

GOVERNING EUROPEAN SUBJECTS

TOLERANCE AND GUILT IN THE DISCOURSE OF “MUSLIM WOMEN”

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In January 2007, the Frankfurt-based judge Christa Datz-Winter ruled against the petition of a woman who asked for accelerated divorce proceedings because her husband harassed her and threatened her life.¹ The twenty-six-year-old woman had left her husband of five years because of the severe violence she was subjected to during the marriage. The judge, however, found that the violence the woman experienced did not constitute a special hardship, because, as she explained, the husband belonged to the “Moroccan cultural sphere” and as such could be reasonably expected to make use of his religiously sanctioned “right to physically discipline” his wife. Judge Datz-Winter underscored this argument by referring to a passage from the Koran. She asserted that this passage—Sura 4, verse 34—established male superiority over women and gave the man the right to punish a disobedient wife.²

The reasoning in the case was entirely the judge’s own and not based on any arguments put forth by the abusive husband or any external expert witness.³ It was the judge who decided that “culture” and “religion” should be the proper framework for evaluating this case of domestic violence, and it was she who decided which culture and which religion that meant. In this framing, “Moroccan culture” and “Islam” as religion were ascribed to the couple and particularly to the husband, as primary and determinate categories. As this line of argumentation indicates, these categories were presented as interchangeable and seamlessly continuous with each other—he belongs to the “Moroccan cultural sphere” and therefore the Koran is the proper reference point.⁴ The judge, however, did not merely designate these as the main categories, she also presented her own understanding

of what this “culture” and “religion” entailed, namely, a gendered hierarchy that legitimates male violence against women. The ruling thus was based primarily on operations that assign a specific religion-culture to individuals, declare these to be the proper, if not sole, determinants of the individuals’ behaviors and horizons, and presume to know what the behaviors associated with the culture and religion are, based on preconceived ideas about these entities.

This ruling led to a broad public outcry in Germany. Yet the massive response did not so much chastise the judge for her projections and her abandonment of the abused woman as it treated the case as an alarming sign of the “Islamization” of Germany and the endangerment of its European values and norms. The influential liberal weekly magazine *Spiegel*, for instance, discussed this case under the headline “Do we already have Sharia Law?” (“Haben wir schon die Scharia?”).⁵ The pivotal point in the responses was time and again the presumed presence of “misguided” or “false” tolerance on the part of the German court.⁶ The right-leaning *Welt am Sonntag* asked: “Do the courts handle Muslim perpetrators with archaic values too softly because of misguided tolerance?” (Peters and Vorwinkel). The center-right weekly magazine *Focus* likewise indicted a “misguided notion of tolerance that has been dressed up as happy multicultural liberalism” (Wisniewski and Zorn). The ruling led the *Frankfurter Rundschau*, a newspaper close to the Social Democrats, to state: “One cannot consider Islam a religion among others, a religion that might have a right to exist under the big roof of European tolerance” (Michalzik). What is remarkable in this discursive development is the rapid manner in which a single domestic abuse case involving a young woman coded as Muslim leads to charged debates about the political status of multiculturalism, the shape of contemporary liberalism, and the future contours of Europe.

Echoing similar rhetoric across the Continent, these responses begin to indicate the peculiar role that the figure of the abused Muslim woman has come to play in European discourses since the 1990s. Although quickly left behind, this figure is time and again the crucial catalyst in controversies about the ideological foundations and institutional contours of Europe. In an analysis of recent Scandinavian debates that highlight this victim figure, sociologist Sherene Razack argues that the Muslim woman’s “imperiled body has provided a

rationale for engaging in the surveillance and disciplining of the Muslim man and Muslim communities" (169). While this is indeed true, it is only part of the story. I argue that this "disciplining" is not limited to communities constructed as Muslim but is rather a means of governing *all Europeans*, albeit differentially.⁷ In fact, the abused Muslim woman figure is a crucial element in emerging forms of governmentality in contemporary Europe.

Formulated by Michel Foucault, governmentality describes modern forms of governance that rely on the shaping of rationalities and mentalities of individuals and groups rather than on merely ruling subjects. Such governing is dispersed and extends to areas that are not formally political. As Wendy Brown elaborates, this "mode of governance . . . produces subjects, forms of citizenship and behavior, and a new organization of the social" (2003, 1). The recent rise of neoliberal governmentality, with its attempt to extend market rationality to all spheres of life, increasingly directs mentalities toward regimes of privatization and responsabilization.⁸ This means that neoliberalism seeks to produce subjects deliberately in the image of a rational actor in the market, as free agents and entrepreneurs who "self-actualize and act on their own behalf" (Ong, 236). To achieve this kind of "privatization," an affective project of disembedding and disconnecting subjects from their social ties, values, and premises appears necessary. As I will show, the Muslim woman figure functions as a vehicle for shaping contemporary European subjectivities in these directions.

Today's intensified discourse on victimized Muslim women is mobilized as a means of radically altering the projected foundations, values, and structures of Europeanness at the very moment of European unification. That is, this seemingly peripheral discourse about the racialized, gendered Other reveals the tensions at the heart of the formation of the new Europe. It is a displaced site of struggle over what this new Europe should encompass and how it should be structured. This struggle extends to the very way in which the proper European subject herself should be structured. The current employment of the figure of the "Muslim woman" facilitates in particular changes in three key cultural and social arenas in Europe that at first may seem distant from the figure itself: redefinitions of tolerance and the rejection of multiculturalism; revisions of responsibility for the European past encompassing colonialism and the Holocaust; and revisions to the

model of the welfare state. These changes contribute to a remaking of structures and subjectivities and at times converge with the cultural project of neoliberalism.⁹

This essay probes two of these realignments—at the sites of tolerance and guilt—primarily through a focus on contemporary German public discourse. Because “Europe” continues to be constituted in and inflected by particular national contexts, it is productive to approach it from one of those particular national vantage points, while marking the manner in which the supra- and transnational level is invoked there. Due to its national history, Germany, the most populous and economically powerful state of the EU, is particularly invested in “Europeanness.” The country also exemplifies some of the shifts in recent discourse with particular clarity. Among the realignments, the implications of the shift from a rhetoric of “tolerance” to one of “false tolerance” are especially salient.¹⁰ While the notion of “false tolerance” is not surprising coming from the right—which previously used the concept in the context of too much laxness toward criminals—its current ascendancy speaks to a shift that has occurred very recently in the positions of a significant number of European leftists and liberals.¹¹

In analyzing these shifts and realignments, this essay argues that, despite discourses cast in dichotomous civilizational terms—Europe versus Islam—the main transformation in Europe today is occurring within the European left and liberalism. Even as old tropes about the barbaric Muslim Other continue to be perpetuated in the current discourse, these tropes acquire new meanings and functions in a post-Cold War, post-9/11 Europe that struggles to produce a substantial cultural foundation for a cohesive European Union identity in an age of neoliberal globalization.

“Muslim women” appear as central vehicles of these realignments in two distinct ways. Besides the anonymous and generally mute victim figure invoked in the accounts of journalists, academics, and politicians, there is an increasing number of public figures coded as “Muslim women” who appear as active participants in this discourse.¹² Like the best known of them, Somali-Dutch pundit Ayaan Hirsi Ali, the majority of these figures have access to the public sphere as native informant critics of Islam. In the following, I return to the Frankfurt court case and the rhetoric of false tolerance through a focus on the function of the anonymous victim figure. In the subsequent section, I

examine the complementary function of the Muslim woman as public figure—in this case the Turkish-German sociologist Necla Kelek—in the related discourse on historical guilt. A final, brief coda takes up the recent convergence between European and American discourses on Islam, indicating how a better understanding of the former may help with grasping shifts in the latter. First, however, it is necessary to mark some of the ways in which the current debates build on and depart from earlier European discourses on Islam and gender.

“MUSLIM WOMEN” IN “EUROPE”

Europe as an idea and Europe as a material reality have always been at odds.¹³ Even in the form of the European Union, ostensibly standing for unification, “Europe” today is a hybrid political, social, and cultural entity that uneasily combines national, supranational, and transnational dimensions.¹⁴ On the one hand, measures such as a joint currency and common borders indicate the degree to which the European Union already functions as a supranational entity. On the other hand, the ubiquity of anti-European national sentiment and the unsuccessful referenda to ratify a European constitution demonstrate continued resistance to this project by “European” subjects. While administratively quite advanced, European unification thus represents an uneven, highly contested process whose ultimate result is uncertain. Because of its disjunctive form, both the institutional forms of and the meanings ascribed to “Europe” change radically from one national context to another. While Britain continues to keep its distance from the EU, opting out of the Euro and other measures, France and Germany are fully invested in it and push the process as its main motors. These different attitudes and ways of conceiving of Europe are fundamentally tied to the countries’ particular histories and existing political structures.¹⁵ For (West) Germany, for example, “Europe” has provided a positively connoted, alternative site of identification to its own tainted national history after World War II. Those countries and institutions that are invested in Europe as an idea try to fashion a common identity out of a patchwork of structures and visions of Europe, all the while maintaining that such an identity already exists. It is in this context that “Islam” takes on its current function.

Edward Said did much to clarify the particular nature of the relationship between “Islam” and “Europe” for the age of colonialism and imperialism. Yet throughout the period he describes, “Islam” primarily figures as a distant external Other to “Europe.” Large-scale post-colonial and labor migrations that have taken place since the 1950s have radically changed the social and spatial parameters of this relationship. Migrations from North Africa (Algeria, Morocco) to France, Belgium, and the Netherlands, from South Asia (Pakistan, India, Bangladesh) to Britain, and from Turkey to Germany and the Netherlands have created the first substantial resident populations of Muslim background within Europe.¹⁶ These populations, however, were not always primarily conceived of as “Muslim” but rather as “foreigners,” “Asians,” or former colonial subjects, depending on the context.¹⁷ Only with larger geopolitical changes—the end of the cold war, the emergence of religion as a primary category of identification and mobilization—did these populations in Europe become predominantly conceptualized as “Muslim.” In the German context, for instance, Turkish and Kurdish migrants have come to be thought of as first and foremost “Muslim” only in the last several years.¹⁸ Identifying immigrant communities of diverse ethnic and national background through religion has reshaped them into a larger, seemingly more interconnected community than they actually are. In this very recent process, the newly designated “Muslims” have for the first time become *internal* Others in Europe, a position long occupied by Jews.¹⁹ While Jews have increasingly moved from being the primary Other to being the “veritable embodiment of the postnational order” of Europe, “Muslims” have become the Others of this emerging configuration (Bunzl, 14).²⁰ In the projection of the existence of a transnationally connected, radically different, internal Other, “Europe” itself takes shape as a coherent entity whose own internal differences and conflicts become obscured. In other words, Islam’s current otherness functions not simply to underwrite the idea of Europe, as it has in the past, but more specifically to underwrite the coherence of European unification.

The European values and foundations that this construction helps project are predominantly liberal. Liz Fekete critically describes a self-image according to which “the shared Enlightenment tradition that shapes European national cultures ensures that Europeans are basically forward thinking, progressive, given to democracy and social justice”

(10). Gender and sexuality, in particular, have come to serve as the crucial dividing lines separating a purportedly liberal Christianity from a conservative and repressive Islam.²¹ Increased anti-Islamic sentiment across Europe is hence frequently facilitated and reinforced on the basis of stories about gender relations and sexual morality among populations of Muslim background.²² Depictions of victimized Muslim women, in particular, have become prominent in many parts of contemporary Europe. In magazine articles, on television shows, in online debates, and in bestselling autobiographies and testimonials, stories about abused Muslim women abound.²³ These stories often center on the oppression of daughters by their families exemplified in forced marriages and so-called honor killings. Many elements of these stories are familiar and in fact follow a long tradition of pointing to the inferior position of “Oriental women” in Muslim societies as a way of asserting the cultural superiority of a predominantly Christian Europe (see Ahmed; Yeğenoğlu). Yet a closer look reveals that these recent depictions emerge from new historical conditions and testify to subtle but ultimately radical changes in Europe itself since the 1990s.

The current depictions differ in three ways from earlier ones, as a consideration of the German context demonstrates. First, although Islam did appear in stories about abused immigrant women in past decades, domestic violence against them had been primarily explained with reference to the gendered practices of their ethnic or national culture. In Germany, “Turkish culture” was treated as the primary culprit for the oppression of women and was cited as an insurmountable barrier to the integration of the largest immigrant community. “The treatment of women, in other words, became the primary litmus test to determine whether foreigners—and especially Turks—possessed the capacity to function effectively within a Western liberal-democratic society,” Rita Chin observes about the 1980s (143). Now, however, very similar stories circulate but are read as indicative of religious difference. In this manner, the recoding of women’s stories manifests the general shift from culture to religion as explanatory frameworks and paints a transnational religious community rather than a particular national one as the threat.²⁴

Second, as the prominence of autobiographies and testimonials indicates, some of these recent depictions are produced by “Muslim

women" themselves. The active participation of "Muslim women" in a dichotomous civilizational discourse is indeed one of the most visible innovations in the current moment. The best known of these public figures is Hirsi Ali, whose dramatic story, telegenic personality, and extreme positions against Islam have drawn wide attention globally. Hirsi Ali's denunciation of Islam as inherently pathological and incompatible with European values and institutions has been welcomed by many non-Muslims across the political spectrum in Europe.²⁵ In Germany, Turkish-German lawyer Seyran Ateş and sociologist Necla Kelek, to whom I return at length later, have articulated positions similar to Hirsi Ali on gender, Islam, and European values. As a result, they have been awarded prestigious national honors, and included in high-profile political deliberations about the place of Islam in Germany.²⁶ Through their public pronouncements, these women significantly contribute to the hardening of the "European"/"Muslim" dichotomy. Yet their participation also marks the transformation of Europe from within, as their presence is the result of migrations changing the face of the continent.

Finally, many of these Muslim women public figures have come out of leftist and liberal political contexts but have increasingly attacked those positions in favor of anti-Islamic, anti-immigrant platforms. Ateş was active in the German counter-cultural scene of the early 1980s and was once a squatter and a queer activist. Kelek's early scholarship, which evaluated Islam positively, was supported by the foundation of the German trade unions. Hirsi Ali started her career working for the research foundation of the Dutch Social Democrats. Her political shift has been the most notable as she left the foundation and joined the Dutch right-liberal party before becoming a fellow of the neoconservative American Enterprise Institute. The political shifts in the positions and affiliations of these women are emblematic of a significant turn within the European left and liberalism more broadly.²⁷ Rhetoric about Muslim women's oppression has been the crucial ingredient in turning many on the European left and among liberals against Muslim immigrants.²⁸

A Europe that is undergoing fundamental political, social, and cultural changes in the unification process has positioned Muslims as its internal Other to secure its own sense of cohesion and project a positive, largely liberal, self-understanding. As the realignments to

which I turn in the next sections indicate, however, the image of a “progressive” Europe that the opposition to Islam helps install enables subtle changes to structures and subjectivities. While appearing to hold on to traditional liberal precepts, the underlying mentalities that are supposed to define Europeanness are themselves undergoing redefinition, via the figure of the Muslim woman.

TOLERANCE

The realignments at the sites of tolerance and guilt, which are facilitated by the figures of the “Muslim woman,” take place against this broader backdrop. An analysis of the response to the Frankfurt court ruling, which primarily operates with the accusation of “false tolerance,” makes the first realignment legible. In order to situate this accusation, it is useful to consider the logic according to which this court ruling supposedly exemplified “tolerance” in the first place and to discuss both “tolerance” and “false tolerance” with regard to the subject positions they produce. How did it come about that a case that rejected the appeal of a woman of Muslim background was construed as an example of “too much tolerance” toward “Muslims”?

Once the judge’s decision became public in March 2007, it was unanimously condemned by every institution and individual speaking up, from leftist parties to conservatives, from Muslim organizations to the organization of ex-Muslims.²⁹ Despite such a complete consensus in the public sphere, the majority of non-Muslim commentators treated the ruling as a sign of deep social divisions and issued a call to arms to defend European values. Besides ignoring “Muslim” voices that decried the ruling, the crucial operation enabling this response and its hyperbolic nature was the displacement of agency. Rather than seeing the non-Muslim judge as the agent of an inappropriate introduction of the Koran into her decision, most commentators turned “Islam” and “fundamentalist forces” into the actors.³⁰ Through this displacement, the discussion of the case could take the course it did, one in which “Islam” became the danger. Thus the judge’s ascription of culture and religion and her projection of these categories onto the married couple were taken up by the public response in a further cycle of ascription and projection.

Almost nowhere in the German response was the case framed as an example of domestic violence and the hurdles abused women face when confronting it. In the absence of such a framing, no discussion of the problem of domestic violence occurred or was even acknowledged in the media. By culturalizing the violence and associating it with a minority religion, it was instead safely contained as the problem and failing of others.³¹ Non-Muslim majority society, in contrast, was projected as free of gendered violence.³²

While many of the responses treated “Islamic forces” as the primary agent in the court case, the judge’s role was cast as that of colluding with this threat. The fact that she invoked the Koran in the ruling was read as her attempt to be “sensitive” to the culture and religion of the couple. Through this framing, the commentators arrived at the notion that she was being “tolerant.” Tolerance in this case meant attending to cultural and religious particularity, whether this was warranted or not. In the differential assignment of agency—to Islam as a threat and to the judge as a colluder—the actions of a representative of the majority were cast as harmful not because they were racist but because they were allegedly too benign. The problem with some majority subjects, this division suggested, was their “sensitivity,” not their injustice. Although critics harshly attacked the judge’s supposed “sensitivity” and “tolerance,” this accusation nevertheless also served to downplay the nature of the judge’s actions. In this perspective, “sensitivity” and “tolerance” were the most extreme form of harm possible, thus minimizing the power residing in the judge and by extension in the majority society.³³

Besides displacing the agent of abuse, the evolving discourse around the court case also displaced the injured party. The woman whose case gave rise to this media event barely figured in the reports; only one interview was ever conducted with her (see “Wenn man liebt”). Instead, the *Spiegel* report, for instance, complained that in this case and other recent ones involving Muslims “the liberal nature of the constitutional state was abused, [and] misguided tolerance became surrender of the self” (“Haben wir schon die Scharia?”). Carefully packaged in the passive voice, the agents of these abusive actions again become obscure and diffuse, free to be imagined by association. At the same time, the subject who was “abused” (“missbraucht”) morphed from the injured female plaintiff seeking her rights to the injured

German state and its liberal constitution. This element of displacement explains why the woman quickly and completely disappeared from the discourse: she had to make room for the “actual” injured subject.

Attention to the woman might have undermined the unfolding media narrative about abused women and Islam. The sole interview conducted with her at the beginning of the scandal in fact reveals a self-presentation that is starkly different from the representation of abused Muslim women elsewhere in the media (“Wenn man liebt”). The woman, a German citizen of Moroccan descent who was born and raised in Germany, presents herself as strong-willed and independent-minded. She emphasizes that she married her husband, a Moroccan citizen who emigrated to the country with her help, against the advice of her skeptical family and portrays herself as a fighter (“I have fought for it and I have succeeded”) and outspoken (“If I had shut up, I surely wouldn’t have been beaten. But I just couldn’t accept that”). Moreover, she takes issue with the judge not just for ruling against her but also for misinterpreting Islam and states that the prophet never beat women but rather gave them rights. For her future, she envisions a new relationship in which she can “live the real Islam. With all of my rights.” The woman’s interpretation of her situation and her religion thus differs radically from that of the judge as well as that promoted in much German media. The ultimate invisibility of this different perspective indicates that the judge and the media actually share the same horizon, one in which the “abused Muslim woman” does not count as a legitimate participant in the discourse if her positions do not fit their preconceptions.

The neglect of the woman in this case is just one indication that abused Muslim women function as facilitating figures in discourse and not as the focal point of concern. Instead of being individuals with complex stories, such as the Moroccan-German woman of the court case, they are subsumed under a preexisting narrative. Turned into reified figures, they are neither the subject nor the object of these discourses, but rather their vehicles.³⁴ Yet the figures themselves occupy an ambivalent position in discourse. They are simultaneously an absolute non-European Other and, increasingly, a stand-in for a threatened European Self. As the slippage from the abuse of the woman to the abuse of the German state indicates, the woman does not stand

for Islam but for a Germany threatened by the force of Islam and, in extension, for a liberal European order at risk. This identification of European order and abused Muslim woman in Europe begins to bring into relief the particular parameters of this current European discourse. It stands in contrast to earlier Orientalist representations of Muslim women that underwrote colonialist expansion, or the more recent figure of the Afghan woman in a burqa that was mobilized in the context of the U.S. invasion. Those figures served to justify distant, foreign interventions. The ambivalent position of the Muslim woman in Europe today, however, points to the peculiarly *domestic* nature of the intervention in the current context. As a stand-in for the self, this figure is then used to justify interventions into the “self.” It is through this positioning that the figure of the abused Muslim woman takes on significance in the governing of European subjects.

While this series of displacements plays a crucial role in the discourse surrounding the court case, it does not yet explain the significance of couching the response in terms of tolerance in the first place. The invocation of “tolerance” in the current debates activates a civilizational register in which the “West” defines itself against “Islam.” Yet tolerance is also a key term of liberalism.³⁵ It constitutes liberal political theory’s preferred mechanism to deal with heterogeneity and difference. Though it began to be touted as a virtue already in the late seventeenth century, it originally came to prominence in Europe out of necessity rather than idealism in the context of religious wars between Catholics and Protestants. Rarely a codified legal concept, it has primarily connoted a particular ethos.³⁶ Proponents saw in it a civilizational accomplishment that peacefully accommodates pluralism, while critics identified its condescending logic toward the object of tolerance and its generally limited ability to redress inequality. Tolerance, after all, defines the one tolerating as superior, virtuous, and as being in a position of judgment, in contrast to the one who is tolerated, whom one would rather wish not to exist, were it not for one’s virtue. The very idea of tolerance is thus based on the notion that there is something noxious whose presence one nevertheless bears. In Wendy Brown’s words, the classic liberal notion of tolerance functions as an “incorporative practice that promises to keep the peace through such incorporation” (2006, 178). In its status as ethos and sensibility underlying individual or collective conduct, as political

yet not precisely codified, as productive of subjects and subjectivities and of power, tolerance is, following Brown, an exemplary form of governmentality (4).

The link between tolerance and governmentality can be seen especially in regard to sexual identity, which is being promoted as a key category of tolerance for contemporary Europeans. With figures such as the murdered right-wing gay politician Pim Fortuyn in the Netherlands, homosexuality has emerged as an arena through which the tolerant European defines himself against the intolerant Muslim.³⁷ As Joseph Massad points out, Orientalist depictions of Muslim sexuality have changed from one extreme to another: “While the premodern West attacked the world of Islam’s alleged sexual licentiousness, the modern West attacks its alleged *repression* of sexual freedoms” (37, emphasis in original). The measure remains in both cases the self-perception of the “West,” in this case, of Europe.

In Germany, as in some other European countries, this distinction has entered the very process of granting citizenship. A regional German naturalization agency developed what came to be known in the media as the “Muslim test” in 2005–6.³⁸ The “test” is a list of questions to be used by officials solely when interviewing prospective citizens from majority Muslim countries.³⁹ Among the questions: “Do you find it acceptable that a man locks up his wife or daughter in order to prevent her from causing him ‘shame’ in public?” “Would you have difficulty with a woman in a position of authority?” “What would you do if your son told you he was homosexual and wanted to live with his boyfriend?” The applicants are expected to affirm liberal positions on gender and sexuality, while the questions insinuate that the applicants are sexist, misogynist, homophobic, and, in the case of some questions, anti-Semitic and potentially supportive of terrorism. In a strange reversal, “tolerance” becomes the duty of the minority toward the majority. The questionnaire states that citizenship can be revoked if the applicant is found to have lied about his or her convictions at a later date. Here, “tolerance” literally becomes a tool of policing and of denying rights. By design, the questions also assert that those who already hold German citizenship and all applicants who are not from majority-Muslim countries are always already “tolerant.” Having turned “tolerance” into an identity trait rather than framing it as a social practice, the majority subject never lacks it and therefore

never needs to practice it toward the religious minority subjects who are cast as deficient of tolerance. This turn away from practice and toward identity not only reproduces the majority's tolerance as—literally—unquestionable; it also suggests that no actions are needed on the part of the majority. The conduct this view of tolerance requires of the majority subject is thus social passivity.

While classic incorporative tolerance continues to play an important role in the construction of the European self, as the recent incorporation of homosexuality into these tolerance regimes indicates, when it comes to tolerating Islam the story is different. Recall the position articulated in the Social Democratic-leaning *Frankfurter Rundschau*, “One cannot consider Islam a religion among others, a religion that might have a right to exist under the big roof of European tolerance” (Michalzik). Here the current discourse turns against this “incorporative practice” vis-à-vis Muslims, brands it “false tolerance,” and thereby calls for its regulation. The invocation of “tolerance” thus activates a discursive chain that presumes a positively defined “tolerance,” contrasts it to “false” tolerance and finally demands “zero tolerance” in the face of “intolerance.”

This act of subdividing tolerance uses the Muslim/non-Muslim opposition in order to introduce a different split *within* the normative European subject. While, as Brown shows, classic tolerance discourse has always been about governing and regulating the noxious Other, today's “false tolerance” attacks aim primarily to regulate those situated ‘within’ a normative European self, such as the Frankfurt judge and an imagined cohort of multiculturalists. Those accused of “false tolerance” are not Muslims, but rather liberal majority subjects. The accusation suggests that some Europeans have gone too far, that they have crossed the “limits of tolerance” (Buruma). The shift from “tolerance” to “false tolerance” thus represents the shift from a concern with defining a European self to a concern with regulating other majority Europeans whose conduct is deemed unacceptable and therefore needs to be reined in. Despite the seeming closeness of the two terms, they therefore designate entirely different regimes of tolerance and power. Most significantly, they indicate that tolerance discourse—which is generally taken to be a dichotomous one between the tolerating subject and the tolerated object, and between the poles of tolerant and intolerant behavior—always also establishes differentiations

that cut across such dichotomies and organize power much more differentially.⁴⁰ In the current context, invocation of the civilizational register of tolerance, which calls up the long-standing dichotomy of enlightened Europe versus barbaric Islam, obscures shifts and transformations within contemporary, liberal Europe.

The notion of a “false tolerance” does not lead to the identification and specification of a “correct” form of tolerance in relationship to Islam and Muslims. What the “correct” version would look like remains unspoken and at best implied.⁴¹ A look at the current discourse suggests that the other of “false tolerance” is not “correct tolerance” but rather “zero tolerance.” This is expressed in the continuation of the passage from the *Spiegel* cited earlier: “But already frequently the liberal nature of the constitutional state has been abused, [and] misguided tolerance became surrender of the self. Is it not necessary to protect liberality—which was hard won in Germany—if need be with zero tolerance towards intolerance?” (“Haben wir schon die Scharia?”). Not “correct tolerance” but a positively coded “zero tolerance” is opposed to a negatively coded “intolerance.” “Zero tolerance” is presented as a medium of protection, whereas “intolerance” is that against which liberality has to be protected. Moreover, the numerical modifier in “zero tolerance” implies that the European self can flexibly adjust and regulate the amount of tolerance it bestows without ever becoming intolerant, whereas the negating prefix attached to “intolerance” suggests its immutability. The internal incorporative regulation that previously governed the tolerated Other is now directed at an Other within the European subject, an Other deemed to be too permissive, too naive, too weak—like judge Datz-Winter. In the place of the liberal, tolerant subject, we find both the falsely tolerant subject who needs to be disciplined and regulated and the now privileged, properly “zero tolerant” subject, striving to free the European self from negotiation with difference. By holding on to the notion of tolerance even as it is completely evacuated in practice, the new subject continues to situate itself within a liberal tradition while it stakes out positions that aim to transform that tradition’s parameters from within.

Where the dominant subject is split into a tolerant and a falsely tolerant one, the Other is primarily distinguished in terms of gender. The male Muslim Other, instead of being incorporated, becomes abject, unless he fundamentally transforms himself to a degree determined

acceptable by the dominant discourse. The abused Muslim woman, in contrast, is neither an object nor a subject of tolerance; she is not intolerant or too tolerant. Rather, she is the ambivalently positioned vehicle of this discourse who is called upon as a stand-in for the threatened self, only to be displaced by it and disappear from view.

GUILT

Why are some of these liberal European subjects “too tolerant”? Critics who diagnose the prevalence of “false tolerance” time and again refer to the European past as an explanation. According to a narrative that is increasingly widespread, it is a feeling of guilt about the dark side of the European past—in particular colonialism and the Holocaust—that has caused a willingness to be too tolerant toward the minority Other.⁴² These two histories signify violence perpetuated by Europeans against racialized Others inside and outside Europe.⁴³ In the production of contemporary Europeanness, they constitute complex and differently situated reference points.

Framing the relationship to these racist histories in terms of “guilt” parallels the presumption of “tolerance” in important respects. A particular affective attitude that guides conduct and establishes links to history and politics, guilt toward the past is treated as a general characteristic of Europeans, whether this is accurate or not. In the German context, for instance, there has been an ongoing debate about collective guilt since the early postwar years. Conservatives generally rejected such a view, whereas leftists and liberals were more likely to explore its implications.⁴⁴ A turn against “guilt” is thus once again a turn against the perceived left-liberal consensus. As in the case of tolerance, the fault found with this attitude is that of being “too good,” “too ethical.” Most important, the new rhetorics of tolerance and guilt complement each other. “False tolerance” aims at shaping the acceptable political and affective practices in the present, whereas what I call “false guilt” concerns the restructuring of the European subject with regard to its past responsibility. Taken together, the current attack on tolerance and guilt constitutes a project of reshaping subjectivities and practices that frame agency in the present and aim to produce an altered European subject.

The realignment at the site of guilt, like that of tolerance, avails itself of the Muslim woman, albeit differently. Necla Kelek's best-selling 2005 book *Die fremde Braut: Ein Bericht aus dem Inneren des türkischen Lebens in Deutschland* (*The Foreign Bride: A Report from the Interior of Turkish Life in Germany*) reveals the manner in which the discursive figure of the abused Muslim woman, the Muslim woman as public figure, and the German relationship to the Holocaust become interconnected. That the book oscillates between the old binary of Turkish and German, as in the subtitle, and the new one of Muslim and European, as increasingly used toward the end of the book, makes it only more indicative of the ongoing process of reorientation.

The figure of the abused Muslim woman is more circuitously involved in the discourse on guilt than in that of tolerance, yet nevertheless is still instrumental to it. As the analysis of Kelek's contribution demonstrates in this section, the role of the Muslim woman as public figure is more decisive in this realignment. When it comes to the discourse of false tolerance and false guilt, these "Muslim women" speak publicly as potential objects of tolerance or guilt, even if they reject those terms for themselves. They thus have a legitimating function in the discourse. Moreover, their participation seemingly disables the kind of critique that Gayatri Spivak formulated when she spoke of "white men . . . saving brown women from brown men" (296). Now the formula seems to read: "brown women saving brown women from brown men." What makes this new version so effective is the seeming identity between those "brown women" who need to be saved and those "brown women" who act to save them. Rather than being identical, however, "brown women" come in two distinct guises in the current discourse, namely, as subjects with agency and as victims without agency. Those public figures, who position themselves as agents, in fact rely on the constant reproduction of others as voiceless victims.

In the late 1990s, Kelek wrote a dissertation in sociology on the meaning of Islam for Turkish-German youth (2002). In it, she reached the conclusion that Islam has a potentially positive and mostly quotidian function for young immigrants. While the German public ignored that scholarly publication, *The Foreign Bride*, published just three years later and presenting a wildly contradictory argument, was widely publicized and instantaneously made her into a prominent public figure. The book appeared at the time of two events that had a great impact

on German public discourse. The November 2004 murder of Dutch filmmaker Theo van Gogh by an Islamist Moroccan immigrant led to social unrest in the Netherlands and a wholesale questioning of Dutch tolerance and its multicultural policies (Buruma; Van der Veer). Reverberating far beyond the Netherlands, this event had a greater ripple effect across Europe and its domestic affairs than the immediate aftermath of 9/11. While the German public followed the Dutch developments closely, the vicious murder of twenty-three-year-old Turkish-German Hatun Sürücü by her brothers in February 2005 in Berlin, which was quickly labeled an “honor killing,” turned attention to Germany’s own immigrants. The Social Democratic interior minister Otto Schily greatly helped the publicity of Kelek’s book with a laudatory review essay in the *Spiegel* in which he recommended the book as a tool for understanding the “Turkish parallel society” (Schily). Besides leading to a year-long consulting role in developing the “Muslim test,” the positive public resonance secured Kelek a spot on the first-ever government-sponsored German conference on Islam called by Schily’s conservative successor, Wolfgang Schäuble.⁴⁵ A portrait in the *New York Times Magazine* also drew attention to Kelek in the United States (Schneider). Right-wing American pundit Pat Buchanan even devotes a short chapter to her and to Ateş in one of his recent books on the danger of Islam in Europe. Critical voices against the book, meanwhile, have been largely dismissed in the German media. An open letter signed by sixty scholars of migration that criticized the distortions of the book and Kelek’s flawed scholarship, for instance, failed to gain any traction and instead led to ad hominem attacks on the initiators, while turning Kelek into a heroic martyr (Terkessidis and Karakaşoğlu). Kelek thus remains a prominent figure. More recently, she has acted as the most outspoken supporter of Thilo Sarrazin, the Social Democratic board member of the German Central Bank, whose own polemical and racist thesis about the “dumbing down” and “self-abolishment” of Germany due to Muslim immigration has sparked massive debates in the country.⁴⁶

Promoted as a study of forced and arranged marriage among Turkish immigrants, and in particular of so-called imported brides, *The Foreign Bride* is in fact largely an autobiographical account of Kelek’s coming of age in Turkey and Germany, even though she herself was never subject to such a marriage. The book is deeply polemical and

tends toward stereotypes and generalizations. It contains numerous patently false and absurd claims that are meant to insinuate a radical foreignness on the part of that community (e.g., there are no more young Turkish women without headscarves in Berlin's ethnic neighborhoods [14]; it is unusual for Turkish people to have house plants [220]). Alongside pseudohistorical accounts of the Ottoman empire (34–57), Orientalist vignettes, family anecdotes, and the story of her own childhood and youth, Kelek presents the life stories of a number of Turkish women in Germany toward the end of the book (182–226). Sympathetic with the interviewed young women when they fit into her notions of victimization and extremely dismissive and judgmental when they disagree with her interpretation of their lives, Kelek's depictions of these women give way to increasingly programmatic declarations about the proper attitudes toward Islam and Muslim immigrants that German society should take.⁴⁷ The final part of the book contains direct appeals for changed, highly restrictive, and punitive immigration policies (238–47).

Although this book established Kelek as one of Germany's premier pundits on Islam, its reception also illustrates the highly circumscribed nature of the agency of the Muslim woman as public figure. Throughout Kelek's book, the dominant and oppressive figures are consistently the older women and in particular the mothers and mothers-in-law who force their daughters into unwanted marriages. In the countless references to this book in the German public, however, this figure—the overpowering older Muslim woman—is almost never mentioned, though it is the narrative red threat of the book. Only the figure that is already familiar—the young Muslim woman as victim—is called upon in the debates. The bias of this reception underscores that the agency of the Muslim woman as public figure is effectively limited to reproducing dominant narratives and pushing them further, rather than fundamentally changing the agenda.

The manner in which Kelek connects the fate of the “foreign bride” to “false tolerance” and to the legacy of the Holocaust exemplifies this limited, yet significant, range of agency. The penultimate chapter of her book, in which she purports to present the underlying problem that prevents help for the abused young women, is subtitled “False Tolerance” (253–73). In this chapter, she moves from “The Tolerance of Germans” to “The Question of Guilt—German and Turkish,” as

two of the sections are titled. It is in the latter section that she links false tolerance to the legacy of the Holocaust. She writes:

There is a panicked fear of discriminating against Islamists because of their religion or background; one prefers to condone their infringement of fundamental rights instead. This, however, stems from the specific identity problem of Germans. . . . Germans have deeply engaged with their Nazi past and the crimes against others. This surely has contributed to the civil and democratic character of this republic. But at times the special feelings of guilt towards Jews, Sinti, Roma, homosexuals and others block the clear view on today's realities of oppression and exclusion. Particularly the well-meaning Germans tend to see in each foreigner seeking asylum here practically the reincarnation of a Jew who needs to be rescued from the Holocaust. A sense of guilt seems to be more important in this country than the defense of the constitution. And as proof that one has learned from German culpability, as progress in relationship to the "racist" past, it is held that today in Germany every foreigner can finally live his culture, and his religion and that everyone can be as he pleases. (270–71)

In this passage and elsewhere, Kelek seeks to chip away at one of the central tenets of postwar German and indeed European self-understanding.⁴⁸ While the relationship to the past, and particularly the Holocaust, is the foundational element of the normative postwar conception of German identity, Kelek suggests that it is time to "view" things differently and to sever this link.⁴⁹ The subject that she indicts here is one who is too tied to the past, while the subject she aims to bring into being is one who no longer feels bound by this history. Kelek veers between painting the too-tolerant German as hysterical and irresponsible, on the one hand, and as helplessly good and earnest, on the other. In either case, the majority Germans that she conjures suffer an affective imbalance, a malady of guilt that she wants to correct. Rhetorically she positions herself as the balancer, the adjudicator, and the healer of this malady. This healing is possible by her granting forgiveness and declaring an end to guilt. It is paradoxically her position as a minority representative that allows her to make such a declaration that is not possible for majority Germans.

Kelek's calls for regulating the affective imbalance of Germans are once again aimed at left and liberal self-understandings rather than at conservative positions. In fact, the central identification between foreign asylum seeker and Holocaust victim that she seeks to

disable in this passage is one explicitly articulated in the early 1980s by Joschka Fischer, the quintessential representative of the 1968 generation come to power.⁵⁰ Fischer compared the 1982 suicide of Kemal Altun, a political asylum seeker who was threatened with deportation to Turkey during the rule of a murderous right-wing military regime there, to the death of Walter Benjamin, who killed himself while trying to escape the Nazis on the Spanish-French border (Chin, 160). As Chin notes, the “Greens’ staunch insistence that atonement and remembrance belonged at the center of West German political culture made the party the most outspoken advocate for upholding asylum provisions” in the 1980s and 1990s.⁵¹ This position aimed to translate the lessons of the Nazi past into the present and did so by identifying the refugee with the Nazi victim. Kelek aims to break this identification by transforming the refugee into a potential threat—is he a hidden Islamist?—and offering an alternative figure of identification, namely, the abused young Muslim woman. The Muslim woman figure thus functions as a site toward which political affects are redirected, in the process transforming the very basis of the left-liberal consensus.

Kelek’s radical revision of the relationship of responsibility for the past almost becomes a form of denial, as when she puts the word “racist” in quotation marks while invoking Germany’s “‘racist’ past.”⁵² Yet for this book, Kelek received the prestigious 2005 Geschwister Scholl Prize, named after the siblings Hans and Sophie Scholl, Germany’s most famous, albeit failed, resistance leaders against the Nazis. Many of the previous recipients of the prize were honored for writings related to the Holocaust. Among them were historians such as Raul Hilberg and Saul Friedlander, and philosopher Jürgen Habermas, who fought against the relativization of the Nazi crimes in the Historians Debate of the 1980s. Using the figure of the abused Muslim woman, Kelek contributes to a new consensus that moves directly away from left-liberal positions such as those of Habermas.

What Kelek implicitly recognizes is that the way the relationship to the past is constructed affects the way subjects act in the present: the attack against tolerance necessitates also the attack against guilt. The European subject that is envisioned by these turns against tolerance and against guilt is freed from responsibility both toward the past and the present. As the existing attachments have a strong affective component, the project of disembedding the subject from these

contexts of entanglement targets particular affects and seeks to regulate and reshape present sensibilities and conduct.

The figure of the victimized Muslim woman deployed by Kelek and others has long been the negative foil against which the counter-image of a free, autonomous European subject could be constructed.⁵³ The task in this essay has been to identify what is specific to today's mobilization of that figure by a range of commentators. Through an analysis of the production and employment of the figure of the Muslim woman in contemporary German discourses, I have argued that the current dominant narrative about "Muslim women" is not only part of the disciplining of minority subjects newly designated as "Muslims." Rather, this narrative functions quite fundamentally as part of a transformation of Europeanness and of liberalism. The stories about victimized Muslim women that circulate so prominently in the contemporary public sphere are ultimately part of a struggle over the proper policies, practices, and attachments of leftists and liberals in a unifying post-9/11 Europe. In the turn from *tolerance* to *false tolerance*, and from *guilt* to *false guilt*, the discourse puts pressure on the sensibilities and the conduct of liberal majority subjects and seeks to produce a new, liberated European subject. This new European subject, imagined to be free of the restraints of "tolerance" and "guilt," is in fact also envisioned as freed from attachments to others in the past and the present—the very kinds of attachments held up as the core of postwar European self-definitions.⁵⁴ It is in this manner that the discourses on tolerance and guilt converge with the tendency toward a neoliberal subjectivity in the European context. The figure of the victimized "Muslim woman," meanwhile, is at times the absolute Other of this liberated Europe and at times the very point of identification for a Europe that considers itself buffeted by forces it only partially comprehends.

CODA

While this essay has focused on European and specifically German discourses, very recent developments in the United States point to an accelerated convergence of rhetoric on both sides of the Atlantic. Most visibly exemplified by the right-wing campaign against the so-called

ground-zero mosque, but also by the painting of President Obama as a Muslim who is intent on imposing Islamic law worldwide, American discourses on Islam have begun to echo their European counterparts.⁵⁵ Both antimosque activism and phantasmatic fears of sharia law, for instance, have their equivalents in Europe, as the 2009 Swiss minaret ban demonstrates. This convergence, I suggest, reflects a repositioning of Islam in the American context, where, like in Europe, Islam suddenly figures as a presence *within* the domestic realm. Even after 2001, Islam and Muslims had been primarily imagined as distant, external others in the United States, principally linked to security threats from abroad, even as they were used to limit rights and expand surveillance at home. Now, however, they are localized as inside the country. The similarities of rhetoric thus derive from transatlantic similarities in constructing Islam as a domestic concern, rather than as a purely foreign policy issue.

The shift to a domestic angle on Islam itself, however, comes out of different social and political conditions in each context. In Europe, Islam is linked to immigration, while in the U.S. its current construction takes shape against the backdrop of racialized electoral struggles. That some American politicians have strained to combine anti-Islamic sentiment with anti-immigrant sentiment by conjuring up radical Muslims crossing the U.S.–Mexico border, thereby echoing the conjunction between immigration and Islam that is fueling much of the European discourse, only underscores the difference. Moreover, anti-Islamic agitation in the United States is still primarily, though not solely, underwritten by right-wing elites. American liberals and progressives, for the most part, have not embraced openly anti-Muslim positions in the manner of some of their European counterparts.

What has also not yet quite converged—but may do so in the near future—is the function of specifically gendered discourses on Islam. As *Time* magazine’s controversial August 2010 cover featuring the mutilated face of a young Afghan woman illustrates, the victimized Muslim woman figure continues to be employed in American arguments about foreign policy, in this case as an argument against the withdrawal of American troops from Afghanistan, rather than being linked to domestic policies such as immigration. The idealized American self-image as noble savior abroad that such depictions seek to provoke coexists in tension with an alternative self-image of Americans

as victims of foreign forces at home. Whether in the European or in the American context, tracking the figure of the Muslim woman can thus illuminate transnational convergences as well as divergences in an unstable political moment.

Notes

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1. The case was first reported in March 2007 in the national newspaper *Frankfurter Rundschau* after the woman's lawyer, Barbara Becker-Rojczyk, approached the paper (see Strecker). All major German news outlets and some international ones picked up the story in the following days. All translations from German are my own.

2. While this verse is among the best-known and most-cited passages from the Koran by non-Muslims, its correct translation and interpretation are highly controversial among Islamic scholars (Hajjar, 10–11).

3. The judge, who has no expertise in Islam, Koranic exegesis, or Sharia law, identified the passage from the Koran herself, though there is no information about the sources she used (“Einhellige Empörung”). This case is thus not an example of the well-known phenomenon of “cultural defense.”

4. What the judge disregarded entirely in this constellation was the Moroccan civil code, which has in fact seen substantial reforms in family law as a direct result of feminist lobbying in the country. On the 2004 reforms as a case study of successful feminist activism in the Middle East and North Africa, see Valentine Moghadam.

5. A slightly altered English translation of this article, to which I return repeatedly, is available online (“Paving the Way for a Muslim Parallel Society”). Citations from this article, however, are based on my own translations from the German original, since the specific formulations are important to my argument.

6. In order to echo the key German expressions “falsche Toleranz” or “falsch verstandene Toleranz” more closely, I will refer to “false tolerance” along with “misguided tolerance.”

7. In this move, I draw inspiration from Fernando Coronil's concept of "Critical Occidentalism" and the way it has been productively employed in the current German context by critics such as Gabriele Dietze. See the volume edited by Dietze, Brunner, and Wenzel.

8. On governmentality and neoliberalism, see also Wendy Brown, *Regulating Aversion* (chap. 3); Lisa Duggan; Charles Hale.

9. As Lisa Duggan notes, "Neoliberal policies have been implemented in and through culture and politics, reinforcing or contesting relations of class, race, gender, and sexuality, ethnicity, religion, or nationality" so that economic, political, and cultural arenas have to be seen as deeply entwined with each other (xiv).

10. While the notion of "false tolerance" for Muslims preceded the Frankfurt court case—and has long been vigorously promoted by individuals such as Germany's feminist icon Alice Schwarzer—it was around this media event that it entered mainstream public discourse in Germany. See Schwarzer's edited 2002 book *Die Gotteskrieger und die falsche Toleranz (The God-Warriors and False Tolerance)*, in which the journalist, who is well known for her anti-Islamic pronouncements, repeats positions she has circulated since the 1980s but which only now have become mainstream.

11. By leftists and liberals, I mean the political spectrum ranging from the Socialists, Social Democrats, Greens, to feminists and free market liberals with social libertarian positions, who, based on ideals of equality, had been sympathetic to immigrants and ethnic minorities in the past.

12. "Muslim women" therefore refers to this coding, not to any actual religious affiliation, belief, or practice.

13. On the historical development of the idea of Europe with an emphasis on its southern periphery, see Roberto Dainotto.

14. The 1992 Maastricht Treaty, which formally established the European Union out of its predecessor organizations, introduced, among other things, European citizenship as a supplement to national citizenships. The early 1990s thus represent the beginning of a new phase in the unification process.

15. See Tariq Modood and Pnina Werbner's edited collection, which thoroughly documents this characteristic of the new Europe with regard to multiculturalism.

16. Current estimates range between 13 million and 20 million, that is, 3.5–4 percent of the population of the EU (Jasch, 341). These estimates, however, are based primarily on the ethnicity of immigrants from majority-Muslim societies and do not reveal actual religious identifications or practices (Spielhaus).

17. Leora Auslander sketches this transformation for the French context, where "Moroccans" and "Algerians" became "Muslims" in the course of the 1970s and 1980s (296–97).

18. For an extended discussion of this shift in the German context, see Yasemin Yıldız. Riem Spielhaus locates the shift around 2000. Migrants from Turkey, who include ethnic Kurds, have constituted the largest minority in Germany

since the early 1970s. For a social and cultural history of migration from Turkey to Germany, which began in 1961 via a guest-worker agreement, see Rita Chin.

19. On the complex status of Jews as Europe's "Other within" in relation to the figure of the "Other without" and the construction of Europe itself, see anthropologist Jonathan Boyarin. On the necessity of thinking "the Jew, the Arab" as co-constitutive of the figure of Europe, see also the philosophically inflected work of Gil Anidjar. While the work of both scholars is highly illuminating, they do not specifically address the implications of the very recent demographic changes in Europe and the historical novelty of resident "Muslim" communities in a majority Christian Europe.

20. As Matti Bunzl observes about the current situation, "Islamophobia is rapidly emerging as the defining condition of the new Europe" (4).

21. For many Europeans, as Auslander notes, "secular" and "Christian" are unproblematically interchangeable.

22. See also Katrin Sieg for an excellent account of the function of gender and sexuality in European discourses on Islam, with particular attention to German cultural productions that offer alternative narratives.

23. For an overview of some of these autobiographical works in German, see Tom Cheesman (chap. 6). On the production, circulation, and functioning of Muslim women's autobiographies today more generally, see Gillian Whitlock.

24. On the form and discursive function of such recorded women's stories, see Yıldız.

25. Although also successful in getting attention in the United States, Hirsi Ali has had a much smaller impact there than in Europe. See, for instance, the critical take by Pankaj Mishra in the *New Yorker*.

26. The list could be expanded to many other European countries where those "Muslim women" who are critical of Muslim immigrant communities and advocate full assimilation are among the best-known minority public figures. They range from the French secretary of state Rachida Dati to the Pakistani-Norwegian comedian Shabana Rehman. For a discussion of Hirsi Ali, along with other such public figures who are more visible in North America (Azar Nafisi, Irshad Manji), see Saba Mahmood.

27. Fekete notes similar realignments with regard to immigration across Europe. However, she emphasizes the right wing as agent rather than seeing this as a struggle within the left and liberalism.

28. See, for instance, the 2004 debate on headscarves in the leftist weekly newspaper *Freitag* that Margarete Jäger analyzes.

29. See the Associated Press report "Empörung über Koran-Verweis" for a collection of reactions, from politicians of all parties, prominent public intellectuals, speakers of religious organizations, antiracist organizations, migrant organizations, and other commentators, including Kelek and Ateş. As a direct result of the publicity, the judge was immediately removed from the case. The fate of the petitioning woman was not further reported, however.

30. "Empörung über Koran-Verweis" leads the story with a paraphrase of

Alice Schwarzer's statements, asking: "Is the system of law being systematically infiltrated by Islamists?"

31. On culturalization of Islam, see Mahmood Mamdani; for a specific discussion of culturalization in the current German context, see Iman Attia.

32. The notion of German society as free of gendered violence owes more to an impressive lack of consciousness about this problem than to its actual absence. As a criminological report noted, German authorities do not even keep statistics about domestic violence, thus literally not registering this problem and its particular dimensions (Bussmann). On the lack of consciousness about domestic violence in Germany, see also the 2004 CEDAW report.

33. A *New York Times* article about the ruling reproduced the same framing. According to the article, the ruling "underlines the tension between Muslim customs and European law," thereby characterizing domestic violence as a "Muslim custom" and making invisible the role of "European law" in abetting violence (Landler).

34. This feature is familiar from Orientalist and colonial contexts, underscoring how the current discourse continues long-standing discursive traditions while also altering them. See Lata Mani's work on the early nineteenth-century debates on sati in India in which the women were also ultimately marginal.

35. The following account largely draws on Wendy Brown's work, which links tolerance with liberalism, civilizational discourse, and governmentality (2006).

36. Among the legal forms tolerance has taken is Joseph II's 1782 Toleration Edict concerning the Jews in the Habsburg Empire. Although later celebrated as an enlightened act, the explicit aim of this legislation was to make Jews "more useful and serviceable to the state" (cited in Gay, 102).

37. On Fortuyn, see Peter van der Veer. On the broader instrumentalization of sexual politics and attempts to "disarticulate struggles for sexual freedom from struggles against racism and anti-Islamic sentiment," see Judith Butler (5–6). Jasbir K. Puar provides especially illuminating insights into the functioning of sexuality, race, and gender in post-9/11 America and Britain, with particular attention to queer subjects' and organizations' participation in the "War on Terror." For an excellent critical assessment of the German context along similar lines, see Jin Haritaworn.

38. In Germany, each *Bundesland*, or state, administers naturalization under its own purview while following a general constitutional outline. The specific requirements and the process itself can therefore vary widely. As Fekete's discussion of similar "citizenship tests" in Denmark and the Netherlands indicates, the German regional initiative is part of a larger emerging pattern in Europe (2–6). For a discussion of the Dutch case and its premises, see also Butler (3–6).

39. The questionnaire is to be used for all applicants from one of fifty-five majority Muslim countries identified on a list and for individuals from other countries when there is any reason to believe that they are Muslim.

40. It is at this point that my approach differs from Brown's analysis of tolerance discourse, which focuses mainly on the dichotomy of tolerating and tolerated subject.

41. In the current political and social climate across Europe, the practical implication in my view is not expulsion of the Muslim as unbearably Other, but rather extreme pressure for assimilation.

42. See Ian Buruma, who describes this logic in the Dutch context.

43. For an exploration of the “multidirectional” manner in which memory of the Holocaust and the legacies of colonialism have intersected in the postwar period, especially in France, see Michael Rothberg.

44. See Karl Jaspers for an early, controversial, discussion of collective and individual guilt.

45. The “Islamkonferenz” consisted of a series of high-profile meetings between state representatives and invited “Muslims,” held between 2006 and 2009, ostensibly to discuss strategies for the better “integration” of Muslims into German society. It was the first event of its kind organized by the German state, after largely ignoring immigrant and minority communities for the past fifty years. The invited participants included representatives of five Islamic organizations as well as ten prominent, unaffiliated, individuals of Muslim background who were selected by government officials to represent “liberal Islam.” Kelek and the like-minded Seyran Ateş, often approvingly referred to as “Islam critics,” were among the most visible members.

46. See Timothy Garten Ash’s scathing review of Sarrazin, which debunks many of the politician’s claims.

47. On Kelek’s representational strategies, see Yıldız.

48. On the position of the Holocaust at the “core of the new Europe,” see Bunzl (8).

49. It should be noted that Kelek’s position differs radically from that of other Turkish-German intellectuals, such as Zafer Şenocak, who actively explore immigrants’ relationship to the German past. See Leslie A. Adelson (chap. 2) for a discussion of the Holocaust legacy in light of Turkish immigration to Germany.

50. During much of his tenure as foreign minister in the Social Democratic and Green Party coalition (1998–2005), Green politician Fischer enjoyed overwhelming popularity across party lines and was seen as the positive embodiment of a new Germany.

51. This opposition did not prevent the introduction of restrictions to the asylum law in 1993, which made it extremely difficult for refugees to come to Germany.

52. Clearly in passages such as this one, Kelek is being provocative, though her provocations follow a certain pattern. A *New York Times Magazine* article quotes Kelek as saying that “Europeans built America, not Indians” (Caldwell). The distortion of history evident in this case too is based on extreme forms of willful minimization of European-induced violence, even including genocide and slavery.

53. See, for instance, the landmark essay by Chandra Talpade Mohanty.

54. It should be clear by now that my analysis of the shift toward “false tolerance” and “false guilt” does not rest on an endorsement of either “tolerance” or “guilt” as more acceptable or salvageable concepts, attitudes, or practices. As I

have pointed out in my analysis of the Frankfurt court case, the initial framing of the debate in those terms is highly questionable to begin with. It is nevertheless important to trace the meaning of the shift from one set of problematic terms to another. Alternative framings, in terms of such concepts as justice, solidarity, or equality, meanwhile, are largely occluded in these debates.

55. According to an August 2010 *Newsweek* poll, 52 percent of self-identified Republicans believed that President Obama “definitely” or “probably” wanted to impose Islamic law. For poll results, see <http://nw-assets.s3.amazonaws.com/pdf/1004-ftop.pdf>.

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