

Accommodation policies in the Netherlands: Headscarves and Turbans
for Police(wo)men

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ABSTRACT

Claims of diversity and 'state-neutrality' in Dutch institutional contexts (working title)

In the Netherlands the issue of cultural and religious neutrality of the state recently came up in arguments that oppose cultural accommodation. The first time was in a discussion in 1997, about the question whether or not to allow teachers of public schools to wear headscarves at work. The second time was in January 2000, when the Dutch police proposed to accommodate the wish to wear religious headgear. Headscarves had often been on the agenda before but always concerned the private sector (factories, medical professions etc.) where it provoked discussions about safety, representativity, accessibility and efficiency; not about neutrality. In those cases the (quasi 'sacro-sanct') argument of religious freedom almost automatically prevailed - wearing a headscarf is defined by many Dutch as a manifestation of religious belief - and thus not allowing headscarves was at odds with the right to religious freedom. However, once the issue concerned public servants, and thus presumably threatened the religious and cultural neutrality of the public sphere, the Dutch state faced a real dilemma.

Our paper studies two controversies in the Netherlands in which "state-neutrality" was an issue: teachers in public schools and the Dutch police. We show that in these cases state-neutrality turns out to be an unclear concept. In the debate about the wearing of headscarves in public education, for instance, state-neutrality seems to mean quite a different thing than in the debate about wearing them in the police force. The meaning of "state-neutrality" seems to shift with the various institutional contexts that make up the state. Accordingly, different solutions - pro or contra accommodation - are found. The homogeneity commonly attributed to the Dutch tradition of 'mild' secularism (often contrasted with the stricter French tradition), seem to 'disappear' in debates about concrete intercultural conflicts. Discussing normative issues of political theory, we argue, the above implies that we should take into account institutional differences *within* each of the member states, besides "differences of traditions" *between* EU members.

FIRST DRAFT

Accommodation policies in the Netherlands. Headscarves and turbans for police(wo)men

Introduction

The Netherlands is an interesting case for those who are interested in the ways in which public policies anno 2001 shape ethnic and gender identities and how these relate to the ways in which social movements and interest-groups articulate group identities, with debates on 'identity' and 'difference' in their minds. The Dutch state pursues so called 'Diversity Policy' and consequently official public policy and strategies of feminist and anti-racist interest-groups have converged, it seems.

The label 'Diversity Policy' applies to all social policies that are inspired by the ideal of social or cultural diversity. Although this is not a very clear concept, it means that attention is paid to the specific needs and interests of various social and cultural groups, without neglecting differences within these groups, nor individual differences (see below). As a matter of fact, 'diversity' has become a key-concept in social policy in the Netherlands today. 'Diversity' is a goal of public policy on a national level – for instance of the Ministry of 'Big Cities Policy' that deals with ethnic minorities – and on a local level - three of the four big cities in the Netherlands, namely Amsterdam, Rotterdam and The Hague, promote diversity policy in their official documents concerning social policy - in housing, work, education, healthcare, culture and art. The city of Amsterdam calls its latest policy-document 'The Power of a Diverse City'. The city also has a municipal commissioner for 'diversity' and promotes 'diversity management' like any other public institution now. Moreover, where we used to have 'Emancipation Effect Reporting' (EER) to check on the emancipating effects of policy for women, we now have 'Diversity Effect Reporting' (DRR) to check on ethnic or cultural diversity.

Although diversity-based policies can refer to a range of differences – ethnic, cultural, gender, age – they refer to (a specific category) of ethno-cultural differences in the first place. Namely those ones that have travelled far, with immigrants from non-EU-countries, who are called 'allochtonen' (versus 'autochtonen'). This means that 'diversity' refers to a seemingly random collection of ethnic and cultural minorities: immigrants from Turkey and Marocco and their children and grandchildren (originally so called 'guest-labour'), immigrants from former Dutch colonies such as Indonesia, Surinam and the Dutch Antilles, and most recently, political and economic refugees who come from Somalia, Ghana, Afghanistan, Iran, and Iraq in particular. 'Diversity' thus refers to cultural variety that results from recent worldwide migration processes from non-European countries. This suggests that the strong emphasis on diversity in social policy can hardly be seen apart from '*multiculturalism*' in the Dutch context, understood as the political answer to a situation of growing cultural variety (see Kymlicka 1995 for this discussion).

In the context of multiculturalism as a reality and an ideal, cultural diversity is presented as *a good*. That a culturally diverse society or organisation is 'nice', 'fascinating', 'enriching' and thus desirable, is considered self-evident: who would promote its alternative, the 'boring' monoculturalism as embodied by white, Christian 'autochtone' Dutch people?!

In public policy following this debate, cultural diversity or 'colourfulness' is not only a fact of today's society that we have to accept. Cultural diversity is also

promoted as a good for both the individual and society, that should be protected by the state and preserved in the process of integration. Cultural diversity is even considered 'a source of quality' and a 'surplus value' (cf. the policy document 'Amsterdam: The Power of a Diverse City' 1999). Policymakers thus stimulate organisations to recruit members of ethnic minorities using the argument that organizations that do not use the qualities of ethnic people do not understand their own interest very well.

A telling example of the Dutch accommodation spirit is the proposal of the Dutch police in January 2000 to allow police(women) to wear a headscarf or turban on the job in the street. The Dutch government was willing to change existing rules and laws – in this case current dresscodes - in order to adapt to cultural practices that are considered crucial for the identity of minorities. By its active and accommodating attitude the government shows that it wants to go beyond 'passive' toleration based on the principle of non-interference ('laissez-faire') that leads to 'a mere *modus vivendi*' between minority and majority groups (see Willams 2001 forthcoming, and see also Mendus 2001). Through its accommodating policies the Dutch government makes clear that it does not expect minorities to give up their ethnic, cultural or religious identity as a precondition of equal citizenship, and that demands of equal citizenship can be combined with particular ethnic, cultural or religious commitments.

From the above we might conclude that the Dutch government, contrary to the French for instance that stresses abstraction from specific ethnic identities as a precondition of equal citizenship (cf. Favell 1998), has listened very well to the wishes of anti-racist and multiculturalist organisations in society. However, I shall argue that we might have serious doubts about such an interpretation of the present diversity- policies. Moreover, I shall argue that there are good reasons not to endorse these policies uncritically.

The shift towards Diversity

Where does the shift to 'diversity' in Dutch public policy come from? For instance, what kind of policies does it replace, and for what reasons? It seems that the focus on 'diversity' in social policies is a reaction to the following developments:

First, diversity-based policies are a reaction to *general* policies that abstract from any specific ethnic, cultural, religious or linguistic background. But diversity-based policies are in the first place a reaction to the doctrine of so called '*Target-group*' Policy (cf. 'Amsterdam: The Power of a Diverse City' 1999). The latter address a set of well defined minority groups or immigrants mentioned above, such as Surinamese, Antillians, Turkish, Maroccans, Ghanese, Somaliens, etc., and define these groups as 'problematic' and 'backward' *vis a vis* majority groups. From the eighties onwards Target-group Policy has been criticized for its exclusive *negative* focus on minority groups, whose members are stigmatized as losers and victims of their culture, expecting to be 'saved' by government policy. By contrast, Diversity Policy provides a positive perspective on *allochtonen* (see above). In addition to this criticism, Target-group Policy was criticized for being based on too *imprecise* categories. Its focus on 'Maroccans', for instance, cannot distinguish first generation-Maroccan immigrants who come from rural areas in Morocco and do not speak Dutch, from other so called 'second' or 'third generation' Maroccans born in the Netherlands, sometimes well educated and fluent in Dutch. Recognition of the variation within ethnic groups has led to the introduction of diversity policies at the end of the nineties. These are policies that intend to pay attention to differences *between* groups without neglecting differences *within* these groups (especially differences

between first and later generations, and also between men and women it seems). In relations to this, it is argued that Diversity Policy pays attention to *individual* differences too (see ‘Amsterdam: The Power of’ 1999). Diversity-Policy thus represents a sophisticated type of group-differentiated policy: ‘goods made to the measure’, as policymakers used to say (ibid.).

A *second* reason for the shift towards diversity in social policy is more ideological or theoretical. It is a reaction to the ‘*marxist*’ *emphasis on class, inequality and solidarity*, that has lost its political and theoretical appeal (see Appiah in *Volkskrant* 1999; Hensbroek 2001; Tonkens 1999). Contrary to class-based policies, diversity-based policies can pay attention to previous neglected non-economic causes of inequality, e.g. ‘culture’. Attention for the latter has become more urgent since culture is considered a much more important determinant of social and economic inequalities than ‘ever’ before - think for instance of the so called *glass ceiling* that is presented as the main cause of ‘women’s and minorities’ failure to reach the top in organisations, political parties, etc. (- at least in Dutch social science literature).

Moreover, the strong emphasis on *the ideal of equality* is criticized, in particular because its association with ‘assimilation’. (Note that there is a link between assimilation and ‘bad’ monoculturalism mentioned above). According to the equality ‘paradigm’, women and members of minority groups had to ‘assimilate’ to become equal, first class citizens, it is argued – they had to assimilate to white, middleclass men that embodied the norm for equality (some call this a process of ‘white-washing’). In diversity-based policy, in contrast, integration is a two-way process of mutual adaptation by equally respectfully ethnic groups - majority or minority. Because this is inspired by the principle that cultures have equal worth diversity does not establish a norm or standard and consequently no culture is privileged. Clearly the influence of French ‘philosophy of difference’ by Derrida and Lyotard c.s. is visible here. Interestingly, the influence from the abstract and quite esoteric French ‘philosophy of difference’ in the Netherlands came indirectly, via the U.S. Once this philosophy had been transformed and popularized by American scholars - who used it for American multiculturalist theory and practice (see Van der Poel & Berto 2000; Hensbroek 2000) - the American-French theory of (multi)cultural diversity was imported in Dutch academics, and via that route in social policy.

The shift from equality to diversity for reasons mentioned above can be well illustrated by developments in affirmative action policies in the Netherlands. We can notice that whereas in the past affirmative action policies for women and ethnic minorities were inspired and justified by an ideal of *equality* - affirmative action policies were a means to create de facto equal opportunities for members of non-dominant groups – today the ideal of *diversity* justifies affirmative action policies. Same policies, different justification (see Verhaar 1999a), as is made clear by job advertisements for police personnel that state under the label of ‘Diversity Policy’ that applicants from ethnic minorities who are sufficiently qualified for the job will get priority (Politie Kennemerland, *Volkskrant* February 2001). The question is not anymore: how can “they” -minority groups – become equal to us? but: how can “we” – existing organisations - become diverse? (see *Equality Matters* no. 8, February 2001).

As Harvard professor Kwame Appiah argues, however, the focus on cultural diversity does not only satisfy the need of white scholars, politicians and policymakers who want to get rid of marxist class- and equality-discourse; it satisfies also ‘black’ minority groups who want their ethnic identity to be recognized by the state (Appiah 1992, and see also *Volkskrant* 1999). This need for recognitions seems

to be true for Dutch minorities too, since their self-organisations and organisations such as FORUM and EQUALITY, ‘experts in gender and ethnicity’, express the wish to respect *and* appreciate ethnic identities (see *Equality Matters*, November 2000 & February 2001).

As a preliminary conclusion we could say that the interests of politics and groups in society have converged since both celebrate cultural diversity defining it as a self-evident good. The question I will raise here is: is this desirable, in the first place from a moral or political point of view (justice, toleration), but also from a ‘bureaucratic’ point of view (effective policies). To try and become more specific, let us look at the case of the Dutch police that I already mentioned because of its diversity-based affirmative action policies.

Accommodating the demand for religious headgear by the police

The idea that Dutch public policy is very sensitive to the wishes and claims of ethnic, cultural, and religious minorities, seems to be illustrated by the social policies of the Dutch police. First, note that the police is an important social institution and a highly symbolic ‘state apparatus’, whose legitimation should be beyond doubt. This is why the police wants to increase the number of women and members from ethnic groups in its organisation. Different policies are used for this purpose, among others affirmative action policies for women and ethnic minorities and campaigns against sexual harassment (the Dutch police has a bad, that is sexist and homophobic reputation). The latter should also prevent women from leaving the police force once they are in.

The plans to accommodate religious headgear, in particular ‘muslim’ headscarves and ‘Sikh’ turbans, were made official by the police in January 2000. These plans entailed that some religious minority groups would be exempt from the police’s standard dresscode with its flat, peaked cap. The latter is considered an obstacle to headscarves and turbans. The police would provide for special headgear in the color of ‘police-blue’ so that it would fit the rest of the police uniform. The police thought it was a good moment to change the existing dresscode because the old uniform would be replaced by a new one within a year.

In its explanation of its plans of more flexible dresscodes in daily newspapers and private interviews, the police gave a set of motives for its initiative. One argument was that Dutch society was a multicultural society and that the police should be representative of this. Here identity represents an entitlement to shares of a group’s or society’s resources, as argues Papanek (Papanek 1994). This meant that 10 percent of the police personnel should be of ‘different ethnic origin’; however, it is actually less than 5 percent. The police said that it would be a shame when members of ethnic minorities could not join the police force only because of the police-cap.

A very different type of argument was the idea that more flexible dresscodes would make the police a more attractive employer for people from minorities, and thus increasing the percentage of minority personnel, which would improve the police’s services. For instance their presence would increase effectivity in fighting crime since the police faced ‘ethnic youth criminality’. Policemen from ethnic minorities could also be of help here because they were supposed to have knowledge about ‘ethnic networks’ and would be able to communicate with people from ethnic minorities who speak Arabic or Turkish. Another advantage was that policewomen with a headscarf would be more respected by members of their community than policewomen without, and that ‘headscarved’ policewomen thus would have more

authority (). So, on the one hand the police's argument for proportional representation was an argument of prudence.

On the other hand, the police's proportionality-argument for accommodation was an argument of justice, arguing that in a multicultural society every ethnic group should recognize itself in the state-institutions (..). To allow for headscarves and turbans, the police made clear that it didn't want minority groups to give up their identity to become police(wo)men, on the contrary, they were allowed to be visible in the street *as muslim, or as Sikh*. This was both in their own interest and in the interest of the police.

Other motives the police gave for her plans can also be related to the wish to recognize specific ethnic identities, such as references to European anti-discrimination laws and to the present situation in other European countries, such as England where Sikh-policemen were already allowed to wear turbans (see Parekh 2000). The police mentioned also Dutch jurisprudence about headscarves as a motive. This states that prohibiting to wear a headscarf in work situations is illegal since it is at odds with the right to religious freedom (in the Dutch context a headscarf is defined as a 'direct' manifestation of religious belief). Here the police referred to the rulings of the national Committee on Equal Treatment about wearing headscarves at work. It had – rightly - concluded from these that only safety-reasons or reasons of functionality could be a legitimate ground not to allow for religious headgear. This was the reason that 'police-headscarves' would be allowed in all police-jobs except in the 'Mobile Force', because in that department policewomen 'ran the risk to be strangled with their own headscarf' (.). In this context the police referred to the case of two women of Turkish origin who work at the police in an administrative 'desk'-job, who had asked to wear a headscarf in workingtime because they felt 'impure' since the way they dressed was not conform religious demands, that was allowed by the police earlier (*Volkskrant* February 2000). In this way the police made clear that by allowing headscarves and turbans it wanted to anticipate to future claims of religious minorities in the Netherlands as a way to prevent penalties imposed by national and European anti-discrimination laws.

In contrast to accommodation of turbans by the UK police, the Dutch plans for accommodation were an initiative of the *police-organisation*. There was no pressure nor demand from any minority group or organisation to do so, nor by individual muslims or Sikh. As the police had made clear by referring to previous claims and to national and international anti-discrimination laws it simply assumed that if there were no claims to wear religious headgear on the police job yet these were likely to arise in the nearby future. And then the police could better be prepared.

In the case of Sikh, however, it was not very probable that claims would come soon, for in fact in the Netherlands there are hardly any Sikh at all (..). In fact it was clear from the beginning that the police's accommodation policies addressed religious muslims only (it only referred to Sikh turbans following the English case it seems). There are a great number of muslims in the Netherlands - with a Turkish, Moroccan, Indonesian, Somalian, or Tunesian background for instance - and the criminality rates among Moroccan and Turkish youngsters in particular are relatively high. But once the public debate about headscarves for religious muslims had started there appeared to be no consensus at all among Dutch muslims about the issue. Their reactions were very diverse. For instance there was one important organisation promoting multiculturalism, called FORUM, that approved of the idea of 'police-headscarves'. Its director Aboutaleb confirmed the effectivity argument of the police: that

policewomen with a headscarf could be useful for the police because they would inspire more authority to muslim youngsters (...). But there was also a group of so called 'progressive' Dutch Turks opposing the idea of policeheadscarves. They used the argument that in a secular state neutrality of the police required that no religious symbols whatsoever were allowed (quote).

Neutrality

The plans gave rise to an unprecedented controversy. 'Muslim headscarves' had been on the political agenda before, but this time the issue concerned the public sphere. In previous cases concerning factories, medical professions, supermarkets, and the like, wearing headscarves on the job provoked arguments of 'safety', 'efficiency', 'accessibility' or 'hygiene'. And opponents of headscarves were always overruled by appeals to the right to religious freedom (corresponding to the definition of wearing a headscarf as a 'direct' manifestation of religious belief). Now that the issue of headscarves concerned the public sphere, however, a serious dilemma rose. The issue was framed as a conflict of two fundamental principles: religious freedom and neutrality of the state. Consequently the right to religious freedom could not 'automatically' prevail as in previous cases (see Verhaar 1999b; Saharso & Verhaar 2000).

The argument of neutrality was not a new argument in discussions about headscarves, for it was not the first time that the public sphere of civil service was concerned. There had been a controversy about a teacher (trainee) at a public school who wore a headscarf in the classroom some years ago (see Saharso 1999; Saharso & Verhaar 2000). This time opponents of headscarves used the argument of the neutrality of public education. Neutrality in this context means 'neutrality *vis a vis* different religious beliefs' and 'accessibility for all' (...). The disagreement between the teacher and the schooldirection was settled by a ruling of the National Committee of Equal Treatment in 1998 (Ruling no. 99-18). This stated that a headscarf is not necessarily the symbol of religious orthodoxy and intolerance *vis a vis* non-muslim beliefs or non-religious worldviews. As far as moslimbelief was not actively manifested or promoted, a headscarf as such was not a threat to the 'open' an 'tolerant' attitude that is required by the Dutch law on public education. The direction of the school should have interviewed the trainee about the meaning of wearing a headscarf first before concluding that it was an emblem of orthodoxy and intolerance (see Ruling no. 99-18, 1998).

In the controversy about headscarves for police-women 'neutrality of the state' became the main argument against accommodation of headscarves. Allowing muslimwomen to wear them would be a threat to the neutrality of the police. Opponents argued that impartiality and loyalty by the police were incompatible with personnel wearing headscarves, for these were the symbol of a specific religious and political commitment ('moslim fundamentalism'). An uniform was after all not a 'duoform', it was argued. Another argument was that the police-uniform would not be recognizable as such if headscarves were allowed. Moreover, a police-women with a headscarf would have no authority and thus, contrary to what advocates of accommodation say, the police would become *less* effective.

The debate on police-headscarves remains unsettled. The police's advice to accommodate religious demands of wearing headscarves and turbans 'had to be studied' by the Ministry of Internal Affairs. The Minister would decide about the issue as soon as he had received the advice about the design of the new police-

uniform. Pending a decision of the Minister local police-organisations were allowed to decide for themselves whether or not to allow allow headscarves. A year later, February 2001, the new police uniform was introduced by means of a picture in the newspaper. The flat, peaked police-cap had been replaced by a sort of high (uniform) base-ball cap. This model had been chosen, it was explained, because it was expected to be more comfortable and more stable. The article said that there would be no 'police-headscarf', giving no argument, however. Others criticized the new uniform because it would not inspire authority (*Volkscrant* 2 February 2001).

Discussion

What can we conclude about the idea that Dutch social policies that want to accommodate ethnic or religious diversity are very adaptive and sensitive to the needs of ethnic groups and their (self-)organisations?

The proposal to allow headscarves and turbans for police(wo)men did not answer a claim, or even an articulated wish, of religious minorities and their (self-)organisations. There were only a few requests of muslimwomen working in *administrative* police-functions. It seemed that the police was prepared to accommodate religious headgear even before claims of ethnic minorities arose. The police simply presumed that muslims would benefit from an exemption of uniform police-dresscodes, neglecting the specific context – state neutrality – their own organisation provided.

It is not surprising that there were no demands of muslimwomen for allowing headscarves on the police-job, and that as a consequence, the policy would remain purely symbolic. And here I do not refer to the reputation the Dutch police: a sexist male-dominated organisation wherein sexual harassment is daily routine, as recent studies about 'the police-culture' revealed. It is not surprising that there were no demands because the policy addresses muslim women who belong to the strand of muslim belief that considers covering the head of women to be an uncontested religious obligation. Women in this group can hardly stay on the campus of a police academy (Bovenkerk & Van San e.a.1999), and thus, ironically, seem to be among *the least* interested of all people in the jobs the police has in mind for them. It seems that the police wanted more people from ethnic minority groups in its organisation but forgot to pay attention to the gender of ethnicity. It did not realize that its policy addressed religious muslim *women* of a *specific kind*. Social – or 'ethnic' - reality appeared to be more complicated than policymakers had in mind. There were religious muslims and secular muslims, there were different kind of religious muslims, some of them were pro- headscarves and others against, and some of them were even more opposed to headscarves than 'autochtone' Dutch who defended the principle of state-neutrality.

By proposing a more flexible dresscode the police had especially *itself* in mind, it seems. It was clear from the beginning that it had a serious personnel-problem. And that it used accommodation as a strategy to recruit (specific) personnel, rather than as a strategy to realize representation of ethnic minorities. Representation is a secondary goal at best. We also found that fear of legal penalties motivated the police's wish for accommodation of religious headgear, and that the police was interested in muslim women because of the qualities they have *as* muslims that would improve the police's effectivity.

Some people call the above situation a 'win-win-scenario'. Both the police and muslim-minorities benefit from this policy. But muslimwomen were 'exposed' to a public debate that was initiated against them without even consulting them. The

police did not realize that they interfered in a politicized debate about what it means to be a muslim/woman in a secular non-muslim society and wherein female behaviour and the way they dress are important 'identity-markers' (..). They did not realize that they implicitly opted for one specific position in that debate: an orthodox interpretation of the Koran that considers wearing a headscarf an uncontested religious obligation. Identifying headscarves with muslim orthodoxy ("fundamentalism") in the debate about a more flexible dresscode for the police contributed to the stigmatisation of muslims. This interpretation of wearing a headscarve is off course opposed to other interpretations, such as 'a personal choice' (for tradition), that is now promoted by many young, self-conscious and 'feminist' Dutch muslimwomen and girls who want to articulate their identity as muslima in Dutch society (see Verhaar 1999b; Saharso 1999).

Conclusion

We can conclude from the above discussion that policies that intend to accommodate ethnic diversity have effects that are at odds with their own aspirations. A problem of hiring people from ethnic minorities on the basis of the qualities they are supposed to have as members of ethnic minorities, is that it is not compatible with the aspiration of paying attention to different voices within a group or to individual differences. We have to do here with *assumptions* about special 'ethnic' qualities, that are either based on cliché's about Moroccan, Surinamese, Turkish etc. culture, or simply arbitrary, also from a moral perspective. What happens to the policewomen with a headscarf who does *not* inspire authority with other muslims, or who does not have knowledge of ethnic networks? (Or worse, what happens when a policewomen has a network but uses it for criminal activities, as happened at the Rotterdam police some years ago?). Would these 'failures' be a reason not to hire members from minorities anymore, or to stop affirmative action policies for ethnic minorities? The policy of a so called 'multicultural' nursinghome in The Hague suggests it might be. Its director, who argues that ethnic diversity is 'enriching', told that he is proud to hire only members of ethnic minorities who want 'do something' with their ethnic identity, and that he sends away applicants who do not want to do this or who think that this is irrelevant for the job (*Tijdschrift voor de Social Sector* 1998). This illustrates how affirmative action and other policies that are justified by diversity can be at odds with principles of justice, non-discrimination and 'legal security'. The negative and even perverse effects of a purely 'economic' or 'productivity'-perspective on ethnic minorities as 'enriching' makes clear that diversity can not be the only pillar of social policy (see Nussbaum 2001 for criticism on this perspective).

Another disadvantage of policies that accommodate cultural diversity is that they hardly pay attention to more than one difference at the same time – ethnicity and gender for instance. This is a consequence of policies that have made 'ethnic diversity' a principle of policy itself (cf. Mouffe 1992). Nor do these policies pay attention to the specific contexts in which claims for accommodation are articulated, whereas our case illustrates that these contexts define the meaning of a claim. For instance, they can not pay attention to the fact that a headscarf in the private sphere is different from a headscarf in the public sphere, or that the meaning of 'state-neutrality' shifts with the various institutional contexts that make up a state, or that neutrality of the state means something different in the Netherlands ('mild' secularism) than in Turkey or France ('strict' secularism).

Should we conclude from this that we can better forget about social policies that accommodate cultural diversity? Should we go back to general policies that apply to

everyone, that fits to the idea that ‘all people that live in the Netherlands are Dutch, some of them being black and some of them wearing a headscarf’, as the Dutch Minister of Integration proposed a few weeks ago? (*Volkskrant* 17 February 2001). I don’t think so. But diversity should not be a principle of policy itself, so that equality can have a -central - place in social policy. Moreover, equality should have priority to diversity. We should notice that equality is not per se synonymous to assimilation, and that equality is needed because diversity itself does not establish norms. Except for more ‘egalitarian’ policies that accommodate cultural diversity, we should try to develop a more ‘decentered’, that is *contextual* approach to claims of diversity (cf. Carens 2000; Williams 2000). This approach concentrates on the different ‘spheres’ wherein these claims are articulated and get their meaning, rather than concentrating on groups and their intrinsic qualities.

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One of those men is Captain Simratpal Singh, a decorated combat veteran who was granted the permanent right to wear a beard and turban by the Army earlier this year. As The New York Times's Dave Philipps reports, Singh sued the government after a temporary accommodation had expired. In a Stars and Strips interview with Corey Dickstein, Singh related the turmoil he faced as a West Point student forced to shave his beard and hair despite his religion's belief that hair should never be cut. Sikh men are not the only people who have faced conflicts between their religious beliefs and military grooming. In the Netherlands the Islamic headscarf meets with an accommodating policy reaction, while in Germany some eight federal states have introduced legislation to ban the headscarf. This difference is explained, so I argue, by national differences in citizenship traditions. France, Germany and the Netherlands have developed different policies regarding veiling. In this paper we describe how headscarves became regulated in each of these countries and discuss the ways in which French, Dutch and German politicians have deliberated the issue. The paper is based on a content analysis of parliamentary debates on veiling in France (1989–2007), Germany (1997–2007) and the Netherlands (1985–2007).