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SECULARISM

Racism was the subtext of the headscarf controversy, but secularism was its explicit justification. The law prohibiting “conspicuous” signs of religious affiliation in public schools was defined above all as a defense of “laïcité,” “the cornerstone” of French republicanism, the principle that clearly separated church from state. Headscarves were deemed an intrusion of religion into the sacred secular space of the schoolroom, the crucible in which French citizens are formed. What was at stake, supporters of the ban argued, was nothing less than the future of the nation, the unity of the social body. “Etymologically,” began the National Assembly report (*Secularism and Schools*), “laïcité designates the *laos*, the people considered as an indivisible whole.”¹ Although the report conceded that the private rights of individual conscience must be respected and that the neutrality of the state must be maintained in relation to the diversity of religious beliefs among its population, these could not outweigh considerations of national unity. In any contest between individual rights and state sovereignty, the interests of the state must prevail.

Despite firm assertions of this kind, however, the headscarf controversy opened a searing debate about the meanings of French secularism, the limits of religious toleration, and the

founding principles of the republic. Proponents of a law to ban headscarves insisted that it would only enforce long-established boundaries between the public and the private, the political and the religious. In fact, the debates showed these boundaries to be anything but clear. It was the lack of clarity—and a sense of desperate need for it—that defined the situation as a crisis.

Although the French case must be understood in terms of its specific history, the issues at stake have larger significance. These days many of us find ourselves confronted with challenges to what we have taken to be long-established principles of social and political organization. Secularism is one of those principles. Roughly speaking, the word denotes the separation of church and state, but beyond that there are historical differences in its meaning and implementation. In America, home to religious minorities who fled persecution at the hands of European rulers, the separation between church and state was meant to protect religions from unwarranted government intervention; the First Amendment to the Constitution begins “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.” This was designed to prevent any single religion from dominating the affairs of state, and it was soon extended to keep religiosity as such out of government. In France, separation was intended to secure the allegiance of individuals to the republic and so break the political power of the Catholic church. There the state claimed the undivided loyalty of citizens to the nation, and that meant relegating to a private sphere the claims of religious communities. This was expressed as state protection of individuals from the claims of religion. In France, the state protects in-

dividuals from religion; in America, religions are protected from the state and the state from religion. But in both cases, the terrain of politics is meant to be free of religious influence; it is considered essential to republican democracy that religion is a private affair. The distinction between private and public (religious belief and one's obligations to the state) is based in traditions historically associated with Christianity.

Now, often in the name of democracy, members of religious groups have begun to demand recognition of their particular beliefs and interests and have defined secularism as an obstacle to the full enjoyment of their rights as citizens. Moreover, some of them—Christian fundamentalists in the United States, for example—go further, seeking to deny the secular basis of the state altogether and insisting upon a “return” to the “original” religious beliefs of the founding fathers. To this end, they have produced a stream of revisionist scholarship designed to prove that the American constitution is rooted not in Enlightenment universalism but in Christian revelation.

Even as secularism has been assaulted from the right, it has also been criticized from the left by those who see it both as a way in which states have created acceptable forms of religion (in this sense it is a “regulatory practice”) and as a mask for the political domination of “others,” a form of ethnocentrism or crypto-Christianity, the particular product of the history of the European nation-state. Its claim to universalism (a false universalism in the eyes of its critics) has justified the exclusion or marginalization of those from non-European cultures (often immigrants from former colonies) whose systems of belief do not separate public and private in the same way, do not, in other words, conform to those of the dominant group. Writes

the political theorist William Connolly in a book provocatively titled *Why I Am Not a Secularist*, “Democratic governance readily degenerates into the organization of unity through the demoralization of otherness.”² And this (as we shall see in this chapter) certainly captures something of what was going on in the headscarf controversy. The law insisted on the unacceptable difference (the “otherness”) of those whose personal/religious identity was achieved by wearing the hijab, even though these girls did not seek to impose their beliefs on their schoolmates but simply insisted that they themselves could not dress in any other way without a loss of their sense of identity.

From my American perspective, the French case is an argument against secularism, proof of Connolly’s point that its effect can be intolerance and discrimination. From the French side, however, the growing political strength of evangelical Christians in the United States is proof of exactly the opposite: the urgent need for a strong secular state. If Christian moralism, presented as revealed truth, is allowed to dictate standards of behavior for everyone, if as a result the right-to-life trumps the right-to-choose, they say, then democracy as we have known it is lost. This is an argument I agree with. So it seems I am caught in an impossible dilemma: for or against secularism? Is the principle too easily corrupted, as the French case suggests? Or does it necessarily protect us from religious absolutism? Is it possible to separate an abstract ideal from its concrete history and from the political uses to which it is put? Are these questions themselves an indication of what one anthropologist has called an “impasse of liberalism,” the exhaustion of Enlightenment beliefs in the context of a new global world? Or do they walk into what the philosopher Slavoj Žižek warns

is a trap that forecloses politics by thinking of abstract universal principles only in concrete terms?³

Part of my difficulty in sorting this out comes from the fact that secularism is *both* the product of the particular histories of Christian Western European nation-states and a principle claimed to be universal. The invocation of the principle always does specific historical work, so it's hard to endorse it abstractly. Yet it is precisely the abstraction that provides the grounds for arguing specific cases: keeping creationism out of the public school curriculum in the United States or banning Islamic headscarves in French public schools. In order to distinguish between these two instances, we have to look at concrete outcomes: in the first case, it's what all children are taught that's at issue; in the second, it's the right of a small group of children to be taught what everyone else is learning despite the personal religious identification their clothing proclaims. Of course, secularism figures in both cases: in the first, it rules out claims of religious truth in the public school curriculum; in the second, it requires that there be no sign of student religious affiliation in a public school. But there's something about the democratic result of the process that's important too: in the first case, a minority is prevented from dictating its religious belief to a majority; in the second, a minority is denied access, on the grounds of its religious belief, to what the majority enjoys. Perhaps it's the democratic outcomes I'm interested in more than the principle of secularism itself.

But even if that is the case, secularism—as it is now often invoked in Western European countries confronting Muslim populations in their midst—carries connotations that must be

addressed because they structure the way we think about how to deal with religion in general and Islam in particular. Typically, secularism is equated with modernity and religion with tradition. Both as history and principle, secularism is taken to be a sign of modernity, the opening to democracy, the triumph of reason and science over superstition, sentiment, and unquestioned belief. The state becomes modern, in this view, by suppressing or privatizing religion because it is taken to represent the irrationality of tradition, an obstacle to open debate and discussion. Religion is associated with the past; the secular state with the present and future. So in some areas outside of the West, religion has been forcibly privatized (if not outlawed altogether) and secularism embraced as a national route to modernity. This was the case in Turkey in 1923, in Iran in 1936 under the rule of the shah, and in India at the moment of its independence in 1947. For the Soviet Union and its satellite states, secularism was officially mandated, associated, like socialism, with the progress of history.

Yet if we take a comparative international perspective, we find there are modern states that are not secular and religions that are not traditional. There are secular states that are not democratic—that forbid any dissent—and religions whose law is the result of ongoing interpretative debate. Not only do religions have a rationality and a logic of their own that belies the “traditional” characterization of them, but they have evolved over time; their theologians and jurists have reinterpreted founding texts in relation to changing social, economic, and political conditions. In a like manner, many states have secularized by recognizing the religious beliefs of their citizens and finding ways to accommodate them, sometimes by declaring

religious holidays as state holidays (the Sunday Sabbath in Christian countries is a prime example), sometimes by consulting religious leaders about the impact on their followers of proposed legislation, sometimes by including religious blocs in the allocation of seats in a parliament. This treatment of religion by secular states is the result not just of pragmatic adaptation aimed at regulation (though it surely is that) but also of the interpretation and reinterpretation of the principle of secularism in particular and changing contexts.

Instead of positing religion as the antithesis of secularism (particularly its democratic forms), it's useful to see that they also sometimes operate as parallel systems of interpretation. This can certainly be said of some Protestant denominations as well as of Judaism and Islam, where there is neither institutional centralization nor a singular head of the church. Both democratic states and these religions refer to founding texts (constitutions, divine revelation, bodies of law), both delegate to experts (lawyers, judges, theologians) authority to reconcile text and interpretation, but both also open to more general, lay discussion the meanings of the laws which set rules for behavior and the expression of belief. I don't want to push the analogy too far, just far enough to offer an alternative to the characterization of religion as an obstacle both to democracy and change. I don't deny that in secular states the relationship between the political and the religious is asymmetrical, that democratic states have coercive power that exceeds any influence religion may have, but the importance of interpretation is still worth noting. Thinking this way opens the relationship between the state and its religions to negotiation without either forcibly repressing religion or giving up on democracy—which remains a

place where political resolution is never achieved on the ground of religious truth. And it more accurately reflects the historical processes by which the Christian nations of Western Europe modernized. In those nations, the principle of secularism might be described historically as one which protects the political sphere from the determining influence of a dominant religion while recognizing religion's public (social, cultural) importance—it is not only a private, individual matter.

According to this definition—which gives priority to history and yet recognizes the power of argument from principle—France's drawing the line at Islam in the name of secularism involved a distortion of that nation's own history. Or perhaps it is better to say that a particular idea of secularism—conceived in sharp oppositional terms as the expulsion of religion from the public sphere—became an ideological tool in an anti-Muslim campaign. It was another way of putting Muslim populations outside the bounds of "France" by deeming their religion and their culture not only unacceptably different but dangerous.

Laïcité

French supporters of the law banning headscarves defined themselves as apostles of secularism. This was not just any secularism but a special French version, at once more universal than any other *and* unique to French history and French national character ("une singularité française"). This secularism insisted on its truth (and on the danger that religion, a false truth, posed to it). As I mentioned at the outset of this chapter, *laïcité* refers not simply to separation of church and state but to

the role of the state in protecting individuals from the claims of religion. It further rests on the notion that the secular and the sacred can be divided in the lives of individuals. Matters of individual conscience are private and should be free from public interference; the state's job is to protect that privacy. Unlike other secular democracies, wrote Bernard Stasi in the introduction to his commission's report, "France has raised *laïcité* to the level of a founding value."⁴ The language of Stasi and his colleagues revealed the absolutist nature of their beliefs and their fervent nationalism. The school was a "sacred" space; secularism was "un méta-idéal humain";⁵ the headscarf ban was necessary to prevent a takeover of the school by "the street." The battle was cast as a veritable "crisis," a war to the death between polar opposites: in abstract terms, between the republic and religion, modernity and tradition, reason and superstition; in concrete terms, between contemporary France and Islam. The image of a final conflict between truth and error deliberately invoked past efforts to wrest control of the hearts and minds of citizens from the spiritual and institutional power of the Catholic church, even though Muslims are a small minority with nothing comparable to the social power which organized Catholicism still wields. In fact, repeated references to the purely secular nature of the nation so misrepresented the history of its accommodations with the Catholic church that opponents of the ban charged supporters with hypocrisy. The issue, the critics maintained, was not religion in general but Islam, and not just Islam but "immigrants." In the end, they argued, the defense of secularism was but another mask for racism.

Historically, *laïcité* in schools dated to the Third Republic's

Ferry laws (1881–82, 1886), which made primary education compulsory for boys and girls and which effectively banished from the classroom religion as a subject and priests and nuns as teachers. It is important to note that the laws did not expel children who professed the Catholic faith, went to church on Sunday, or wore crosses and other religious medallions to class. “They had no obligation to conceal their religious affiliations.”⁶ The successful effort to wrest control from the Catholic church—which was considered an enemy of the republic, allied to monarchists who still nurtured dreams of another Bourbon Restoration—defined the school as the place where national unity would be forged, where the children of peasants (who spoke a variety of regional dialects and usually followed the instructions of a priest) would become patriots.⁷ From the perspective of minister of education Jules Ferry, the school was to be the agent of assimilation; the goal of its pedagogy was to instill a common republican political identity in children from a diversity of backgrounds. The school was to effect a transition from private to public, from the world of the locality and the family to that of the nation. Teachers were the crucial element in this process—secular missionaries, charged with converting their pupils to the wonders of science and reason and the reasonableness of republican principles. A shared language, culture, and ideological formation—and so a nation one and indivisible—was to be the *outcome* of the educational process. Schools were the instruments for constructing the nation, not embodiments of the nation itself. And they had enormous authority, for they were the privileged site where differences were contained and transformed into Frenchness.

Militantly secular in theory, French schools were more flexi-

ble in practice, in part because of their belief in the power of reason to prevail in the educational process, in part because the state recognized the historic significance of Catholicism. The public schools accommodated the desire of parents (and the pressure of churches) for children to have religious education and treated it as a right. Even after the separation of church and state was mandated by law in 1905, students were not expected to attend classes on Sunday, and they were given another day off so they could receive religious instruction in their churches. In this way, the importance of religion in their formation was recognized, even as it was defined as an extracurricular activity, not part of the education they received at school. (The secular state also maintains religious buildings as a public responsibility; this is true not only of Christian churches, but of the Paris Mosque, built in 1926 to commemorate the deaths of Muslim soldiers in World War I.)

Although the constitutions of the Fourth and Fifth Republics (1946, 1958) define France as an “indivisible, secular, democratic, and social republic,” this has not prevented state support of religious schools. Since 1958, the French government has contributed 10 percent of the budgets of private religious schools; more than 2 million children attend state-supported Catholic schools. (One Muslim school was recently established after eight years of difficult negotiation.) In 1984, when the government of President Mitterrand proposed integrating these schools into a unified, secular system, massive demonstrations were held in defense of “l'école libre,” and the project was abandoned. The school calendar still observes only Catholic (Christmas, Easter, etc.) and state holidays; the proposal of the Stasi commission to add a Jewish and Muslim hol-

iday was rejected by President Chirac. A former minister of education agreed with this decision on the grounds that the addition of Jewish and Muslim holidays would encourage religious “communalism” in otherwise secular schools. For him the Christian holidays don’t violate the principle of secularism—proof to critics of “laïcité” that it is not universal at all but is, rather, intimately bound up with the dominant Catholic religious culture of the nation.

In some areas, historical circumstances have led to even more dramatic compromises with religion, compromises the Stasi commission was, in the name of “history,” loath to touch in 2003. The three departments of Alsace-Moselle, lost at the conclusion of the Franco-Prussian War in 1871 and regained after World War I, have never been required to conform to the terms of the pact of 1905, nor were the colonies, where all sorts of bargains were struck with local religious authorities. In Alsace-Moselle religious instruction (for Catholics, Lutherans, Calvinists, and Jews) is still a mandatory part of the public school curriculum. With the permission of their parents, children who do not want to take these classes may substitute courses in morality. Rather than require the application of laïcité to schools in these departments (and so a genuinely universal policy), the Stasi commission recommended only that, in the name of fairness, religious instruction be added for Muslims.

Even as it acknowledged the inconsistencies of its recommendations (and justified them on the grounds of respect for the wishes of the local population in Alsace-Moselle, the preponderant influence of Christianity in French history, and the historical variability of the concept of laïcité itself), even as it insisted that secularism was in no way dogmatic, the Stasi

commission presented *laïcité* as a principle that allowed for no negotiation with religion⁸—at least, no negotiation with “extremist groups,” who are “testing the resistance of the Republic and pushing some young people to reject . . . its values.”⁹ Minimizing the long struggle with militant Catholics in earlier centuries and the tremendous controversies over the assimilability of Jews, the Stasi report deemed Islam a special case. It was not only historically outside the original “*pacte laïque*” of 1905 but also less willing to accommodate its dogmas to the requirements of a pluralist society. Granting that there were some more “rational” Muslims who understood the difference between political and spiritual power, the report nonetheless assumed that most followers of Islam would reject this distinction.¹⁰ Thus “extremist groups” became typical of Islam as a whole and since their Islam, by definition, didn’t recognize the values of liberty and *laïcité*, there was no need to tolerate Islam.¹¹ The fantasy of a crusading Islam wedded to an unalterable “truth” became the justification for—and the mirror of—an absolutist, intransigent secularism. The commission’s report pitted France against its Muslims as homogeneous, warring categories, and ruled out the possibility that girls in headscarves might be rational agents who dressed according to deeply held personal religious beliefs.

The odd thing about the Stasi report—indeed about the argument of all those who favored the prohibition of headscarves in schools—was that it took integration to be a *prerequisite* for education, rather than its outcome. Proponents of the law insisted that students had to come to school as individuals; what communal identities they had must be left at home. In effect, Jules Ferry’s vision of the school as the crucible of citizenship,

the space of transition from private to public, from family and community to nation, was replaced; the school now became a miniature version of the nation, conceived as a collection of abstract individuals who were shorn of any identity other than their French citizenship. As in the representative bodies of the nation, so in the schools, universalism meant conformity to the same rules, and membership in only one “cult,” the republic. Those who did not conform *in advance*, who were not already “French,” fell outside the purview of the universal because, as in the body of the nation, commonality was a prerequisite for membership in the educational community. In the impeccable logic of former minister of education Bayrou: “The school is designed to integrate; therefore it must exclude.”¹² This was another way of saying that Muslims could never be French.

Those who believed that Muslims should be considered members of the nation had a different notion of *laïcité* and its history. For them the school must necessarily reflect the actual diversity of society; its job was to negotiate differences and to create some commonality through the shared experience of education. It was the mythologized secularism of proponents of the law, they suggested, that created a crisis, not the fact that a few girls wore headscarves to school. These opponents of the ban insisted that integration was a gradual process with its own “temporal logic.” “To ask young Muslim women to take off their veils before coming to class is a bit like asking them to pass final exams at the beginning of the course.”¹³ In an ideal classroom, there would be respect for diversity, achieved through a notion of neutrality, as well as the possibility for children to become autonomous subjects. If autonomy meant rejecting the pressures of religion and family, so much the better, but it

might also just mean simply understanding the choices others have urged you to make.

Underlying many of the statements opposing the law were the same commitments that seemed to drive the law's proponents: to education as a modernizing process and to secularism as a way of containing the power of religious truth claims. There were, though, important differences. For one, critics of the law argued that assimilation was the wrong model for national unity; there could be toleration and coexistence of differences without homogenization. Indeed, if secularism were understood as a platform for the negotiation of difference instead of as its erasure, national unity based on shared values might still be the result. The question was how to have a "dynamic process of integration" that was not "a policy of pure and simple assimilation."¹⁴ What better place than a public school to stage the "encounter of cultures and values" that might produce a new universalism?¹⁵ In this vision, the school was the training ground for secularism, a preparation for participation in adult politics, a place in which the merits of ideas would be weighed without regard for their provenance. In addition, although there was no question that the state would continue to set limits and standards for religious expression (as it did for education), Christianity would not be the sole model for determining the acceptability of other religions. According to this form of secularism, children who refused to take history courses which contradicted their religious views would be ruled out of order, while those wearing headscarves (or other indicators of religious commitment) would not. The critical point was that the privatization of belief was not required as proof of

eligibility for school attendance, or, for that matter, of eligibility for membership in the national community.

The debate about the meaning of secularism between supporters and opponents of the headscarf ban was uneven, to put it mildly. Although the outpouring of opposition to the law consumed many pages of newspapers, journals and books, its public impact was muted by the stridency of the law's supporters, who represented a considerable majority and who argued in stark either/or terms. There was little room for the kind of nuance—philosophical or historical—offered by opponents of the law. As debate escalated and the foulard became synonymous with the voile, you were either pro- or anti-veil. Those who insisted that Muslim girls should continue to be admitted to public school were quickly labeled “pro-veil” (and in some instances, dangerous Islamists), even when they took pains to insist on their commitment to *laïcité* and to distance themselves from religious apologists. So, for example, an appeal by a group of intellectuals and activists originally entitled “Yes to *Laïcité*, No to Laws of Exclusion” appeared in the newspaper *Libération* on May 20, 2003, with a new title not approved by the authors: “Yes to the Headscarf in Secular Schools.”¹⁶ (The change reflected the pro-exclusion stance taken by the editors of this left-leaning newspaper.) Many of these same intellectuals chose to resign from the board of the feminist journal *Pro-Choix* when they were denounced by its editors as supporters of “fundamentalism.” They were also depicted as “partisans of the veil.”¹⁷ The Stasi commission report, like the one produced by the National Assembly study group, was largely devoted to the testimony of experts about the meaning of the veil and about

the ways in which Islam and radical Islamists were responsible for all sorts of disruptions in the schools. Despite many nuanced testimonies—about the multiple meanings of the headscarf, about social and economic discrimination against North Africans, and about the crises of finance and authority in the schools themselves—the conclusion of these official bodies was that banning the veil was the only way to contain the crisis that Islam had unleashed and the best way to enforce the secular aims of the republic. The falsehoods of Islam must not be allowed to dilute the hard truth of French *laïcité*. In this way, one absolutism was offered to counter another, and the door was shut to the kind of political conversation that was needed if the urgent social problems of the Arab/Muslim “immigrant” population were to be addressed. Indeed, I would argue that in this case, the dominant conception of *laïcité* was as unbending as the Islam it purported to combat.

The School

The law forbidding headscarves in primary and secondary public schools was a symbolic gesture in the war of the republic against its enemy. It was not as if all headscarves were banned from all public places. Private schools, which receive subventions from the state, were not governed by the ban. Women in the street were allowed to dress as they chose, as were university students, who were considered free agents. And, as many critics pointed out, women with headscarves were allowed to go on cleaning schools and government offices without being considered a danger to the foundations of the secular state. Although the law was worded so as to have universal application

(it banned all conspicuous religious signs), nobody until now had worried about Jewish boys wearing skullcaps or Sikhs wearing turbans. The law was applied to them as a kind of afterthought and without provoking any debate. Why was school attire so important? And why direct a law primarily at under-age Muslim girls?

The answer to these questions, as I have already indicated, is that since the Third Republic, schools have been considered the key to disseminating and stabilizing republicanism, to creating France as a nation one and indivisible. Under the Ferry laws, children were the target population for cultivating and reproducing republican values, and girls were particularly important to reach if the power of priests over women (a power thought to be so strong that it justified denying women the vote until 1945) was to be broken. The old concern about women and religion (and the state's particular responsibility for the weaker sex) was transposed in 2003 onto Islam but with a twist: Muslim girls stood in for all vulnerable children, and the supposed pressure from their fathers, brothers, and imams to wear headscarves recalled the once formidable power of Catholic priests. At the same time, girls in headscarves embodied the very peril from which vulnerable children needed to be protected: they carried the virus, as it were, of religion into the school. To further complicate things, they were perceived as making a statement about sexuality that was also considered out of place (see chapter 5).

The Stasi commission took its recommendations to be an affirmation of the Ferry laws, but it did not acknowledge the vast changes that had taken place in schools since the golden age of the Third and Fourth Republics. Schools no longer en-

joyed the same prestige or performed the same functions. Moreover, society had changed as well; there was a deeper racial divide than ever before, exacerbated by the seeming unwillingness of political leaders to do anything about it. Schools were the microcosm of a society under siege, not because of a challenge to secularism by religious students and their parents, but because of many economic and social factors, including what the sociologist of education François Dubet calls a process of “massification.”¹⁸ This involved the entry, from the 1970s on, of vast numbers of lower-class students into secondary schools (the four year *collèges* and then the *lycées*, equivalent to our middle and high schools), accompanied by changes in the schools’ mission, the role of teachers, and the relation between schools and society. In his account—which I will rely on in what follows—it is class (compounded in some instances by race) and not religion, that is the heart of the matter. The headscarf law was, from this perspective, a displacement of concern, a way to avoid facing the social and economic dilemmas that roiled French schools.

Although the Ferry laws of the 1880s made primary education secular and compulsory, in fact just a small portion of the population ever finished the course. Only about half of eligible students earned primary school certificates; even fewer went on to complete secondary school. This means, Dubet says, that in the last years of the nineteenth century and well into the twentieth, the assimilation of many migrants, as of most workers, was effected in the workplace, not in the school. Those who did attend school were treated only as students, that is, as potentially reasonable individuals whose training took neither their social origins nor their emotional well-being

into account. (American friends of mine, on sabbatical for a year in Paris in the early 1960s, encountered this ethos when they asked to meet with their daughter's teacher because they were concerned about how she was adjusting to her new environment. The teacher's brief reply startled them: "she is very well-behaved and her notebook is neat." So much for the psychologizing they were used to at parent-teacher conferences back home!) The teacher was there simply to promote learning, not to provide any other social services, and whatever there was of a youth culture at that time was to be left at the door of the school. For this reason the school was, in principle, a welcome place for children of minorities, such as Jews and Protestants. Teasing, racial epithets, and other forms of intolerance were not acceptable in this formal learning environment, although they undoubtedly occurred outside the doors of the classroom. Children wore regulation clothing or uniforms, and the sexes were taught separately; opposition to coeducation, Dubet explains, came from a desire to exclude social activities and emotions; "the largest part of moral education was left to families."¹⁹ The mixed-sex schools that defenders of the headscarf ban now tout as the hallmark of *laïcité*—one of the signs of the republic's eternal commitment to gender equality—did not come into existence until the 1960s, and then only because shortages of funds for new construction mandated the end of separate buildings for boys and girls.

Changes began in the 1960s, but it was not until the 1970s that everyone expected to attend *collège* (our middle school) and even *lycée* (our high school). Dubet estimates that about half of any age cohort under twenty now attends school, many of them already earning wages even though they are still stu-

dents. One measure of the expansion is overcrowding in classes. The proportion of overcrowded lycée classes, for example, rose from 9.4 percent in 1983 to 32.9 percent in 1990.²⁰ As school populations expanded, national education as a proportion of the state budget fell. In this context, social divisions between schools became more pronounced. For middle- and upper-class parents who knew how to work the system, placing one's child in a good school became a primary concern. Working-class parents had less social capital and less clout, so their children often ended up in poorer-quality schools, while children of families in the "immigrant" suburbs were confined to whatever was available in their neighborhoods. Needless to say, in these schools especially, social problems could not be left at the door. Paradoxically, as schools became an increasingly important avenue of upward mobility, attendance at some of them (those in ZEPs, a designation for trouble spots in the system that needed special attention and special funding) did not fulfill their promise, and this only increased the resentment of students for whom school attendance was a prerequisite for a job. During the riots in the fall of 2005, many students from the *banlieues* complained that their school attendance had not only been useless but harmful, because through it they were identified as coming from inferior places and so assumed to be ill-prepared for any job. Schools were not a means of integration but a way of reproducing, indeed guaranteeing, existing social hierarchies.

The massification of schooling was accompanied, Dubet tells us, by a new culture which brought the world of adolescence into the classroom. "Republican laïcité rested on a distance between school and society, but then the school gradually

allowed itself to be swept up in a mass youth culture which it barely resisted.”²¹ In the aftermath of 1968, to the delight of many ardent secularists on the left, formal dress requirements were abandoned and there was new emphasis on the development of the whole child. The school became a place where individuality was encouraged (even as republican values were being taught), and students were granted the right to express themselves, to define their identities through distinctive clothing and hairstyles. “[F]or adolescents the ‘look’ is not simply an outer covering, but a true image of oneself, a face in the strong sense of the word.”²² In this context, where jeans and rasta hairdos were acceptable, many students (who themselves did not wear them) saw headscarves as another form of self-expression. So did some members of the clergy. “Don’t confuse the problem of Islam with that of adolescence,” Cardinal Lustiger warned proponents of the law.²³ But that was exactly what the law did, ignoring or denying the fact that the *laïcité* of the nineteenth and early twentieth centuries had long vanished, making the banning of headscarves an exception to the tolerant indulgence otherwise granted student expressions of identity. Several elder statesmen—first-rate social scientists, themselves the products of the schools of the first half of the twentieth century—insisted to me in conversation that the headscarf ban would somehow protect or restore the *laïcité* they had known and loved, as if no history had intervened between the 1930s and the present! Why would these supporters of the law, otherwise intelligent analysts of French institutions, somehow blame Muslims for the loss of the schools their memories cherished, a loss that had little or nothing to do with Islam? Their irrational insistence on the urgent need for a ban

points up how overdetermined the headscarf was as a symbol of social and political disturbance.

Another moment of disciplinary action against an article of clothing complicated the headscarf debate, in both amusing and revealing ways. This was the “affaire du string.” In October 2003, teachers and principals at some schools began sending home girls who were thought to be inadequately dressed because they were wearing “le string” (a thong), visible at the waistline of their low-cut pants and cropped tee shirts. This kind of outfit exceeded the bounds of acceptable self-expression, the teachers argued, turning classroom attention to matters erotic instead of intellectual. Some commentators linked the string and the veil as opposite sides of the same coin. In one case, the body was overexposed; in the other, it was too hidden. Girls wore the string to make themselves sexually attractive to boys; they wore the veil to refuse that possibility. For some feminists, the same subordination of women was at work in both cases; for others, there was a vast difference between the overt acknowledgment of desire and its suppression. When a government official proposed a return to uniforms as a way of getting rid of all these differences, his suggestion was opposed, on the one hand, by those who damned it as archaic and, on the other, by those who championed the right of young girls to follow the fashion of the day. Government intervention, from either point of view, was unacceptable. Needless to say, while the string was considered a fashion statement and little else (there was, of course, critical discussion of the pressures girls felt to follow fashion), the veil was taken to be far more dangerous, requiring a law to protect the republic from its influences. Many of those who bemoaned the self-exploitation girls

were willing to undergo in pursuit of attention from boys were nevertheless unwilling to propose legal action to stop it; they acknowledged that the world of adolescence presented challenges of this kind and that it was the business of the school to work with that world and not to oppose it. These same people, however, thought that legal action to ban headscarves was necessary; *that* article of clothing was not about adolescent self-expression, or if it was, the form of self it was expressing was not an acceptable one.

The new emphasis on student self-expression, on the school's need to attend to the development of whole individuals, inevitably brought a change in teachers' roles: they were to be counselors, not just instructors. In theory, they were to be more sympathetic to the emotional demands of adolescence, closer to the lives and developmental issues of their students than their nineteenth-century counterparts had been. This may have worked well in primary schools and in collèges and lycées where students and teachers came from similar social milieux, but in poorer districts—the ZEPs—there was greater distance between teachers and students. (These schools make up about 10 percent of the total number nationally.) In these schools, students were faced with teachers who often did not understand or empathize with their situation, while the teachers confronted discipline problems that their predecessors or colleagues who taught in more elite districts had rarely seen. Facing challenges to their authority from angry, disaffected students and their parents, they not only felt a loss of control but found their professional identities destabilized. They no longer had the authority and the standing in the community that had once accrued to French schoolteachers. Add to this

cuts in government funding for education, depressed salaries, and decreased spending for social services and community centers in the banlieues, and the difficulties for teachers were compounded.

It wasn't just discipline that was at issue, although that surely was a problem. The philosopher Etienne Balibar points out that the very status of knowledge has changed, the belief, once unquestioned, in the power of learning to shape people's minds and so their lives. It wasn't only that the instrumental notion of education, as the sure route to a good job, was belied by high rates of unemployment among "immigrant" youth, it was also—less tangibly, but no less certainly—that the concept of knowledge as a good thing in itself no longer carried the same weight in the culture as a whole. The power that came with knowledge once animated the desire for it and therefore excited both teachers and students. When that power was diminished, the reverence teachers could once anticipate simply because they *knew* so much declined; they were increasingly considered just another kind of state functionary, disciplinarians in the sense of rule enforcers instead of mind trainers.

Balibar argues that most teachers, even those not working in ZEPs, identified with the loss of status and authority so evident among their colleagues in those areas. For this reason, even though most of their members did not face the difficulties of those in the ZEPs, the major unions of secondary school teachers in France supported the ban on headscarves, and they were a powerful political constituency. They did this, Balibar suggests, because "they saw no other remedy for their impotence except the symbolic affirmation [of their authority] by the power of the state for which they worked. . . . Laïcité,

whatever its definition, was not the end but the instrument of this corporate reflex.”²⁴ Banning the headscarf seemed a strong gesture affirming the importance both of the school and the state, as well as of the intertwined relationship between them. Here once again we see how overdetermined was the symbolism of the veil. The fate of teachers was equated with that of the nation, and the line drawn at the headscarf was meant to secure them both. Instead of exploring the role the school could play in the new conditions of the twenty-first century, instead of asking on what (new or different) grounds the authority of teachers might be restored, the decision to ban headscarves placed the blame outside the system itself. The crisis in the schools—and indeed, there was one—was attributed to foreign influences, to “immigrants” whose values clashed with those of the republic. The solution was to eliminate the foreign influences and then everything would be all right—a delusional “fix” given the much larger set of social problems that needed to be addressed.

The Nation

When President Jacques Chirac created the Stasi commission in July 2003, he did so in the name of national unity. “France is a secular [*laïque*] republic,” he wrote in his charge to Bernard Stasi. Since the law of 1905 separating church and state, *laïcité* has established “deep roots in our institutions.” Indeed, that law had become a key aspect of “national cohesion,” a way of guaranteeing that social differences would not fracture the unity of the nation. But the way of achieving unity involved denying the existence of the differences altogether. “The Republic is com-

posed of citizens,” Chirac went on, “it must not be segmented into groups.” The “risk of a drift into communalism” must be avoided. Nothing less than the future of the nation was at stake. Already in 1989, the future of the nation was linked by many commentators to what happened in the schools. Wrote one, “The secular public school, the only appropriate expression of the secular and republican community which is our nation, is in danger. Today a headscarf, and tomorrow?”²⁵ The National Assembly committee’s call in 2003 for a law banning headscarves in public schools was an answer to that question. “More than ever, the authorities must be vigilant about [enforcing] strict respect for the principle of *laïcité*.”²⁶

It is hard to imagine that a few schoolgirls wearing headscarves could bring down the nation or even produce fractures in its foundation. But that was how the argument went. Not only the president of the republic and most members of the Stasi commission, but many politicians, journalists, and public commentators, too, waxed apocalyptic on the issue of the headscarf and the future of France. It was as if the headscarf were the flag of an alien nation whose forces were intent on compromising national integrity. These forces sought, it was imagined, to corrupt the minds of the young and vulnerable (represented most poignantly by schoolgirls), thereby eroding *laïcité*, one of the pillars of the republic.

The headscarf law was informed by a particularly defensive nationalism, one which rested on belief in the unchanging, indeed unchangeable, truth of a certain national identity. To challenge that truth was to challenge the very idea of French sovereignty and of the sovereign people whose will was said to be incarnated in the national representation. Elsewhere I have

written on the way in which this vision of the nation rests on abstraction, on the idea of an abstract individual shorn of his social, religious, and ethnic identities.²⁷ Articulated at the time of the French Revolution as an alternative to the corporatist theories of the Old Regime, abstract individualism was the basis for citizenship and for the distinctively French concept of universalism. This universalism rested on an opposition between the political and the social, the abstract and the concrete. In the realm of the political, everyone was an individual—except for those whose lack of autonomy (initially women, slaves, and wage earners) made them unable to represent themselves. The claims of any group membership (this came under the rubric of “the social”) must be shed if one were to be considered an individual. It was for this reason that, at the time of the revolution, Jews were initially excluded from citizenship. When they were enfranchised, it was as individuals, not as members of “a nation.” There were some, however, who could never be dissociated from the group to which they belonged, who could therefore never become individuals. This was the case for women, whose sex was thought to make them incapable of abstraction (unlike men, they could not be detached from their bodies). As a concrete result, they did not receive the right to vote until 1945. For different reasons, Muslims are now in a similar position. Of course, they do qualify for formal citizenship, but their membership in a religious community that does not conceive of individuals as able to categorize their beliefs in terms of public or private makes them not susceptible to abstraction, hence incapable of assimilation.

Since the 1980s and especially since the celebrations of the bicentennial of the revolution in 1989, there has been increas-

ing emphasis on the idea of the unity and indivisibility of the nation. This emphasis has acquired mythological status, obscuring the long and complicated history of various group struggles for rights in France, the most obvious being the successful campaigns of workers for recognition of the reality of class divisions in the social body. And though abstraction is the principle of universalism, in practice it is sameness, achieved through cultural assimilation, that guarantees national unity. Individuals must not only be autonomous, they must also share what are thought to be eternal French values in order to be taken seriously. For this reason, current demands for social and legal recognition by various groups—women, homosexuals, and “immigrants”—have been met with denunciation: they are communalist, they give priority to group membership, they introduce “unnatural” differences that will rend the social fabric and weaken the body of the nation.

The excuse (in the name of unity) of protecting the nation from the demands of some of its citizens has been used to block action on behalf of groups underserved by the generous (for some) provisions of the French welfare state. American affirmative action is anathema in France, not for the same reasons that right-wingers here have objected to it (because it applies tests other than individual merit to those whose paths have long been blocked by discrimination), but because it is contrary to French universalism and to the national unity that it necessarily creates. From this perspective, discrimination does not exist, because differences of groups are not recognized; if differences don't exist, how can there be discrimination?

The unacceptable demands of domestic groups have been attributed to external pressures—from the European Union

and other international institutions like the United Nations—that in themselves undermine national sovereignty by substituting rules from elsewhere for those that are French. The historian Timothy Smith argues that blaming outside pressures is a way for French elites to refuse to address the internal problems that need attention: high unemployment rates; grossly unequal employment and pay rates for youth, women, and “immigrants” as compared to previous generations; a health care and pension system that protects older, entrenched, public-sector employees at the expense of the young and the poor. These are not, he says, the result of “globalization”—often cited as an inescapable, uncontrollable force undermining national sovereignty—but of domestic political decision-making that opts to protect the established classes (some 60 percent of the population) at the expense of its marginalized others. These days, he argues, French politicians displace blame elsewhere rather than taking responsibility themselves.

Although I think he underestimates the impact of Europeanization and globalization, I find Smith’s analysis helpful for explaining the way in which the law against headscarves was depicted as a defense of the republic. The discussion of headscarves, couched in extreme nationalist rhetoric, shifted the conversation away from the problems posed by a large, impoverished population—many of whom have lived for decades as citizens in France, many of whom are non-practicing Muslims or more culturally than religiously identified as such, and are certainly not political radicals—to an imaginary threat posed by Islam. This is not to deny that there are terrorists on French soil; it is to say, however, that there is a far more momentous question facing French decision-makers: how to achieve the in-

tegration of former colonial subjects as “fully French” into a society of which they have already long been a part.

It is hard not to agree with the anthropologist Emmanuel Terray when he argues that the headscarf controversy was a form of “political hysteria” in which real social anxieties were displaced onto phantasmatic enemies and phantasmatic solutions were offered in place of concrete social policy.²⁸ The problem of the status of immigrants and of the racist practices that kept them on the margins of French society was redefined as a problem of Islamism, an external threat with links to Iran and Saudi Arabia. The solution was an endorsement of militant secularism as a counterweight—a secularism conceived as the truth of French national identity rather than as the ground on which such identity could be negotiated. That went along with a defensive insistence on preserving the homogeneity of the nation in the face of evidence that France’s populace was socially divided. In defiance of this evidence, social divisions were blamed on the stubborn refusal of Muslims to integrate, on the inherent “foreignness” of their “culture.” It followed that the cure for discrimination was the denial that differences existed at all; if they did, it was the fault of “communalism”—a concept alien to France.

There was, of course, a crisis, but not the one proponents of the law diagnosed. Instead, the elevation of *laïcité* as the unquestioned and immutable truth of French republicanism was the symptom of a set of difficult problems: how to improve the lot of an impoverished, marginalized “immigrant” population, and, more generally, how to recognize difference in social *and* political terms. Instead of confronting these problems head-on, the leaders of politics and opinion (with a few exceptions)

resorted to a kind of knee-jerk racism that demonstrated the paucity of their philosophical resources and the weakness of their political capacities.

Conclusion

It would be a mistake to conclude, as some of the proponents of the headscarf ban argued, that the version of secularism they endorsed was the only version possible. Harking back to 1789, they insisted, against good historical evidence to the contrary, that the integrity of the republic rested on a firm refusal of religion in the schools and in the state. This was dubbed the “republican model” of *laïcité*. In fact, as Jean Baubérot (the lone dissenting member of the Stasi commission and a historian of *laïcité*) has pointed out, the idea of *laïcité* has had a long history in France, and some of its definitions are very much at odds with the definition offered in the heat of the headscarf controversy. There is at least one other “model” of *laïcité*, a “democratic model,” that some diehards dismiss as “Anglo-American” and hence foreign to France, but that Baubérot places squarely within a French context (thus demonstrating that there is more than one version of the story of *laïcité*). Between 1985 and 1990, he writes, the League of Education, a confederation of societies of teachers and others interested in education, offered a far-reaching plan. The left was in power at this point, and was more open than it would later become to thinking about how to address issues of difference that were plaguing domestic politics. Baubérot writes that the league first revisited the founding texts of the doctrine, insisting on *laïcité* as the “conscience of democracy,” an effort to “prevent the ossi-

fication of scientific thought into dogma,” and “to contain religion within its limits without denying its immense cultural significance.”²⁹

In the League’s proposals, which looked toward the year 2000, *laïcité* was a ground on which difficult problems could be assessed:

Take for example . . . the conflict which, among “children of immigrants,” opposes the culture taught at school and that handed down by the family. . . . In this situation, to ensure “rights to the languages of emigration is a duty of *laïcité*,” and a “bilingual education” must be promoted in which “the thorough knowledge of the mother language as the basis of the identity of an historic community” is added to the “knowledge of a language of world communication which enables full participation in universal dialogue.” Moreover, it is necessary to abandon a concept of the universal centered on Western values and to recognize “the universal aspect contained in various particular cultures.” French messianism, which considers this country to be the bearer of universal values . . . is certainly a precious heritage, but to be progressively rejuvenated it must become a French contribution toward the elaboration of a new universality, the outcome of an encounter of cultures and values.

The school was the place where children would engage in the kind of “reflection, criticism, [and] experimentation” that was the hallmark of democracy. The greatest dangers to the achievement of this democracy were seen to come from “civil clerics’: abusive experts, a large state corps imbued with privi-

leges, bosses by divine right, arrogant senior officials invested in their views as the only truth. The *laïcité* of the year 2000 must ensure that the citizens are not deprived of public debates on essential questions relating to medical ethics, information, education, etc.”³⁰ In this vision the school is indeed a cradle of democracy, in which differences are mediated and negotiated, established practices are critically revisited and revised, and debate is allowed to flourish in the absence of dogmatic assertions of immutable truth. In that sense, it is a preparation for citizenship, for participation in the work of a nation conceptualized as a heterogeneous entity, in which the differences of its constituents are understood to be a resource, not a deficiency.

Baubérot concludes by suggesting that historically the two models of secularism have long been in tension in France, that the democratic model has already been applied to Christians and Jews and that it “would be disastrous if . . . we were to apply the republican model effectively only to Islam.”³¹ It is the democratic model, he believes, that “constitutes an opportunity for a future in which sociocultural and socioreligious conflicts have been relatively mastered and contribute to the construction of the future.” For Baubérot it is not religion but the republican model that, by taking the religious and the secular to be absolute opposites, poses the most dangerous obstacle to democracy.