demand for assimilation. Both assumptions are contested. They are informed by a liberal, atomistic understanding of self-identity.[27] Moreover, they presuppose a weak public sphere, and a minimal role of the state in shaping equal citizenship through the mechanisms of assimilation and integration. The American type of multiculturalism assumes that the main threat to religious freedom comes from the state and is, accordingly, based on a weak public sphere. On the other hand, the French republican system sees the main threat as coming from religious groups and is, accordingly, based on a strong public sphere actively constructed as religiously neutral by the state. Republican systems conceive of civic equality as a political achievement in which assimilation plays a central role. Israel offers a more complicated

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26 Judith Resnik, 'Living their legal commitments: paideic communities, courts, and Robert Cover', *Yale Journal of Law and Humanities*, vol. 17, no. 1, 2005, 17–55.
27 Paul Horwitz, 'Uncovering identity', *Michigan Law Review,* vol. 105, no. 6, 2007, 1283–300.

model since it endorses a strong public sphere in which the state engages in the construction of Israeli Jewish citizenship by various processes of assimilation. However, the state is not committed to a 'neutral' public space and equality for minority groups is to be achieved by respecting the rights of individuals.

Yoshino acknowledges that seeing all demands for 'covering' as a hidden act of discrimination stands in tension with approaches to civic equality based on a positive evaluation of assimilation.[28] In order to create or enhance civic solidarity and social mobility in a plural society we often need public education, a common language and the sharing of a basic corpus of literature. All of these require different degrees of 'covering'. Considering the very demand for 'covering' as an act of civil discrimination can therefore undermine the very project of achieving equal citizenship and social solidarity. It seems that, without interrogating more closely the demand for assimilation and its relation to equal citizenship, a demand for 'covering' cannot be taken as illegitimate in and of itself.

The political philosopher Charles Taylor explains the dilemma as stemming from two contrasting ideals that are fundamental to modern democratic cultures.[29] On the one hand, equal respect for each citizen requires that we do not look beyond the 'mask' of citizenship, that we ignore salient group markers that set us apart. On the other hand, the principle of individualism requires recognition of the uniqueness of each human being, a recognition that often leads to the acknowledgment of differences. How do we reconcile these two ideals?

Yoshino's call to understand 'covering' as discrimination highlights this tension. American anti-discrimination law is based on the recognition that certain groups whose 'difference' is apparent (such as African Americans or women) should enjoy stronger protection by the court. 'Strict scrutiny' is a legal doctrine that recognizes difference as irrelevant, and asks us to ignore it in order to treat people as equals. Demands for 'covering' ease the tension between difference and sameness, helping the majority accept individuals belonging to minority groups by toning down their differences. The legal blindness can create its own discrimination: because it does not recognize difference, it does not allow it an equal footing in the public sphere. Making the very demand to 'cover' part of anti-discrimination law responds to this problem by enhancing the ideal of 'uniqueness'. The demand for equality is also a demand for the acceptance of difference. Does Yoshino expose a blind spot in American anti-discrimination law, or does he merely come up against the conceptual limit of anti-discrimination law?

28 Accordingly, Yoshino acknowledges that not every demand for covering should be rejected but should, instead, trigger a conversation in which good reasons are given for supporting the demand, balancing them against the loss of liberty on the part of the individual.

29 Taylor, *Multiculturalism*.

Yoshino remains ambivalent with respect to the legitimacy of assimilation, precisely because he does not offer an alternative understanding of equality. Arguing against 'covering' seems to stand at odds with the basic assumption that 'similar people' should be treated alike. In other words, under the assumption that equality presupposes similarity (or legal blindness to immutable difference), it is very hard to formulate a demand for 'covering' as discrimination. In order to proceed, we should consider whether the two ideals that Taylor identifies at the core of modern democracies contradict each other, or whether there is a way to reconcile them under a different conception of equality. Yoshino's theory helps us expose the tension between 'equality as similarity' and 'authenticity as difference'. By articulating the harm of 'covering', he points to the dark side of assimilation, and seems to tilt the balance in favour of 'authenticity'. However, when we try to engage the question with regard to political systems that endorse robust republicanism, this accommodation breaks down. When a 'civic mask' is upheld as the main mechanism for achieving equality, arguments for the harm of 'covering' often sound nonsensical. This might explain why hypocrisy, and the relation between masks and identities, became central to the debates in France and in Israel.

Citizenship as mask

In her analysis of the French Revolution and the wave of terror that followed it, Hannah Arendt points to a puzzle: 'It must seem strange that hypocrisy—one of the minor vices, we are inclined to think—should have been hated more than all the other vices taken together.'[30] In trying to explain this, Arendt offers an analysis of the relation of the public sphere to citizenship, and the way in which hypocrisy undermines it.

The clearest expression of the ideal of 'citizenship as mask' can be found in Arendt's book *On Revolution*. Here she borrows from the original meaning of 'persona' as a mask, explaining that it functioned both to cover the face and to allow the voice of the speaker to be heard.[31]

> In its original meaning, it [*persona*] signified the mask ancient actors used to wear
> in a play ... The mask as such obviously had two functions: it had to hide, or

30 Hannah Arendt, *On Revolution* (New York: Viking Press 1963), 96.
31 See also George Kateb, *Hannah Arendt: Politics, Conscience, Evil* (Totowa, NJ: Rowman and Allanheld 1983), 10: 'Arendt presents the political actor as one who hides much in order to reveal more. He wears a mask. But the mask in the ancient theater hid the face yet allowed the actor's true voice to come through ... To wear a mask is to sustain a persona, a role, a position, an identifiable character. It is not a distortion of Arendt's meaning to say that she believes that it is the highest responsibility of the citizen to protect his mask so that in the artificial composure of his appearance the truth of his words may sound.'

rather to replace the actor's own face and countenance, but in a way that would make it possible for the voice to sound through. At any rate, it was in this twofold understanding of a mask through which a voice sounds that the word *persona* became a metaphor and was carried from the language of the theater into legal terminology.[32]

Adopting the theatrical Greek mask as her political ideal, Arendt sets out to criticize a liberal understanding of equality that is based on 'sameness', and to develop an understanding of equality that can respond to the tension between sameness and difference. The ideal of citizenship as mask helps Arendt give metaphorical expression to the two ideals we have posited as being at the core of democracy: equality and plurality.[33]

The mask equalizes by covering the face of the actor, hiding those attributes (ethnicity, race, gender and so on) that should not be considered relevant when she/he speaks and acts as a citizen. This understanding of political equality is an inversion of the modern understanding of equality as a natural condition of human beings. Arendt rejects the view that attributes the source of equality to nature, to the fact that we are all born equal (that is, as human beings). For Arendt, equality is not something that is natural, nor is it a pre-political fact. Rather, it is a political artefact that can only be achieved in public, through political organization, through the adoption of the 'mask' of citizenship. The dark side of allowing difference to enter the public realm without the protection of the mask of citizenship is captured in Arendt's discussion in *The Origins of Totalitarianism*:

> Our political life rests on the assumption that we can produce equality through organization, because man can act in and change and build a common world, together with his equals and only with his equals. The dark background of mere givenness, the background formed by our unchangeable and unique nature, breaks into the political scene as the alien which in its all too obvious difference reminds us of the limitations of human activity—which are identical with the limitations of human equality. The reason why highly developed political communities, such as the ancient city–states or modern nation–states, so often insist on ethnic homogeneity is that they hope to eliminate as far as possible those natural and always present differences and differentiations which by themselves arouse dumb hatred, mistrust, and discrimination because they indicate all too

32 Arendt, *On Revolution*, 106–7.
33 This is different from modern writings on citizenship that focus on the equalizing effect of national closure that makes citizenship conditional on a process of political assimilation; see, for example, Rogers Brubaker, *Citizenship and Nationhood in France and Germany* (Cambridge, MA: Harvard University Press 1992). For Arendt, the ideal of political equality granted to citizens is accompanied by the ideal of plurality (and not assimilation). It is for this reason that she is critical of assimilation as the cornerstone of national citizenship.

clearly those spheres where men cannot act and change at will, *i.e.*, the limitations of the human artifice. The 'alien' is a frightening symbol of the fact of difference as such, of individuality as such, and indicates those realms in which man cannot change and cannot act and in which, therefore, he has a distinct tendency to destroy.[34]

How can a political mask allow for difference and uniqueness to appear while retaining a commitment to equality? When difference appears without any mediation, it is frightening, abrupt, and provokes a tendency to destroy. However, the attempt to hide all difference is equally dangerous since it denies the fact of human uniqueness. Using the mask as simply a means of hiding can be just as dangerous to the viability of a plural political sphere.

It is precisely to this danger that Arendt turns in her discussion of the hunting down of hypocrites during the 'reign of terror' that followed the French Revolution. Hypocrisy, as Arendt notes, literally means 'play-acting'. However, the hypocrite is not Arendt's ideal actor. The hypocrite's acting, rather, takes up the whole space of the self, not leaving any for duality, for the internal dialogue of actor and spectator. In order for the mask to help constitute the political realm of equality and plurality, it has to both conceal and reveal, and not consume the actor's whole identity. If it does so consume the actor, it reveals nothing but the mirror-image of whatever social role the hypocrite is playing.[35] Arendt explains:

> Psychologically speaking, one may say that the hypocrite is too ambitious; not only does he want to appear virtuous before others, he wants to convince himself. By the same token, he eliminates from the world, which he has populated with illusions and lying phantoms, the *only core of integrity from which true appearance could arise again, his own incorruptible self*.[36]

Thus, Arendt arrives at the conclusion that what makes hypocrisy the vice of vices is that it threatens the integrity of the political realm. The reaction of those involved in the French Revolution to the problem of hypocrisy was to try to eliminate the mask altogether. Arendt warns against this simplistic solution, which may have accounted for the deterioration of the revolution into the 'reign of terror'. Such a response ignores the important role played by the mask in constituting a political realm of equality and plurality. 'The Reign of Terror eventually spelled the exact opposite of true liberation and

34 Hannah Arendt, *The Origins of Totalitarianism* (New York: Meridian Books 1958), 301.
35 Arendt, *On Revolution*, 103 (emphasis in the original): '... the unmasking of the hypocrite would leave nothing behind the mask, because the hypocrite is the actor himself in so far as he wears no mask. He pretends to *be* the assumed role, and when he enters the game of society it is without any play-acting whatsoever.'
36 Ibid., 99 (emphasis added).

true equality; it equalized because it left all inhabitants equally without the protecting mask of a legal personality.'[37]

We seem to be caught in a vicious cycle between a need of masks in order to tone down difference, and the spectre of hypocrisy that makes us suspicious of masks as such. The hunting down of the hypocrite tends to strip away all masks and leave us with dumb difference. The way out of this cycle lies in Arendt's interpretation of the Greek mask, as already quoted: 'The mask as such obviously had two functions: it had to hide, or rather to replace the actor's own face and countenance, but in a way that would make it possible for the voice to sound through.' She suggests a different understanding of the mask in that its function is not simply to hide the face but rather to 'replace' the face while allowing the voice 'to sound through'. The mask becomes, in other words, a metaphor for representation. It allows us to introduce a plurality of voices into the public sphere by giving us the means to represent them. Such understanding dismantles the dichotomy between artifice and truth, since it is only through artifice that the true voice can be recognized and become part of a common public sphere. Authenticity or recognized uniqueness does not precede the public appearance but is, rather, its result. It is dependent on the play of actors and spectators within a public realm. With this understanding of citizenship as Greek mask, we can return to our contemporary debates.

Contemporary masks

How can Arendt's ideal of the mask help us understand the contemporary debates in Israel and France? How does it help explain the prevalence of the accusation of hypocrisy in both debates? The accusation that was raised against the individuals who refused the demand to 'cover' seemingly helped shift the blame back on to them. It challenged the authenticity of their demand. In France the schoolgirls were depicted as lacking any freedom of choice, as yielding to family or peer pressures. In the name of 'freedom of religion', they were perpetuating traditional, oppressive and patriarchal norms. Likewise, in Israel, the Sapir College committee could not accept Hassan's explanation about promoting the values of individualism and humanism. It refused to hear Hassan's unique voice and rushed to subsume it under group politics, attributing his position to Palestinian nationalism.

In both controversies we witness a failure to listen to the individual who was taken to be 'representative' of a group. Although the debate revolved around the right to freedom of speech and expression, the individuals were not heard, and mute symbols were presented as 'clear' and in no need of

37 Ibid., 104.

interpretation or explanation. Joan Wallach Scott argues that, although the debate revolved around the meaning of the hijab, the voices of the schoolgirls who wore it were almost entirely missing from the public sphere. The meaning of the veil was taken to be self-evident, as representing the subordination and discrimination of women under Islam. It was presumed that the students were coerced or forced by their families to wear the hijab since, by definition, the wearing of the headscarf could not signify any meaningful individual choice.[38]

In contrast, studies of and interviews with the schoolgirls that were published after the enactment of the ban reveal a multiplicity of meanings (often contradictory) in their choosing to wear the hijab. These girls' choices, Scott explains, did not easily conform to the notion of an abstract individual presumed by French republicanism to be worthy of respect. She argues that, in order to understand the students' choices, one should envision an alternative concept of the person, a relational rather than an unencumbered self. Seyla Benhabib also argues that, in many cases, it was not coercion but a matter of choice, but, in order to see this, we must overcome the tendency to oppose freedom of choice to tradition. Benhabib offers the term 'democratic reiteration'—an act that gives new and modern meaning to a traditional custom—to capture the meaning of contemporary Islamic veiling.[39] The girls comply with the traditional dress code of women under Islam but, in using it to challenge the terms of equality offered them by French public schools, they transform its meaning. By excluding their voices from the debate, the complexity and even the contradictory meaning of their act disappeared. Their choice was understood as stemming from family and peer pressure; their politics were seen as obedience to a patriarchal tradition. Thus, the legal ban on wearing the hijab, an act of coercion by the state against the freedom of the individuals, was perceived to be not only justified but also liberating, when applied to the Muslim schoolgirls.

The voices of the individuals involved in the Israeli controversy were also missing or misrepresented during the public debate. It is important to note that the whole controversy began with an act of silencing. Nizar Hassan refused to allow Eyal Cohen, the student in uniform, to explain his position. He postponed the discussion of the incident to the following class, when the student arrived without his uniform. Thereafter, Hassan's own voice is

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38 Scott, *The Politics of the Veil*, 124–5.
39 Seyla Benhabib, *The Rights of Others: Aliens, Residents, and Citizens* (Cambridge and New York: Cambridge University Press 2004), 187, 193. Benhabib explains that 'democratic reiterations' are linguistic, legal, cultural and political repetitions-in-transformation, invocations that are also revocations. They not only change established understandings but also transform what passes as the valid or established view of an authoritative precedent. See also Seyla Benhabib, 'What is that on your head? Turkey's new legislation concerning the ''headscarf''', 5 March 2008, available on the *Reset Dialogues on Civilization* website at www.resetdoc.org/ EN/Benhabib-Headscarf.php (viewed 26 May 2009).

distorted in public, and he is not even invited to the Knesset committee that discussed the matter.[40] The college's hearing committee rejected his explanation that he acted to promote humanist values. Instead of trying to listen and understand the unique position of a Palestinian citizen who opposed the wearing of army uniforms in class out of a principled commitment to humanism, the committee attributed his act to sinister political motives, to radical nationalism.

As we have seen, in both cases the accusation of hypocrisy dominated the debate, directing observers to look behind the mask to expose the 'authentic self' that it was hiding. The participants in the debates assumed, contra Arendt, that identity, or the 'true self', was to be found in the private realm by piercing the public mask. The voices of the individuals were to be ignored because they were regarded as inauthentic. Conversely, political equality was understood as achievable by forcing a unitary mask on the individuals, one that did not allow their unique voices to sound through. In other words, it seems that both conversations failed precisely because they were caught between the need to enforce sameness and the fear of absolute difference, with no middle ground.

How does Arendt's ideal of the mask move us beyond this binary? What conversational move does it allow? Arendt's mask allows us first to take seriously the tension between equality (as sameness) and authenticity (as difference), and to engage it. What does it mean to understand the citizen's mask as something tailored to achieve equality, while at the same time allowing it to represent difference? Such an ideal changes the direction of the investigation and raises new questions. Instead of looking for the 'authentic' self behind the mask, engaging in a competition of exposing hypocrites, we can understand the complaint of the individual as a critique of the current mask of citizenship offered by the political system. According to Arendt the important question is not 'what is the "truth" or the essence hidden behind the mask'. The mask can only hide uniqueness that precedes representation and, as such, can only raise fears. The self, according to Arendt, should not be understood as the 'essence' behind the mask, but rather the result of an interplay between revealing and hiding. It is not an essence (a what) but a performance (constituted through action and corresponding narratives).[41] When it works, the mask allows re-presentation of the unique voice so that it can become part of a social web of stories. When the schoolgirls in France come to school wearing the hijab, they are telling us something important

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40 He was interviewed by newspapers and his views were reported but, as I shall show, he was not given a proper 'hearing' in parliament when his act was discussed and condemned.

41 See Bonnie Honig, 'Toward an agonistic feminism: Hannah Arendt and the politics of identity', in Bonnie Honig (ed.), *Feminist Interpretations of Hannah Arendt* (University Park: Pennsylvania State University Press 1995), 135–67. Honig criticizes Arendt for stopping at the 'private' and challenges the idea that the 'body' defies representation.

about the failure of the current mask of French citizenship. Their symbolic act can indicate that the demand to uncover does not allow them any way to re-present their difference as part of a public conversation. They challenge the French political system to offer a mask that can allow difference to be re-presented, to be heard as different voices, to be acknowledged in the public sphere.

Likewise, when Hassan demands that the student take off his army uniform, he seems to say that there is something wrong with the mask of citizenship in Israel. The uniform currently functions as the *de facto* mask of the citizen in Israel. This mask is only available to some, while excluding the rest. Hassan's refusal points to the degree to which citizenship itself is currently equated with the army uniform. Such a mask does not allow the representation of individuals who do not serve in the army. It defines the Palestinian citizen who is excluded from army service as the Other. In other words, the uniform indicates the lack of a neutral mask that can allow the individual and unique voices of Palestinian citizens to sound through.

The absent feminists

Changing the perspective from piercing the mask to evaluating the current mask of citizenship according to the double function it is supposed to serve also points to an important difference. If we use the metaphor of the ancient Greek mask, it seems that the French mask of citizenship blocks the voices of some groups (that is, it hides too much), while the Israeli mask is not offered to all citizens (exposes too much). It challenges us to begin a serious conversation about the adequacy of the citizen mask in both political systems. It also challenge us to interrogate the way the Us–Them binary has been constructed. Interestingly, in both debates, it is the lack of criticism (or even active support) of women belonging to the hegemonic group that enables such dichotomous thinking. Feminists in both societies have long criticized the terms of citizenship offered to women, and the way the civil mask does not adequately protect or represent them. Seeing continuity between their claims and the complaints made by individuals (women and men) belonging to minority religious and ethnic groups might move the discussion on to an evaluation of the general terms of citizenship. Lacking such intervention, it has been easy to ignore the criticism and instead blame the individuals who ignite the debates.

In her analysis of the hijab controversy, Scott refers to an interesting phenomenon: the inversion of issues. She detects this inversion in relation to the issue of gender equality. The consensus of the French public was that the hijab represented the subordination of women under Islam and their inequality. A commitment to gender equality required, therefore, a ban on wearing the hijab in public. However, as Scott demonstrates, the support given by French feminists to the ban helped to uphold a myth of sexual equality rather than to further the goal of real gender equality. First, this

support overwhelmed feminist criticism about the terms of equality afforded to French women, particularly the inability to accommodate gender difference (female sexuality) in the public sphere. In fact, French feminists have long argued that 'women's liberation' has been falsely equated in France with 'sexual liberation' and contributed to the sexual objectification of women.[42] However, during the debate on the hijab, this criticism disappeared. The focus on the headscarf created an inversion: instead of looking at the shortcomings of the French republican model in accommodating difference, in relation to women, both secular and religious, the blame was redirected at the minority. Islam (in its stereotypical depiction) was blamed as the sole cause for the difficulties of integrating immigrant minorities. The role of the law in denying Muslim girls access to public education and thus pushing them back to private religious schools was obscured. The Muslim minority was blamed for its exclusion and the discrimination it faced. This inversion undermined the possibility of finding a common ground between women across religious differences. The ban solidified an opposition between two 'cultures', depicting Islam as resistant to assimilation. By setting aside the feminist critique of French citizenship, it was easy to present the issue as an unavoidable clash between irreconcilable cultures instead of an interrogation of the terms of the public sphere.

Israeli feminists did not join the public debate about Hassan's refusal to allow students in uniform into his classroom. This abstention is strange, given that one of the defining campaigns of Israeli feminists during the 1980s was that against the exclusion of women from army combat units.[43] One of the most famous legal cases revolved around the struggle of a young Israeli woman, Alice Miller, to compel the IDF to recruit women to be trained as air force pilots.[44] Her legal victory opened the way for other women to enter various combat units. As a result of this struggle the law was changed to prohibit the exclusion of women from combat units. These cases provoked a

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42 See Scott, *The Politics of the Veil*, 151–75.

43 In fact, two of the defining struggles of Israeli feminists (against the army and religious authorities) were based on the claim that, while men have a central role in the Israeli public sphere, women tend to be excluded from it. The feminist struggle can therefore be characterized as an attempt to include the female body in the public sphere by making the latter a gender neutral space. For an interpretive essay on the struggle of Jewish religious women to pray at the Western Wall with a Torah scroll and prayer shawls, see Lea Shakdiel, 'Women of the wall: radical feminism as an opportunity for a new discourse in Israel', in Hanna Naveh (ed.), *Israeli Family and Community: Women's Time* (London and Portland, OR: Vallentine Mitchell 2003); and Phyllis Chesler and Rivka Haut (eds), *Women of the Wall: Claiming Sacred Ground at Judaism's Holy Site* (Woodstock, VT: Jewish Lights 2003).

44 *Miller* v. *Minister of Defense* HCJ 4541/94. See Daphne Barak-Erez, 'The feminist battle for citizenship: between combat duties and conscientious objection', *Cardozo Journal of Law and Gender*, vol. 13, 2007, 531–60; Yofi Tirosh, 'Alice be-erets ha-(ham)raa: hirhurim al hishtakfuiot ha-guf ha-nashi ba-siah al shiluv nashim be-tafkidei lehima', in Barak-Erez (chief ed.), *Iyunim Be-Mishpat, Migdar VeFeminism*, 885–940.

debate among feminists about the centrality of army service to women achieving equality in Israel. Following the legal reform, the sociologist Orna Sasson Levi investigated the way in which women soldiers negotiated their 'feminine' identity, given the 'masculinity' of the new positions opened to them. She was struck by the way women soldiers chose to adopt a mask of masculinity. Sasson Levi further demonstrated the way this mask was, in some ways, subversive (challenging the unquestioned link between male identity and certain military roles), but in other ways seemed to solidify gender roles. This sophisticated discussion of women's citizenship and the central role of the army in shaping it could have shed light on Hassan's act of excluding army uniforms from his classroom in the name of equality.[45] More importantly, it could have raised questions about the legitimacy of the interpretive move made by the college committee and the Knesset committee, depicting Hassan's action as a clear and unambiguous sign of Palestinian nationalism. Bringing the two debates together could have added force to Hassan's claim about the lack of 'neutral' space for the practice of equal citizenship, and the adverse impact it has on those designated as the Other.

Epilogue

The two debates led in each case to a logical conclusion: a ban in France; a demand for a letter of apology in Israel. The individuals' protests were met by an act of force that was meant to end the debate. In France, the ban failed to respond to those Muslim students who claimed that the hijab was part of their identity and should not be set aside. In Israel, the hearing committee demanded that Hassan apologize. However, this was no simple personal apology. It involved a symbolic bow to the uniform of the Israeli army, as the letter of Professor Tzachor, the president of Sapir College indicated:

> As a condition for your continued employment, you are requested to apologize to the student for hurting and disparaging him. I will ask to see the apology within a week of the day you receive this letter. In your apology, you must refer to your obligation to be respectful of the IDF uniform and the full right of every student to enter your classroom in uniform. I won't accept an apology that is not unequivocal. I won't accept an apology that does not refer to respecting the IDF uniform or that has any haggling political nuances . . . and obviously, until the apology is received, you are not permitted to lecture at the college.

45 Indeed, some explanation as to why the two debates were not connected can be found in an earlier article by Hassan Jabareen, who criticized the feminist struggle to join combat units as lacking a larger perspective about its impact on strengthening the centrality of the army with regard to Israeli citizenship, and its concomitant adverse effect on Palestinian citizenship; see Jabareen, 'Likrat gishot bikortiot shel ha-miut ha-Palestini'.

Thus, the two struggles ended in failure. In both cases the subversive act of the individual was disciplined, the boundaries that had been breached repaired and reinforced. However, in both cases, the subversive act that had been silenced returned to disrupt public order, indicating that the closure had not been as complete as it had seemed. In France, Cennet Doganay, a young Muslim woman of fifteen, who had been banned from class for wearing the hijab, responded by appearing in school with her head shaved. Doganay explained that the ban left her no other choice if she was to respect both the French law and the Islamic dress code that required the covering of her hair.[46] This act of protest rekindled the debate. It challenged the basic assumption of the supporters of the ban that the hijab was not an integral part of the wearer's identity. And that its removal did not constitute an injury to civil rights, and did not amount to discrimination. The act was subversive in that it presented the hair itself, the symbol of secular femininity, as the 'mask' that the Muslim girls refused to wear. This undermined the distinction between nature and artifice, body and culture, distinctions that made the ban look as if it was not interfering with the civil liberties of the individual woman. Why was it more difficult to accept the act of shaving one's head than the ban on covering one's hair? What can explain the public reaction to the shaving? I believe that, with this subversive act, Doganay was able to perform the way in which the French mask of citizenship failed to represent the voices of Muslim girls. The exaggerated obedience to the ban on head-covering, leading to complete exposure—the entire removal of the female's hair—returned the discussion to the repressed question: the place of the female Other in the public sphere, and the ability of the French mask of citizenship to ensure equality to those considered Other.

In December 2007 a media campaign was launched in Israel under the slogan 'A True Israeli Does Not Dodge the Draft'. The campaign's goal was to criticize the ongoing decline in army enrolment in Israel. Interestingly, this campaign was not initiated or funded by the IDF or any governmental body, but was rather the initiative of a private advertising company, funded by contributions from business people and the media.[47] With this campaign, Hassan's argument regarding the dangerous conflation between Israeli citizenship and military service returned to centre stage. However, this time, it was not due to the subversive act of an excluded Palestinian citizen, but rather to events set in motion by those identifying with the ruling elite. The purpose was not to take off the 'mask' (of the uniform army), but rather to expose the Others, those who do not serve in the army. They were

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46 'Muslim girl shaves head over ban', 1 October 2004, available on the *BBC News* website at http://news.bbc.co.uk/1/hi/world/europe/3708444.stm (viewed 26 May 2009).

47 'Campaign "Israeli amiti lo mishtamet"', 15 December 2007, available on the *Promomagazine* website at http://www.promomagazine.co.il/pages/show/1995 (viewed 26 May 2009).

denounced and identified as non-citizens or, rather, as not truly Israeli citizens. The campaign stirred a public debate. The same disturbance caused by Hassan's refusal to accept students wearing uniforms in his classroom returned from the opposite direction, in the form of an attempt to exclude those who did not wear army uniforms by defining them as non-citizens. The campaign did not indicate who was the target of condemnation. Did it include ultra-religious Jews? Arabs? Nonetheless, it underlined the question that was first raised by Hassan and then silenced: have military uniforms become the Israeli mask of citizenship? What is the risk of adopting such a restrictive citizenship mask for the possibility of developing a democratic civil society?

The 'return of the repressed' in both cases is instructive. It urges us to look deeper, and articulate our theories of citizenship and our conception of masks in order to enhance equality in plural and democratic societies.

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