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Ireland through the Veil: Gender, Autonomy and the Nation

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In an Ireland that is changing rapidly in terms of demographics and economy and yet remains still comparably traditional in its religious and social convictions and values, recognising and negotiating the demands of individuals from different religions, sexualities, ethnicities and indeed genders equally has proven difficult. A strong nationalist ethos, based on a perceived common ethnic identity, a masculinised mythical past and a Catholic religious background has made the incorporation of non-conforming Irish citizens and residents into the Nation fraught with potential conflict. Yet, Ireland has not witnessed the level of multicultural discord noted elsewhere in Europe. This article utilises the opinions expressed regarding the Islamic veil debate that blossomed in Ireland primarily between May and October of 2008 to examine and elucidate dominant and competing Irish perceptions of gender roles, religious expression and national identity. Recognising that the importance of national identity is unlikely to wane, but rather be strengthened through ongoing European integration¹, this article proposes that commitment to Ireland's liberal democracy provides a means through which Irish identity can be constructed across ethnic and religious divides and to ensure inclusive and equal citizenship for women.

This article argues from the position that a functional and thriving democratic state requires the resuscitation and enhancement of the primary principles of liberal democracy: liberty and equality. These principles are ultimately dependent on the possibility of autonomous action within a context that includes 'both the potential for generating self-determined freedom and the site for the appearance of freedom' (Henrich and Pacini, 1983, p. 263). Robert A. Dahl argues that 'the democratic

¹ See, for instance, Csörgö, Z. and Goldgeier, J. 2004. Nationalist Strategies and European Integration in Kantor, Z., Majtényi, B., Ieda, O., Vizi, B., and Halász, I. (eds.) *The Hungarian Status law: Nation Building and/or Minority Protection*. Slavic Research Centre, pp. 270-302, and Karolewski Pawel, I. and Suszycki, A.M. (eds.). 2007. *Nationalism And European Integration: The Need For New Theoretical And Empirical Insights*. Continuum

process maximises the feasible scope of self-determination for those who are subject to collective decisions...it also maximally respects the moral autonomy of all those who are subject to its laws' (p. 91, 1989); however, true democracy also *requires* autonomy to ensure that laws adequately reflect the will of the people, thus 'democracy is the condition for and outcome of autonomy' (Crittenden, p. 65). This paper does not suggest that individuals are ever completely free agents, but rather that the acceptance of the individual's ability to make choices based on reason and deliberation must underlie political decisions and social mores. While individuals are indeed 'encumbered selves' (Sandel, 1996) shaped and formed by the discourses and events that surround us, we are also thinking unique subjects capable of questioning, demanding and transforming those same discourses and events. It is this potential that allows for the possibility of autonomous action.

The concept and importance assigned to autonomy is not a-historical. It is a concept that re-surfaced during the Enlightenment and was thus born of the ideological heritage from which emerged the nation-state itself. While autonomy is here defined according to Dworkin's analysis as the state of the person (1988), it should be recognised that autonomous personhood is a meaningless concept within oppressive contexts. Genuine autonomy requires the ability to act on one's beliefs, desires and values; the repression of women, ethnic and religious minorities (not to mention the repression of those who intersect these categories) precludes the capacity for such action thereby denying the realisation of autonomy. However, autonomy is a central element of Western liberal democracy where 'liberal political theory valorizes the powers of autonomous agency and ascribes the capacity for such autonomous agency in equal measure to all mature, healthy, human beings' (Becker, 1999, p. 965) and it is here argued that the concept of autonomy is worthy of resuscitation within a discourse of equality. It is further argued that 'implementing that value requires the most extensive possible protections for the development, maintenance, and exercise of the capacity of autonomous agency consistent with equal protection for all' (ibid.). Irish identity, as will be explored, has been grounded on a gendered conception of autonomy that privileges the rights of men to self-govern. For women to obtain Irish identity and the substantive component of Irish citizenship it is necessary to extend the right of autonomy to women – to all women living in the state of Ireland. Thus, a

framework of rights and policies based on shared human experience must be implemented to redress gendered economic, political and religious inequality and to provide a basis for the articulation of a national identity based on equality, autonomy and religious respect.

Despite the particularist nature of national identity and the universal scope of a human rights approach based on autonomy, these subjects are not incompatible. Rather, an inclusive national identity capable of incorporating the needs and potential of all its formal and substantive members requires the acceptance of the basic humanity of all peoples, regardless of gender, religion or ethnicity. Benhabib argues that ‘the private autonomy of citizens presupposes the exercise and enjoyment of liberty through a rights-framework which underwrites the equal value of their liberty; public autonomy is realized through the institutions of democratic self-governance in increasingly complex societies’ (2003. p.673). The role of the nation-state, and thus of national identity, remains relevant and persuasive but must be reconceptualised to recognise the existence of multiple, and competing claims to the meaning of this identity. It is within this context that commitment to the concept of autonomy is advocated.

The Enlightenment period produced a return to the Stoic belief in the possibility for ‘shared understandings issuing in an equality of fundamental rights and mutual obligations’ (Lakoff, 1990, p. 379). The belief in the possibility of universally held values inspired the Universal Declaration of Human Rights, establishing a means through which to recognise the common ‘dignity and ... equal and inalienable rights of all members of the human family’ (UNDHR) thus constituting basic common rights founded on the equality of all humans as humans. Within multicultural contexts the recognition of the equality of individuals becomes necessary to ensure that minority groups are not abused by the majority. The concept of autonomy may thus act as an over-riding value of a liberal-democratic society that recognizes the intrinsic value of every individual while also assigning each individual equal liberty in making choices as to how they live their life and identify with particularist groups and as members of the Nation. National identity has no pre-described defining concept – it may be based on ethnicity, on common experience, or on shared values. Locating personal autonomy as a central and defining signifier of national identity has the

potential to incorporate minority, non-conforming groups within the Irish Nation through the perception of such affiliation as an aspect of choice² and thus to diminish cultural and religious conflict and women's disenfranchisement.

Yet, proclaiming universal values today is a dangerous business. Post-modernity unleashed a backlash against the possibility of universally held and applicable values, privileging the notions of diversity, individuality and the impossibility of direct communication. With ethno-nationalism on the rise, continuing oppression and violence towards women, multicultural conflict, and on-going discrimination of minorities in Europe, there is considerable reason to seek the re-invigoration of human rights even while acknowledging their historically and culturally embedded nature. To do so, it is necessary to reclaim certain universal concepts: most importantly the Kantian philosophy that all individuals have equal moral value and thus have the right to be treated only as an end and never as a means. This universalistic declaration re-asserts the importance of autonomy to all individuals and provides a platform for the political negotiation of human rights within conflictual multicultural contexts. In this way, autonomy acts, in the words of Chang (1997), as a covering value, an all-inclusive reference value for the comparison of plural options. Asserting autonomy as the non-negotiable value upon which Irish society depends, provides the means to assess competing claims to human rights violations and cultural and religious discord.

Gendered 'Irishness' in Historical Context

Feminist methodology requires locating women at the centre of inquiry. Although the Muslim veil debate obviously engages with religion, human rights and belonging, it is also explicitly concerned with women: what women do, how they express themselves, what they can wear, and how they are perceived. Too often the femme-centricity of

² This does not suggest that any and every individual belongs to a particular group by choice. We are all limited by the conditions in which we were born – our sex, our ethnicity, the religion of our parents, our economic status, and so on. However, a functional democracy which promotes autonomy should seek to maximise the number of choices we have; by producing a (relative) equality of resources then a (relative) equality of the rights, including that of autonomy, will follow. Individuals are thus capable of making informed decisions among the field of possible options which are maximised by the democratic principles of equality and liberty. However, that field is neither limitless nor unconditional, but is rather shaped by the prevailing political discourses and the history of the political community or state: it is also open to contestation and reformation.

this debate is overlooked in preference for non-gendered approaches³. However, by beginning the analysis of this debate with a focus on its gendered nature, it is possible to gain a greater understanding of how national belonging, values and ‘selfhood’ are understood within Ireland and in reference to gender. As Yuval-Davis argues, ‘gender symbols play a particularly significant role in [the cultural reproduction of the nation], and thus constructions of manhood and woman hood, as well as sexuality and gendered relations of power, need to be explored in relation to these processes’ (1997, p. 22). The role of women within the nation is central to conceptions of self and nationhood but is also a subject of contestation and articulation as competing national identities attempt to hegemonize the meaning of being Irish.

Yuval-Davis further argues that ‘women’s citizenship... is usually of a dual nature: on the one hand they are included in the general body of citizens; on the other hand there are always rules, regulations and policies which are specific to them’ (1997, p. 24). The veil debates are but one aspect of such rules, regulations and policies that are specific to women and that also act to define notions of national identity and citizenship. These two topics are not identical: they are, however, interdependent. While national identity extends far beyond the state to encompass diaspora communities and individuals, citizenship is rather seen as a legal term to denote the rights and responsibilities of belonging to a particular state. Yet, many individuals who do not hold formal Irish citizenship are yet encompassed within the national identity, often in reference to their ethnicity or the origins of their parents or grandparents, while many who hold formal Irish citizenship are excluded from recognition as legitimately Irish as they do not conform to the constructed Irish identity, by virtue of ethnicity, religion or other social marker. Perceptions of citizenship are impacted by concepts of national identity. In an ideological sense, citizenship thus refers to the capacity of the individual to belong to the state by embodying the national identity. In a practical sense, the rights and responsibilities of citizenship are not equally distributed amongst all those who formally hold citizenship: as Yuval-Davis has explained, rules, regulations, policies and importantly practices are directed differently towards different groups of people and thus delimit

³ See, for instance, Saharso and Lettinga, *Contentious Citizenship: Policies and Debates on the Veil in the Netherlands*, 2008, p. 462.

the extent to which some groups and individuals can access the rights and responsibilities of full citizenship. Indeed, 'we are talking about not simply a set of legal rules governing the relationship between individuals and the state in which they live but also a set of social relationships between individuals and the state and between individual citizens' (Lister, 1997, p. 29). The extent to which one can gain full recognition of citizenship depends on the extent to which one adequately embodies the national identity, thus 'the greater or lesser ability of certain groups to act as citizens and the degree to which they can enjoy both formal and substantive rights as citizens depends on where they stand on a continuum of inclusion and exclusion' (Lister, 1997, p. 36).

Women's bodies have long been the playground for political, religious and economic contestation. While numerous books and articles have approached this issue in Ireland by examining the conflicts surrounding abortion, this article rather turns towards the bodies of Ireland's Other women to gain insight to Irish perceptions of self and gender and to examine how such perceptions are contested. The role of the Other provides the capacity to examine the Self, by demarcating the limits of identity. While the issue of the Muslim headscarf has been 'embedded in discussions on national identity, secularization and modernity' (Saktanber and Corbacioglu, 2008, p. 519) in numerous European states for a number of years, the debate that developed in Ireland in 2008 surrounding the right to wear the hijab in schools (primarily, although other public institutions were mentioned) took on proportions incommensurate to the reality of a 14 year old schoolgirl in a small eastern Irish county. This debate invoked some strong opinions both in support and in opposition to the right to wear the veil in schools, and rather a lot more ambiguity from those who found themselves involved in the debate. Indeed, echoing the 2008 MRNI poll (Irish Times, 09/06/2008), the distribution of letters and opinion pieces between those who supported the wearing of the veil in schools (54%), and those who opposed it (45%), indicate that a slight majority favour the right of the individual girl to wear a veil in a public school. However, the reasons behind such support or opposition require closer scrutiny. To begin an analysis of the veil debate in Ireland and its implications to gender, religious and ethnic equality, it is necessary to first revisit the historical construction of the Irish identity and the nation-building process.

Constructing gender in Ireland

The vociferousness of Ireland's nationalist discourse is not out of keeping with that of other post-colonial nations. Amrita Basu has argued that 'nationalism that seeks inspiration from an imaginary past usually advocates re-domesticating women and gaining control over their sexuality' (Basu, 1995, p. 6). This is a particularly accurate comment in relation to Ireland, where 'Colonial powers identify[ed] their subject people as passive, in need of guidance, incapable of self-government, romantic, passionate, unruly, barbarous – all those things for which the Irish and women have been traditionally praised and scorned' (Meaney, 1991, p. 53). Stevens et. al. describe how Ireland was visualised within English discourse as 'a weak, ineffectual woman that needed to be controlled by a strong, resolute man (Britain)' (2000, p. 408).

To reclaim autonomy, in both a political and symbolic sense, Irish nationalists needed to re-conceptualise the Irish as strong, capable, independent and fierce – all characteristics associated with the masculine. The nation-building project in Ireland relied upon a mythical and masculinised 'Celtic' past in which the Irish people could locate glory, prestige and power. When Ireland's autonomy was realised, with the considerable help of women revolutionaries and revolutionary groups, women, as political actors and social agents were written out of history and the Irish nation became one of acting men and symbolic women. In the Republic of Ireland, women were given few opportunities for self-expression or agency within this re-written past but were rather relegated to 'hearth and home' (Valiulis, 1995, p. 118).

Thus, while Ireland is constituted as essentially feminine, the Irish nationalist discourse also constitutes the Irish people as masculine, as the sons of Mother Ireland, whose love and sense of duty requires her defence. In this way Irish nationalism of the late 19th and 20th century articulated an alternative history that contested the colonial perceptions of the Irish identity, and constructed a new, invigorated, but masculine identity for the Irish nation. While this identity did provide a basis for unity it also disenfranchised half the population from full citizenship. Irish women, as active

political agents, were sacrificed to the new ideal of the assertive, independent (and male) Irish citizen.

The Catholic Church was heavily involved in the nationalist struggles, both as an actor and as a symbolic field of contestation. This relationship between the Catholic Church and independence 'contributed to a close identification between loyalty to the nation and loyalty to the church' (Williams, 1999, p. 317) which continues to inform the national identity. The confluence of religion and nation in the early years of Ireland's nation-building project further contributed to expectedly conservative perceptions of gender. Men and women are clearly distinguished within the Constitution, including the 'common good' of women's 'life within the home' (Irish Constitution: article 41.2) and special provisions were legislated to reproduce these relationships (often where such gender divisions had not existed previously), such as the marriage bar, repealed in 1973. In DeValera's Ireland, women's 'happy laughter' was to be heard in the home 'of a people living the life that God desires that men should live' (1943, http://www.rte.ie/laweb/11/11_t09b.html). Despite their invaluable symbolic role in the liberated Ireland, there was little room for women in politics (discounting their previously strong presence in the rebellions of pre-1917), or in the economic sector. De Valera's famous St. Patrick's day speech of 1943 explains 'it was the idea of such an Ireland - happy, vigorous, spiritual - that fired the imagination of our poets; that made successive generations of patriotic men give their lives to win religious and political liberty; and that will urge men in our own and future generations to die, if need be, so that these liberties may be preserved' delineating the masculine and religious identity of this Ireland while at the same time writing women out of the history of Ireland's liberation (1943, http://www.rte.ie/laweb/11/11_t09b.html).

Much has changed in Ireland since the 1970's. It would no longer be seen as reasonable or acceptable for government ministers to profess, as they did in 1951 that 'all of us in the Government who are Catholics are, as such of course, bound to give obedience to the rulings of our church and of our hierarchy' (Galligan & Ryan, 2001, p.90). However, in comparison to other European states, Ireland remains a strongly religious country with conservative social values. Patriarchal state structures and

religious convictions continue to play a role in defining Irishness and Irish values as can be identified within the Islamic veil debate.

The Emergence of a Veil Debate in Ireland

While much of Europe has been involved with the veil debate for the better part of a decade or more, Ireland's engagement with this issue was marginal and generally reactive to events occurring in other states prior to 2008. Muslim women did wear the veil in Ireland for numerous decades without attracting public attention. Schools have generally accommodated girls who wished to wear the veil with the common clause of requiring the veil to be in the same colour as the school uniform, and provisions have been made 'locally for students to absent themselves from Christian education classes and to pray in any available room or teacher's office' (Flynn, 2006, p. 234). The constitution provided formal recognition, legitimacy and respect to all religions and specifically does not endow any one religion above others (Irish Constitution: article 44), and there has been relatively little concern regarding Muslim immigrants, whether due to their relatively affluent status (Peach, 2005, p. 29) or the near invisibility of Muslims in the quintessentially Irish social spheres, such as the pub or sports-ground, thus limiting the sense of 'being colonised by the other', or due to a deep-seated respect for professions of faith, remains uncertain. What is known is that prior to 2008 concerns over veiling were limited and polls suggest that Muslims generally felt accepted within Ireland (Byrne and Doran, 2006, www.independent.ie).

However, events in 2008 brought forth a wide range of opinion regarding the veil, Muslim women, immigration and citizenship. How the veil is perceived is shaped by the cultural context in which it is worn, ideological traditions and the prevailing perceptions, not only or even mostly of Islam, but also of women, of 'foreigners' and of religion generally. Implicit within the opinions expressed in Ireland are also nationalised notions of gender and the nature of Ireland, Irishness and Irish values. Although this debate never gained the vigour of the veil debates in France, Turkey, Germany or the UK, Ireland's modest version of the controversy provides analytical fodder to examine the issues that infuse this debate: gender, race, religion and national identity. Using opinion pieces and reader letters from popular, quality newspapers, I

have examined the various themes that have emerged through this debate including those of protection, preservation and contestation and have teased out existing and changing attitudes towards gendered constructions of Irish nationality and citizenship.

Nation as Protector: Debating the Meaning of Rights

A number of the articles and letters examined made reference to ‘rights’ to defend or reject the wearing of the hijab in public schools in Ireland. Although the notion of ‘protecting’ Muslim women has been used by both those who support the veil in public schools and those who oppose its presence, it is more often used to pose the veil as oppressive to women. To understand this discourse of protection as it is enacted within Ireland, one must consider Ireland’s colonial legacy. The masculinisation of the Irish identity that occurred through the nation-building project of the 19th and 20th centuries produced an Irish identity that perceived itself as strong, unique and active. However, this identity was also reactive: the ‘masculinity’ of the Irish identity was used to subvert the perception of the Irish as feminized. To be an active Irish citizen in the new Republic thus required taking on these ‘masculine’ traits. Protecting the ‘weak’ strengthens this discursive connection to the masculine. The fact that Irish women should embrace such a role, offering protection to the weak, significantly other women, resituates the Irish woman opposing the veil as the powerful member capable of offering protection to the weaker, illegitimately Irish, Muslim woman.

Independent columnist Martina Devlin asserts that the veil is inherently oppressive and argues that ‘if we accept [the hijab] in schools, we open the door to other practices in the Muslim world even more repressive to women, among them arranged marriages and female circumcision’ (Devlin, Independent, 22/05/2008). Similarly, Eilis O’Hanlon wrote in a more moderate piece in the Independent three days later that Muslim girls whose parents do not wish them to cover, ‘can frequently be bullied and made to feel inferior and ashamed by those who wear the hijab’ (O’Hanlon, The Independent, 25/05/08). Emer O’Kelly, writing in 2006 noted the increasing presence of veiled women (including those wearing the niqab) in Ireland and states that ‘I do not welcome the veil, and I do not believe it is racist to say so.

Rather, I believe that to talk about embracing and welcoming what it stands for is to deny equality to women, even when the wearing is merely symbolic' (Independent, 18/06/2006).

Such arguments invoke the image of the veiled Muslim girl/woman as oppressed by a patriarchal religion and/or culture. Letter writer Ruth Dudley Edwards, for instance, argues that allowing the hijab denies the possibility of Muslim girls to contest paternal authority and equates the hijab with child abuse (The Irish Times, 04/06/08). Within this discourse of protection it is perceived as Ireland's duty, as an enlightened and liberal nation, to counter such tendencies by, for instance, banning the veil from schools. Indeed, Independent columnist Sinead Ryan argues that 'we simply cannot have liberal equality laws and continue to pander to repressive minority customs' (Ryan, Independent, 23/05/2008). Thus the discourse of protection is here equated with the promotion of gender equality through the protection of Islamic girls and women from oppressive and patriarchal foreign culture practices.

This discourse of protection undermines the veiled woman as a valid, autonomous political agent and relegates her to a special category of woman in need of the state's protection⁴. Her own personal desires and aspirations are discounted as they become connected to an oppressive structure which is seen as limiting her thought. This argument has been expressed within numerous settings, including the European Court of Human Rights where it was asserted that the headscarf appears 'to be imposed on women by a religious precept that is hard to reconcile with the principle of gender equality' (in Skjeie. 2008, p. 130). Rottman and Ferree argue that support for Government intervention in women's personal decisions 'can be framed as necessary ... [only] because "Muslim culture" is framed as oppressive' to an extent that European culture is not (2008, p. 498). The perception that Muslim women require the protection of the state from patriarchal authority figures with antiquated and misogynistic attitudes within the Muslim community poses the debate as a conflict

⁴ Furthermore, the paternalistic argument of protection of Muslim girls from the imposition of the will of others, or indeed from imposing their will on others by forcing them to gaze upon a veiled woman, is largely untenable. Paternalistic intervention can be justified only by a serious consequence to well-being, in other words, that it limits one's own or other's capacity to exercise autonomous activity (Becker, 1999, p. 967).

between opposing value systems (Skjeie, 2008, p. 130), reifying an ‘us’ vs. ‘them’ scenario that undermines the possibility for both peaceful, *equal*, co-existence and for the development of an inclusive, equal conception of citizenship and identity.

Women and girls should be protected from being forced to veil, but in doing so, one should not limit their capacity to make the choice to veil. To have equality for women, one must, first, recognise equality amongst women – that every woman has an equal right to autonomy and self-determination. The discourse of protection as it is relayed in opposition to the hijab in public schools has two effects: firstly, it constitutes the veiled woman as different from, and inferior to, unveiled women. Secondly, it assumes a secondary citizenship status for veiled women who by virtue of their overtly feminine attire are incapable of embracing the masculinised traits of Irish citizenry. In this way the argument creates a discursive refraction through which the Irish identity as masculine is reified. However, this effect is not limited to Muslim women, but is rather played out throughout Irish society whereby public life for women requires the subsumation or denial of one’s private life. Essentially, to acquire active, public citizenship (masculine) requires the relegation of ‘feminine’ activities such as caring work to a secondary sphere or to accept the symbolically celebrated but actually denigrated role of ‘woman’ in Ireland.

However, the discourse of protection also offers an alternative reading through which this dominant view of the protection of Muslim women is contested. The discourse of protection can also be directed towards the protection of rights including the ‘freedom to believe and express a belief and the principle of gender equality’ (Hendriks, 2008, p. 154). Those who use the argument of protection to support the wearing of the veil in public schools, tend to perceive the need to protect freedom of choice for Muslim women. Breda O’Brien of the Irish Times, for instance, regards the demand to wear the veil in Irish schools as an indication of Muslim women’s autonomy, stating ‘a girl who makes the request to wear [the hijab] in school is likely to have thought about it and be clear about what it means to her. She is doing something brave and counter-cultural’ and questions why society should be so concerned ‘with young girls from a different background asserting their right to dress modestly’ (O’Brien, The Irish Times, 31/05/2008, pg. 14). O’Brien’s basic argument turns to one of freedom of

choice and right of expression. The notion of protection here is one centred on individual rights and freedoms. John Mulloy similarly perceives the veil as a debate over individual rights and argues that individuals must have the right to self-expression, cultural identity and freedom (The Irish Times, 23/01/04).

Although Alvarez argues that conflict over notions of rights can be interpreted as conflict over values (2009, p. 126), the veil debate in Ireland would suggest that such disagreement also exhibits conflictual interpretations of human rights. Whereas those opposing the veil perceive women's rights as endangered by the veil and what it (supposedly) represents, those who support the wearing of the veil in public schools perceive a ban to be an infringement on the individual's right to self-expression (religious or cultural). While it has been argued above that the wearing of the veil is not inherently or potentially oppressive to non-veiled Irish women, it is also possible to here assert the importance of locating autonomy within the argument. Where priority is given to personal autonomy and the individual is treated as an end and not a means, the right to veil becomes evident. Restricting actions that have no significant adverse effect on others is untenable within a liberal-democratic society. Being offended by someone's modest attire cannot outweigh someone's right to religious or personal expression and as Hendriks argues, one 'should be able to substantiate that their rights, freedoms and interests are substantially impaired as a result of religious manifestations, and that these impairments go beyond what one can be expected to endure in a democratic society' (2007, p. 153) for a claim of impaired autonomy be considered.

Combining the argument for prioritising autonomy with recognition of the gendered and racialised nature of the debate contributes further justification for the defence of the veil in public schools and elsewhere: it is in the interest of all women to defend the right of women to self-expression and autonomous action. Such a defence re-structures the debate within universal terms whereby women's right to make independent choices about their bodies, their way of life and their relationship to others becomes a bottom-line argument. This process creates unity amongst diverse groups of women through the recognition of a common goal: self-determination and bodily integrity. The oppression of women as women, politically negates the factors

of dissidence and creates the framework for the mobilisation of a popular women's movement, as Chantal Mouffe asserts, 'it is only insofar as democratic differences are opposed to forces or discourses which negate all of them that these differences are substitutable for each other' (1992, p. 379). In this way support for the ideal of autonomy provides the means for peacefully negotiating competing interests and beliefs and constitutes the platform upon which equality for women can be demanded as right.

Preserving the Nation: Diversity, Assimilation and the Irish Way

Diversity, accommodation, integration and assimilation have become increasingly important notions in European states in recent years. However, recent trends have shifted towards integration and assimilation over diversity and multiculturalism. Khiabany and Williamson assert that in the UK, 'it has now become a new orthodoxy to insist that cultural diversity is a threat to national cohesion and British values, and the veil has become a key visual sign of that "threat"' (Khiabany and Williamson, 2008, p. 73). While Ireland has over the past decades professed a spirit of integration through accommodation and tolerance, the perception of multiculturalism as a threat to the Irish way of life was expressed by Ruairi Quinn, then Labour Party Spokesman on Education and Science, and Brian Hayes, his Fine Gael counterpart, during the summer of 2008 in relation to the Islamic headscarf. Quinn asserted that 'if people who want to come into a western society that is Christian and secular, they need to conform to the rules and regulations of that country' (McDonagh, P. 02/06/2008, the Independent) and added that 'nobody is formally asking them to come here. In the interests of integration and assimilation, they should embrace our culture' (ibid). Brian Hayes backed Ruairi Quinn's views and gave his support for the banning of the veil in public schools.

The shift from multicultural tolerance and accommodation towards integration and assimilation has been justified, in Ireland as elsewhere, by the dual threat of Islamist terrorism and Islamist colonisation. The perception of an unwillingness to integrate and the potential danger of a religiously divided society (a danger that Ireland knows well) is represented within the veil debates, indicating the existence of

Powellian/Thatcherite ‘new racism’ (Barker, 1981) in Ireland, in which “‘culture” and “tradition” become essentialized and biologized into notions of genealogical “difference” and lie at the heart of the “‘fear of being swamped by immigrants”” (Yuval-Davis, 1997, p. 32). In Austria, which demonstrates a comparatively tolerant approach towards religious expression and practice, an absence of legal restrictions or regulations on the veil is contrasted by the development of restrictive immigration and integration policies and anti-immigration right wing parties (Gresch et al. 2008 p.411), indicating that the absence of regulation on this issue does not denote a multicultural or culturally tolerant approach but may be, rather, the result of the acceptance of religion generally within the public sphere. Ireland has similarly displayed a growing resentment towards immigrants, as practiced through the removal of ‘jus soli’ constitutional rights to citizenship and the restriction of welfare and entitlement rights to EU migrants (Fanning & Mutwarasibo, 2007, p. 1), while formally defending the right to religious conviction. This suggests that in Ireland, the primary concern is that of the loss of ‘Irishness’ through the dilution of Irish culture and its perceived ethnic purity.

One letter writer to The Independent expressed a combined concern that ‘women from this [Islamic] culture must also be protected from any force that would pressurise/control them into conforming to foreign culture norms’ (although in truth the foreign culture norms would seem to be those of Ireland demanding unveiling) and a worry that ‘non-ethnic Irish women who have citizenship by birth or naturalisation will take up positions in the public service. I do not want, as a woman, to see religion or symbols of religion as the face of public service’ (Malone, V. 29/06/2009, The Independent). Malone concludes that ‘once one leaves or escapes the land of one’s birth and enters a new society with a different culture and beliefs, one must adapt to existing values inherent in the new nation’ (ibid.). Although this letter is an oversimplified representation of such views, it nonetheless lays bare a number of issues that go to the heart of the accommodation/integration/assimilation debate.

There is a conflation between the notions of ‘ethnic’ Irish and Christianity expressed in the above view. ‘Ethnic’ Irish may also be Muslim, as indeed was the father of Shekinah Egan, the school girl whose headscarf sparked the debate in the summer of

2008. Within the discourse of preservation of the nation, the veil is clearly related to ethnicity and ‘foreignness’. In an Ireland that used the imagined Celtic past as a foundation for the construction of Irish identity, the production of an ethno-nationalism discourse is standard ideological fare. The utilisation of binary divisions between ‘us’ and ‘them’ not only disadvantages ‘them’ ensuring that Muslim women are divorced from legitimate citizenship, but also solidifies the Irish identity – proposing it as under attack and requiring defence. Tohidi and Bayes note that ‘in both Catholic and Muslim postcolonial contexts, women are blamed for failing to preserve the native culture and old traditional orders’ (Tohidi and Bayes, 2001, p. 38). Here, the conflation between imagined ethnic nation and religiosity is combined to construct the veiled Muslim woman as symbol of the (potential) loss of ‘Irishness’ and Irish values – displayed by the letter above, as fear of a foreign face in a familiar, Irish context.

There is furthermore an assumption that there is a unitary and unique Irish Nation and cultural values that is accessible and imitable. This is by no means unproblematic, as Ging and Malcolm argue, a myth of Irish homogeneity has been consolidated that is ‘central to the ideology of the nation-state [and] denies the ethnic and religious diversity that has existed in Ireland for many years’ (p. 126, 2004). This unproblematised notion of the Irish is expressed by one letter writer who collapses the Irish Christian way of life into a normative view of ‘humans’. He writes ‘immigrants to this country who accept the western way and may I say so the Christian way of life and who contribute positively to our society are welcome...the Irish nation has the ways and means to maintain our ethos and show Muslims that we want integration, absorption, and not separation. People who wear Islamic dress in Ireland (or elsewhere) are seen as Muslims. We should see people as humans first’ (McCullagh, *The Independent*, 09/12/2007). This view clearly indicates the ‘myth’ of neutrality: the majority ethnic group (and their practices, beliefs and attitudes) are universalised and perceived as the ‘one shared by everyone’ (Kilic, 2008, p. 441). In the letter, ‘others’ are clearly defined as non-Christians and their presence is permitted on-condition that they behave and dress according to the standards of the Western Christian nation of Ireland and ‘contribute positively’ revealing a boundary to acceptance in line with Yuval-Davis’ argument that ‘multi-culturalism always has

limits set by the hegemonic collectivity' (1997, p. 56). Again, this argument limits full belonging to Christians with non-Christians being accorded limited ideological citizenship 'on-condition' that they 'integrate'; difference is thus accorded only formal tolerance, confined to the private sphere and certainly kept from the 'public' (Parekh, 1991; Galeotti, 1993). Thus for non-conforming groups to achieve even partial acceptance requires the denial of a fundamental aspect of one's identity; as An-Na'im persuasively argues, for genuine integration to occur 'it is necessary to respect the cultural and religious right to self-determination, for example, to avoid requiring Muslims (or other immigrants) to abandon or renounce their own identity in order to be accepted as citizens or non-citizen residents of the country' (An-Na'im, 2007, p. 5). This argument is doubly resonant where it concerns veiled Muslim women who face discrimination on multiple fronts within Ireland.

Finally, the desire to avoid 'religion, and symbols of religion, in the public services' constructs a public service that is un-representative of the people that it serves. However, this view is echoed within other contexts. Hans Werdmolder, for instance, has argued that 'the freedom of wearing a headscarf can be considered or imply a infraction of the freedom of other involved persons' and further asserts that 'the State has a special responsibility to demonstrate its impartiality by adopting and enforcing a neutral, and sometimes uniform, dress code for all civil servants in its public education institutions' (2008, p. 165). This view has been contested by others where it is argued that 'a general prohibition of religious attire is not only difficult to reconcile with the core values of a democratic society, but is neither necessarily favourable for gender equality or the promotion of other rights' (Hendriks, 2008, p.154). Indeed, not only would such a position exclude a growing number of women from a major employment sector, but it provides a false picture of who the 'Irish' are. Furthermore, as has previously been argued, Ireland is not a neutral state. Christianity, and particularly Catholicism, has been integrated into the fabric of Ireland resulting in the disavowal of the religious nature of many of the practices and expressions common in Ireland; denying the right to religious expression impacts unequally and indefensibly on Muslim women.

The arguments examined above, while also implicitly reproducing an ethnic and gender specific Irish identity, suggest discordant understandings of autonomy and liberty. Autonomy as a right is accompanied by certain obligations and restrictions, primarily the restriction of infringing on someone else's autonomy. This is the argument presented by some of the letter writers above as a reason to limit the wearing of veil, implying that the very presence of a veiled woman infringes on their autonomous personhood. However, all human actions interact with those of others, as Charles Taylor describes, 'one cannot be a self on one's own' (1989, p. 36). Thus the very fact that a woman's decision to veil will be perceived by, and may affect a reaction in, others is not enough to qualify the veil as an infringement of either personal or national autonomy. Rather, the option of wearing a veil in a public school increases the range of possible choices for individuals and thus improves the conditions for autonomous action. Furthermore, the existence of difference and the resulting debates *is the condition for* autonomy as it permits the self-reflection and dialogue required for autonomous personhood (Crittenden, 1993, p. 34).

Contesting the Religious: Secularism vs. Faith in the Islamic Veil Debate in Ireland

As this article has detailed the veil debate is not only about religion: a nuanced analysis of the debate must consider the social, cultural and political aspects of the debate. However, it is *also about religion*, about faith and about how religious convictions are expressed. Unlike France or Turkey where the state has consciously been constructed as secular, Ireland has always enjoyed a close relationship with religious institutions, notably the Catholic Church. This special history has resulted in rather unique arguments both for and against the veil as secular and faith-based interest groups use the veil debate to negotiate rights and limitations to religion in the public sphere.

Watt of the now-defunct NCCRI argues that those who advocate 'a ban on the hijab might or might not have fully considered the consequences of such a ban in respect of all religious symbols and obligations in the schools' (Hemani, 27/06/2008), indicating that banning the icons of Christianity may not be the desired outcome of many who

oppose the veil in public schools. It is likely that he is correct. Brian Hayes, opposition minister for education, is reported as stating that ‘parents are entitled to send their children to religious schools but those who opt for state education should expect that there won’t be “any huge, demonstrable evidence of religiosity”’ (MacCormaic, Irish Times, 14/06/2008), apparently overlooking the fact that 80% of state sponsored schools are Catholic and devote a considerable period of time to Catholic activities particularly first communion and confirmation and religious holiday celebrations such as the Christmas pageants. As Catholicism is the hegemonic belief system in Ireland it is perceived as the normal way of life and associated with secularism, whereas Islam as a subordinate, minority belief system is perceived as religious, ideological and backward and thus ‘divisive’ and ‘exclusionary’. There is strong suggestion within this opinion that it is not religion under attack by those who demand the veil be banned from schools to limit the presence of religious symbolism, but rather the presence of cultural and ethnic ‘others’. Such initiatives would support the continued domination of the normative, Catholic culture in Ireland by delineating what religious symbolism and expression is normal and acceptable within Ireland..

However, other letter writers have used this debate to make exactly this criticism: that Ireland *is* a Christian nation and can not make a pre-tense of secularism by denying other religions while maintaining its Christian heritage. The authors conclude that schools should actually be secular and ban all religious symbolism. Sarah Groarke (Irish Times, 13/06/09) argues that ‘in a post-modern, multicultural Ireland, the time has come to remove religious teaching from our state education system’ and explicitly includes Catholicism within this argument. Similarly, a recent Irish Times article argues that Ireland’s system of Catholic state schools could force government to accept other religious schools that may undermine democratic principles. The author advocates that ‘the State... realise that the publicly funded education system is no place for the promotion of particular religions. Only a religiously neutral State education system can protect the education system from becoming a vehicle through which democratic values are undermined’ (McCrea, 17/12/2009, www.irishtimes.ie).

This argument however discounts the reality for many women that their faith is an essential and indivisible aspect of their identity. Banning religious symbolism from

schools has little effect for Christian students, whose identity as Christians is enshrined in every aspect of Irish life, while for non-Christians such a ban forces a visible separation between internal values, beliefs and convictions, and external affiliation as citizens or residents of a Western, Christian nation. Such a proposal is unlikely to ease religious and cultural tensions (if they exist) within schools or other public institutions, but rather to simply exclude those who occupy non-normative identities from full civic acceptance, as they are taught through such policies that only some aspects of their identity are compatible with *being* Irish.

Before advocating that all religious belief and expression should be welcomed without qualification in the public sphere under the auspices of autonomy, it is important to recognise that conservative religions, including some variants of Catholicism and Islam, construct the role of women in traditional, constraining and oppressive ways. Meaney has argued that as a result of the colonial backlash, strictly differentiated gender roles are 'easily identified as a trait of fundamentalist Islam and it is not difficult to trace this process at work in the sexual conservatism and political stagnation of post-independence Ireland' (1991, p. 7). Conservative social values that continue to restrict women's rights, in particular women's reproductive rights, are encouraged by conservative religions, but where such alliances remain 'private', outside the formal realm of politics, they are more difficult to detect and more difficult to contest. Failure of the state to counter the patriarchy of conservative religions facilitates the reproduction of such a system within society, thus 'formal-legal equality in [the] public sphere masks states' complicity in facilitating gender hierarchies in the private sphere' (Parisi, 2002, p. 579). In addition, 'confident that freedom in the public sphere is freedom itself, law posits and, indeed, preserves religion as an extralegal sphere that is static, irrational, and imposed. Individuals may exit religion but not reform it' (Sunder, 2003, p. 1399) and this allows for conservative religions to maintain oppressive and patriarchal structures uncontested.

Recognising the direct and indirect influence of religion in politics and the law opens the space needed to contest conservative, oppressive views and practices and to hold religious groups accountable to violations of human rights and the failure to confront such violations within their congregations. Requiring public servants and politicians

to declare membership to religious organisations is a positive step towards an open democracy that does not significantly restrict autonomy. Permitting religious symbolism within schools while also engaging in discussion about religion(s) encourages deliberation – an essential component of autonomy (Crittendon, 1993, p. 34). Policy and law can further be used to provide a safety net or platform from which reformist religious women can challenge traditional patriarchal interpretations of religion and demand greater equality within faiths. Ensuring that women have legal protection to do so, including adequate divorce and child custody laws, and social protection from poverty, which necessarily limits women's abilities to activate these laws, provides women with the tools to confront oppressive situations.

Locating Veiled Women in the Debate

In recognising the importance of faith in the construction of identity it is also imperative that the actual role of veiled women should not be overlooked in the analysis. Women's lived experiences, both positive and negative, impact on the choices they make including the way they live, how they develop and maintain relationships, how and where they worship and perceive their relationship to the divine and how they dress. Determining the extent to which a veil is forced on a woman must start from the assumption that all women, regardless of culture or religion, are capable of forming questions and understanding choices. This does not preclude the fact that some women may be compelled to wear the veil due to familial, religious or cultural pressure. It does however recognise that women in oppressive situations are also agents, often carrying out complex and dangerous processes of negotiation with those in power, or attaining some level of autonomy through subversive means. As Giddens (1991) argues and Lister clarifies, individuals may be both the subordinate objects of hierarchical power relations and active subjects, capable of exercising power in the 'generative' sense of self-actualization (Lister, 1997, p. 35). In acknowledging the capacity of all women to act, analyse and understand their situations - the fact of their moral autonomy - the researcher is forced to look at the conditions in which choices are made: not the choice of whether or not to veil, but rather to stay within a home, community or religious group which denies women the potential of making choices between options and enacting such choices.

Ignoring the agency and possibility of action of oppressed women and enforcing more regulation on women is unlikely to alleviate their circumstances, particular where these new regulations do nothing to address the underlying inequality which women face. Providing, at a minimum, the context in which women are officially capable of making their own choices formally recognises all women's agency; addressing conditions of inequality within faiths, the economy and society prepares the ground for the ability to enact these choices: however, equality of rights requires equality of resources.

The Irish government's decision not to legislate on the issue of the veil is the correct one: it allows the possibility of all women to make choices in how they dress, worship and live regardless of religious affiliation or cultural background. This is indeed a positive (non) step; as An-Na'im has asserted 'since human rights are by definition universal in concept and application as the equal rights of all human beings everywhere, each society must take this paradigm seriously before it can demand the same from others' (2007, p. 23). All people living within Ireland must be accorded equal rights to self-expression and autonomy. However, to ensure that the wearing of the veil, as but one very minor issue among so many others that have the potential to be forced upon women, is a choice and not a mode of enslavement the government must move forward to create policy and legal frameworks to protect the liberties of women. Unfortunately, this is an area that has remained under resourced and under examined within the government even among the boom times of the Celtic Tiger, and has more recently become a target of economic cuts.

Autonomy as Right

This article represents a commitment to the preservation and advancement of autonomy. In doing so, it recognises that women (and men) as agents will negotiate and practice this autonomy in many diverse and unexpected ways and further that these expression of liberty may be unsettling, even undesirable, at some times and for some people. The veil debate should not obscure the real issues of economic inequality, religious toleration of violence against women, gender inequality within

‘fundamentalist’ religions, and social stigmatization that trap women within oppressive situations by making the options even worse: poverty, abandonment, loss of children, excommunication, and more. Women’s choices, whatever they are, and the realisation of those choices, including the choice to wear the veil, should be celebrated. Law and policy should be directed to maintaining and expanding those conditions in which choices can flourish, dedicated to eliminating the conditions in which choice is denied and to punishing those who deny it as an offence to human rights. Non-oppressive rights to cultural and religious expression can be enacted within the framework of human rights, by focussing on the right to choose how and when to express and the infringement of that right by states, religious and cultural communities, and individuals.

However, access to rights depends on access to both formal and substantive citizenship. Women, as a group, remain blocked from attaining full citizenship ‘as the patterns of entry into the gateways to the various sectors of the public sphere remain profoundly gendered (Lister, 1997, p. 39). In an Ireland where national identity is based on a mythical, masculinised past that reduces woman to mere symbol of family, home and hearth, there is little ability for women to attain full recognition of citizenship without denying their common identity as women – the history and experience of economic, political, social and religious repression.

In negotiating the terrain of a multicultural Ireland, it is necessary to *re*-consider ‘Irish values’. As there is nothing static or absolute about being Irish, it is very possible to reframe these core values in ways that are more just and more inclusive. Ireland’s historic experience of cultural and religious oppression makes the importance of liberty evident. Ireland’s more recent experience of political and religious corruption should provide ample fodder for the impulse to construct a more vibrant democracy. Central to these concerns is individual autonomy. Re-conceptualising Ireland as a defender of human rights and individual liberty, and providing the concept of autonomy a sublime place among Irish ideals, permits the construction of an Irish identity that is not encumbered by a reactionary and mythical past that limits membership to a small group of supposedly ethnic Irish. Such an attitude however must be followed through in policy and practice: a minimum of equality must be

achieved for women and minority groups in terms of equal access to the law, to pay and to adequate living standards if genuine autonomous action is to be realised.

Although multicultural conflict has been relatively absent in Ireland, the economic bust has the potential to invigorate xenophobic attitudes towards those who do not conform to the Irish identity⁵. Diminishing the potential of multicultural conflict and ensuring a more equitable Ireland requires both an ideological and a material approach. Contesting the hegemonic perception of Irish identity by locating the significant role of women and ethnic and religious minorities in Ireland's history and articulating an inclusive national identity based on the shared commitment to the ideals of a liberal democracy, provides the unity in diversity required for national cohesion. Implementing the policies and provisions that create conditions for autonomous action lays the framework through which liberty and democracy can be realised. The decision of the Irish government not to legislate on the issue of the veil, and the ambiguous stance of the Irish people towards the veil, demonstrates the feasibility of such an approach in Ireland.

An Ireland united under the common concern of creating the positive framework of rights to ensure the capability of expressing autonomy and the political representation for women and minorities required to fight for and defend such rights is a necessity. Locating autonomy within a framework of rights enables difference to be represented and defended while at the same time establishing the basis for such autonomy as the positive rights to equality of employment and pay, to housing, to equal legal and political representation, to fiscal recognition of both public and private work and to law and policy that recognises that attaining equality for women requires redressing unequal circumstances. It also requires confronting unequal practices within religious organisations that establish inequality as morally acceptable. Every woman should have the right to choose how they live, worship and practice; such autonomy, however, requires a society that respects diversity and commits to the establishment of positive conditions of equality within the 'private' sphere of the home and religion, no

⁵ A number of studies have suggested a link between economic strain and xenophobia. See, for instance, Gang et al. (2002).

less than the public sphere of formal politics and economics. This is indeed a common goal.

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