



Invitation ZMO-Kolloquium Summer 2009

Thursday, 30 April 2009, 6 pm

The Scarf Affair in Comparative Constitutional Debates: France, Germany and Turkey

Lecture by Prof. Seyla Benhabib

Venue

Zentrum Moderner Orient
Kirchweg 33

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Muslim women's dress codes - the hijab; the chaddor; the 'foulard,' the turban - have been the object of international political and cultural controversy. It is as if all the unresolved issues concerning the integration of Muslim migrants into European host countries in particular have been focused on this item of clothing. Since freedom of religious expression is a fundamental human right, protected by the Universal Declaration of Human Rights, as well the European Convention on Human Rights and the EU's Charter of Fundamental Rights and Freedoms, the wearing of the 'hijab' creates difficult legal dilemmas for liberal democracies. How can states limit such a fundamental right and on which grounds and with reference to which public spaces may they do so?

In this lecture Benhabib will compare the well-known decision of the French Parliament banning the wearing of the head-scarf in public schools (2004) with the decision of the Bundesverfassungsgericht concerning whether Fereshta Ludin could teach in German schools (2003) with the more recent judgment of the Turkish Constitutional Court (Summer 2008) banning the wearing of the scarf or the turban in institutions of higher learning in Turkey. Benhabib argues that at stake is not only the meaning of fundamental rights but also why women and their bodies become the object of disciplinarity in conflicts of culture, law and religion. What are the destabilizing effects of recalcitrant forms of difference for the legal discourses of liberal democracies?

Seyla Benhabib is the Eugene Meyer Professor of Political Science and Philosophy at Yale University and Director of its Program in Ethics, Politics and Economics (2002-2008). Professor Benhabib was the President of the Eastern Division of the American Philosophical Association in 2006-07 and she is currently Senior Fellow at the Wissenschaftskolleg zu Berlin.

She is the author of **Critique, Norm and Utopia. A Study of the Normative Foundations of Critical Theory** (1986); **Feminism as Critique** (1986). With Judith Butler, Drucilla Cornell and Nancy Fraser, **Feminist Contentions: A Philosophical Exchange** (1994); **The Reluctant Modernism of Hannah Arendt** (1996); **The Claims of Culture. Equality and Diversity in the Global Era**, (2002) and **The Rights of Others. Aliens, Citizens and Residents** (2004); **Another Cosmopolitanism. Hospitality, Sovereignty and Democratic Iterations**, with responses by Jeremy Waldron, Bonnie Honig and Will Kymlicka has appeared from Oxford University Press in 2006. All books have also appeared in German.

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