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Secularity in a World 'Torn by Difference': A Consideration of the French Headscarf Affair from South Africa

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ABSTRACT *This paper attempts to raise questions about the model of multiculturalism that is the ideal in South African state schools, by examining the debates around secularity in the public space that came to a head in France in 2003, which have very different philosophical and historical antecedents from those that inform South African principles. The paper focuses on the arguments made by members of the Stasi commission, convened by president Chirac in mid 2003, to make recommendations about the continuing viability of secularity (la laïcité) in contemporary France.*

Introduction

This paper owes its title to an observation made by Nigerian writer, Wole Soyinka, in response to the controversy that crystallized around the 'headscarf issue' in France in 2003. Soyinka was commenting on the choices we face in creating a scholastic environment that is conducive to the strengthening of democratic values, and he offers a rebuke to a large part of the English-speaking world that imagines 'multiculturalism' and the tolerance of visible signs of difference to be the antidote to social conflict. Mindful of the civil strife in his own country, he asks us to consider very seriously what 'adult society' owes 'its younger generation in a world that is so badly torn by difference' (Soyinka, 2004, p. 21). At Soyinka's long-distance bidding, as it were, this paper undertakes to explore an alternative to the model of multiculturalism often incorporated into Anglophone curricula. By examining the French case, three associated points are made. First, it is difficult to make curricular prescriptions concerning tolerance of 'cultural' differences without an understanding of the pupils' social context and of the broader social relations that govern their lives beyond the school gate. Second, the possibility exists that tolerance of signs of 'cultural' difference in the public space of the classroom may not be the best way to achieve social justice in the long term, and third, there is a real danger that the superficial

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tolerance of difference may really be tantamount to perpetuating forms of oppression particularly against women and girls.

Travels in France

Several years ago the author of the present paper, during a research tour of the so-called ZEP schools in northern France, encountered a diametrically opposed approach to the issue of difference in the classroom from the one officially endorsed in South African schools.[1] South African policy documents are founded on the notion of a 'collective heritage' constituted by 'different cultures', for which both curricular and extra-curricular recognition should be provided (see, for example, Department of Education, 2001). The assumption seems to be that the assemblage of 'cultures' may be fitted together like pieces of a jigsaw puzzle. As numerous commentators have noted there is no acknowledgement of the material and political inequalities between different 'cultures', which means that the representation of subordinate 'cultures' is necessarily reduced to superficial aspects of dress, cuisine and festivals.[2] The teachers in the schools in the wastelands of deindustrialized Amiens, on the other hand, working within a completely different framework from that of 'multiculturalism', saw their job as primarily concerned with integrating children of North African origin into French society, which was largely to be accomplished through teaching them to speak perfect French so that they would not be 'stigmatized' by faulty pronunciation or grammar. In this respect, the teachers were following policy imperatives that are embedded in a long French philosophical and pedagogical tradition. As the French Foreign Ministry put it:

> Schools have always had a very great symbolic importance in France. Their primary mission is to develop and maintain national unity, in particular by integrating children of foreign parents into French society. Four basic principles define the public service mission of the schools: equal access, non- discrimination, neutrality and secularity (Ministère des Affaires étrangeres, 1996, France, p. 95.)

In France, unlike South Africa, stigma, it seems, is construed as a visible sign of difference for which the bearer is at least partially responsible, although, as will be seen the debate about what constitutes a 'visible' sign and permissible degrees of visibility is apparently endless. As the statement from the French Foreign Ministry quoted above suggests, in the French public school system difference is supposed to be 'neutralized', which includes muting the signs of religious, as well as political difference. As one commentator has noted, wearing a T-shirt bearing the legend 'Fucking Bush' to school is theoretically as unacceptable under the terms of 'secularity' as is donning an ostentatious religious item of apparel, but for the moment has attracted less controversy (Coroller, 2003b, p. 6).

La laïcité

The ungainly 'secularity' that appears as the last of the principles enumerated by the French Foreign Ministry is an insipid translation of *la laïcité*, an issue, or more

accurately a philosophy, currently animating fierce debate in French society. On the surface *la laïcité* means a particularly thoroughgoing regard for the secular basis of political power formally recognized in the famous law of 1905, which definitively separated Church and State.[3] Since it was essentially a law conceived to avert looming civil war, and therefore represented a necessary compromise, it did not mention the concept of *la laïcité* explicitly, already in existence by then, but merely asserted that the Republic would not recognize any religion in its exercise of power. But, *la laïcité* does have deep roots in particularly French institutions and history of which it is worth taking note to understand both why it is that the *laïcité* debate is so highly charged, and how many layers must be peeled back from what could be, and has been, mistaken for a peculiarly petty kind of intolerance.[4] The Stasi commission[5] was appointed by president Chirac in mid-2003 to put an end to what has been inelegantly phrased, to English ears at least, to '*la cacaphonie*'—especially around whether or not Muslim girls should be permitted to wear veils or headscarves to state schools, although it was to examine other areas of public life too, as well as considering possible contradictions between the principle of *la laïcité* and the rights of workers in private enterprises.[6] But here, we focus on the school issue, as the Stasi commission itself did, for reasons to be explained.

Towards the end of 1989 three pupils of Maghreb origin, Leila, Samira and Fatimah, were excluded from *collége* (middle school) in the Creil region, 50 kilometres north of Paris, for having refused to remove their headscarves in class, inaugurating intense debate, and consternation within government that culminated in a ruling from the *Conseil d'etat* (the highest administrative court).[7] It specified that the wearing of *signes religieux ostentatoires* (ostentatious religious signs) in scholarly institutions was not allowed. This did not mean that all religious signs were outlawed, but it left it to the discretion of the principal of the particular institution to decide whether or not a religious sign was crossing the boundary into 'ostentation'. Signs that were considered to be 'proselytizing' or provocative fell into the prohibited category. Religious clothing or accessories also had to be removed if they interfered with the scholastic programme, particularly in physical education classes.

In the 14 years that followed the exclusion of Leila, Samira and Fatimah other incidents occurred, the number and seriousness of which is debatable, and which were not limited to conflict around religious signs, more of which will be said later. It is important, for the moment, to get to grips with the headscarf issue, since the immediate pretext for the convening of the Stasi Commission was a *déjà vu* exclusion of Lila and Amma from a *lycée* in the Paris suburb of Saint-Denis after they had refused to remove their headscarves at school. Few commentators note that Lila and Amma's surname is Lévy-Omari, which hints at the complexity of the identity issues that are at stake here.

Headscarves have often been portrayed as among those self-chosen 'stigma' (auto-stigmatizers', says one Muslim commentator) that make difference wilfully apparent in contradiction with the principles of tolerance and universalism supposedly fostered by public schools as organic institutions of the Republic.[8] Since

la laïcité is intimately bound up with the integrity of the Republic, attempts to challenge it are understood as constituting a threat to the very foundation of French democracy. It is easy to be facetious about this connection, as was the author of an article in the *Economist* that purported to summarize the French position on *la laïcité* at the height of the debate around Stasi. Predictably since it comes from an Anglophone perspective, the article in the *Economist* was patronizing throughout, from its caption 'Scarf Wars' right down to the last sentence which concluded derisorily: 'But, why spend time on complexities, when you can reduce the issue to a simple one of covering a woman's hair?' (*The Economist*, 13 December 2003, pp. 41–42). The laconic tone adopted by this journalist and his crass literalism reveal a complete inability to understand how the very focus on the headscarf, and better still, the veil, is for the French richly symbolic, and a point of departure for unmasking/unveiling its several meanings. The debate in the French press, including interviews with members of the Stasi commission, is intent on discovering what the wearing of the veil means or what lies behind the veil. The Stasi conclusion is essentially that it 'veils' what Stasi member Jacqueline Costa-Lascoux extravagantly called 'a dense' and almost impenetrable forest—one presumes she means in the general context of the Stasi recommendations—of social and generational tensions (Perucca, 2004, pp. 28–31). Thus, the foreign commentators (and, in some cases, French writers themselves) who think that the defendants of *la laïcité* are becoming too exercised over a little piece of cloth, are, in a sense, missing the metaphor.

In a recent interview Costa-Lascoux characterized the Stasi commission as defending the fundamental constitutional principle that 'reaffirms' the possibility of 'living together' in a way that is compatible with the Rights of Man (the foundational document of the French Revolution), and that does not sanction fragmentation into what the French call *communautés*.[9] The issue is not about 'covering women's hair', as the *Economist* journalist would have it, but about how to strengthen the Republic, and here lies the rub. The 'Republic' does not mean the same to everyone in France, and the *Economist* journalist is right to identify a 'clutch of motives' behind the *laïcité* fracas, including some jockeying for position and presidential favour, and, no doubt, the President's own expedient manipulation of the alleged threat to the Republic posed by religious 'aggressors', which cannot be dealt with here in much detail.[10] But, to grasp the rationale behind the kind of appeal that appeared recently in the *Nouvel Observateur* to 'citizens' to pledge their loyalty to the 'values of the Republic' in the face of rising ethnic intolerance in France, one has to pay closer attention to traditions of *French* political thought and rhetoric, rather than simply invoking ideas of 'multiculturalism' as an antidote to racism, as some critics are inclined to do.[11] American theoretician Amy Gutman's attempt to find a suitable ratio of multiculturalism to 'civic education' in her discussion of the 'scarf affair' is a case in point (Gutman, 1996, pp. 156–79).[12]

The dominant French tradition has rejected 'multiculturalism' on the grounds of long deliberation, culminating in the Stasi Report. As the Report puts it quite poetically, *la laïcité* is the product of an 'alchemy' of French history, philosophy and ethics.[13] A supercilious view from across the Channel (in the case of the

Economist journalist) does not really allow much insight into how *la laïcité* functions, and why it may be embraced by both left and right—although not universally, it is true. Even those parties that opposed legislating against the wearing of headscarves at school were not necessarily at odds with the principle of *la laïcité.* A Socialist Deputy, for example, said that although he deplored 'mak(ing) people respect the values of the nation and of the Republic through prohibition', he believed that women were 'the primary victims of the *regression* [my emphasis] of *la laïcité*', suggesting that he held the latter in high regard (Bacque, 2003, p. 8). Polls suggest that more than 50 per cent of respondents professing different political allegiances supported prohibition of all 'apparent' religious signs at public schools. A recent investigation conducted by two respected sociologists from a sample that was admittedly skewed towards professionals, found a high percentage of respondents defended *la laïcité* while exhibiting 'tolerant' attitudes toward African immigrants in France, while amongst Muslims, only a minority seems to be in favour of allowing headscarves to be worn at public schools (Barthelemy, 2004, pp. 44–47).[14] Gutman writes about the 'scarf affair' almost in the abstract without acknowledging the ingredients of the 'alchemy' that has produced both *la laïcité* and continued fidelity to it from a variety of groups and individuals. Nor does she take account of conditions in the bleak *banlieues* (suburbs) on the outskirts of the major cities that are home to large groups of marginalized people of immigrant origin where some of the most vociferous opposition to the prohibition on headscarves has occurred (Ramadan, 1999).

The French are only too well aware of how scathing the rest of the world can be about their attachment to *la laïcité*, and in a defensive article entitled *Europe: la France est montrée du doigt* (Europe: France is given the finger) Mathilde Mathieu implies that the English tolerance of the *hidjab* (headscarf), the yarmulke and the sikh turban in public life is hypocritical as long as the Church of England continues to enjoy a privileged status in the enactment of the rituals of state power (Mathieu, 2004, pp. 33–35). One must assume, she argues, that the *hidjab et al.* are tolerated merely as 'cultural signs' devoid of 'political' substance. 'Cultural' is not a word that is used lightly by those who align themselves with the Stasi position. Typically, 'culture' rarely escapes philosophical interrogation or semantic deconstruction.

La laïcité connotes, as the Stasi Report says, both a collective heritage and, since it has been 'fashioned by history', capacity for change and dialogue. It does not speak with one voice, say its defendants, but is multidimensional or 'multivocal', and thus, the Stasi commission argued, flexible and open to enlarged understandings of liberty and equality (Guetny, 2004, pp. 41–44).

Threats to the Republic?

Les religions ménacent-elles la République? (Do religions threaten the Republic?) asks a caption blazoned many points high across an empty-eyed bust of a woman representing Republican France, draped in a headscarf on the front cover of an

issue of *Le Monde des Réligions* at the beginning of 2004 (*Le Monde des Religions*, 3, January–February 2004). This anxiety, as has been suggested above, is the real concern behind the creation of the Stasi commission, and informed its deliberations.

Commission head Bernard Stasi is himself the child of Italian–Cuban immigrant parents, who was only naturalized when he was 18 years old, and had his ministerial career cut short in Pierre Messmer's government when he spoke out against the Pinochet coup in Chile in 1973. Stasi has a publishing track record that suggests both a real regard for a 'plural' France and republican ideals coupled inextricably, in his view, with *la laïcité* (Gurey, 2003, p. 5).[15] At the outset, in July of 2003, he professed to think that the Republic was not really in any immediate danger since its values were sufficiently anchored to assure the perpetual endurance of a France that is both 'laical and republican'(*la pérennité d'une France laïque et républicaine*) (cited in Gurey, 2003). But, he did acknowledge that 'French specificity' had to be preserved in the face of phenomena that are appearing in other countries and which may be 'contagious': *'(N)ous avons une spécificité française á sauvegarder face á des phénoménons apparus dans d'autres pays et qui pourraient être contagieux'* (we have to safeguard a French specificity in the face of phenomena that appear in other countries and which could be contagious) so that it makes sense to remain alert to possible threats to the French Republic (*rester attentive á çe qui pourait la menacer*). He did not really explain, in this oblique construction what the threats were but, as the commission undertook its investigations, which included, surveying the situation in other European countries, they were more clearly articulated as racial friction, and resurgence of religious and political extremism that was tarnishing various models of social integration.

Costa-Lascoux (see above) expostulated in an interview conducted at the beginning of 2004 about the situation in the Netherlands uncovered by Stasi's probe, with the appearance of *burqas* in *lycées*, demands for gender-segregated public swimming pools, the boycott of certain writers, and increasing incidents of anti-semitic aggression following on from the government's policy of 'religious freedom' (Perucca, 2003). She argued that the phenomena she lists now threaten to destroy the 'very liberal model' upon which the Netherlands' 'social contract' is founded, and which protects the rights of homosexuals, and upholds various 'bioethical' rights such as the right to euthanasia. For Costa-Lascoux this proves the point that she tries to make throughout the interview that '*la laïcité*' is not a principle of exclusion, but of 'emancipation'.

Defenders of *la laïcité* link it to the victory of the Republic over absolutism symbolized by the 1789 Revolution. Thus, according to Henri Pena-Ruiz (a published philosopher of *la laïcité*, who is also a teacher at one of Paris's inner city—and hence better off—*lycées*, and a Stasi commissioner), it was quintessentially about refusing to continue being at the mercy of the arbitrary (Pena-Ruiz, 1999, p. 132). Henceforth (although there were several subsequent setbacks) sovereignty was to be derived from nothing else but the people as in *le peuple.* Philosophers like Pena-Ruiz are at pains to argue that *la laïcité* is not hostile to religion,

although initially it was mobilized to break the stranglehold of the Catholic Church. As Pena-Ruiz explains it, *la laïcité* is aimed at preventing religion—*any religion*—from infringing on the public sphere because the principles of unity and liberty essential to the voluntary formation of the political community (*la communauté politique*) cannot reside in potentially divisive 'passions' as opposed to reason. For *la laïcité* is a resilient child of the Enlightenment, still optimistic about the emancipatory power of reason. *L'etat*, as in the ideal form of the laical state, exists for all without hierarchies of discrimination or privilege. It is not susceptible to social pressures so that the conditions that it establishes make it possible for non-conflictual co-existence—the principle of 'living together', invoked by Costa-Lascoux cited above. Furthermore, since *la laïcité* delimits the field of the exercise of power, it equally respects the private sphere, guaranteeing individuals the freedom to practise religions of their own choosing or, indeed, to be atheists. In the Stasi Report the need to create space for various kinds of 'free thinkers' is also asserted (Pena-Ruiz, 1999, pp. 140–41; 'Le rapport', p. 20).

The school, we hear repeated often, is regarded as an organic institution of the laical Republic, charged with preparing its citizens for their role in the secular political community—in the neutrality of the public space. This is not the public space of the street, where one commentator remarks that one may have to choke down one's feelings as one jostles with others who aggressively proclaim their religious affiliations in their outward appearance, but the symbolic space of political life (Noguez, 2003, pp. 39–40).

The Stasi Report makes an attempt to conjure the dimensions of the symbolic space that should be preserved by the public school. One of the school's most important functions linked to *la laïcité*, is to extend the intellectual horizons of all scholars. Pena-Ruiz argues forcefully, with an array of examples, that all religions act as censors and thus retard the scientific spirit—religious affiliates would raise objections variously to the study of Freud or Spinoza or Salman Rushdie, for example (Pena-Ruiz, 1999, p. 293). Elsewhere there was mention made of scholars who, in the years between the publicized exclusion of 1989 and the year of the commission, had resisted following curricula in science that concerned evolution, refused to study the French classics including Rabelais, Molière and Voltaire on religious grounds, and had been unwilling to participate in physical education classes because of some forms of religious dress or ideas of modesty ('*La Laïcité contestée', Le Monde de l'Éducation*, 321, January 2004, p. 26). In the period that the Stasi commission was sitting, Dominique Noguez took this point further in an article for the left-wing newspaper *Libération.* Noguez compared the wearing of religious signs to 'tattoos that proclaim eternal fidelity or rings that announce one is already taken' (Noguez, 2003, p. 40). Arguing that scholars should be protected from 'politico–religious' activists who 'prosper on ignorance', this writer asserted that scholars who wear religious signs are saying: 'my mind is made up. You can do all you like to change me, make me see other points of view, or to show me other ways of looking at problems, you're wasting your time'. If education 'cannot open all avenues to reason then it cannot be republican', Noguez concludes. The Stasi Report itself stressed that

one of the school's principal functions is to teach people how to exercise critical, independent judgement on a multiplicity of religious and political ideas ('Le rapport', p. 19).

The public space

How does the space of the public school then simultaneously prepare future citizens, and provide a retreat from the world that furthers intellectual exploration and experimentation? The Report attempts to resolve this potential contradiction through its spatial analogy. The school is not to be a 'sterile chamber' (here I translate *chambre* as 'chamber' advisedly because of its resonance), but it is also not to be a chamber of the echoes of worldly passions (*la chambre d'échos des passions du monde*) ('Le rapport', p. 18).

The imagining of a public space with ever-receding horizons, that is not quite, but is almost a sanctuary beyond the hurly-burly of the world, provides an interesting contrast to the impressive, but channelled and regulated dimensions of the public space of the Champs Élysée commandeered by Chirac and the military on 14 July 2003, ostensibly to celebrate the birth of the Republic. Many commentators pointed out that this was part of his bid to cement the cracks opening up in his *modéle français*, (which stressed national cohesion), with the satirical newspaper *Le Canard* dryly remarking on the illusory spectacle of the Bastille Day fireworks and carrying a caricature of the French president declaiming: 'French people! French people! Avoid subjects that make you angry!' (see, for example, *The Daily Telegraph*, 'Protests on Bastille Day Spoil Party for Chirac', 15 July 2003, p. 11).[16] One of the real causes of anger was the government's determination to keep the cost-cutting promises it had made to the European Union.[17] There were ways in which the Stasi commission helped the President with ideas for shoring up the cracks evidenced by extensive strike action in various sectors, but it also asserted an independent voice and advanced a potentially radical analysis of French society.

Another of Pena-Ruiz's important variations on the theme of *la laïcité* is that the school should provide the opportunities for social as well as intellectual emancipation. Not only is this achieved by offering studies of uncensored texts, but by creating, what Pena-Ruiz consciously characterizes as a retreat from the world of social cleavages and 'constructed' identities (Pena-Ruiz, 1999, p. 290). As we shall see, the idea of identity, like that of culture, is frequently subject to a degree of visible interrogation. 'Identity', in the context of these philosophical considerations of *la laïcité* is hardly ever considered as if it were spontaneous or simply transmitted on a generational conveyor belt, nor is it treated as the subject of a nostalgic snapshot. South African journalist Phylicia Oppelt, to take an example of the last mentioned approach, in response to the French headscarf affair, eulogizes the colourful culture and convivial tolerance of her childhood on the Cape Flats where nobody thought (or thinks) twice about interacting with Muslim women wearing headscarves (Oppelt, 2004). First, it should be noted, Oppelt mistakes the street for the public space where the latter denotes

a specific arena for the development and enactment of civil rights. Second, with traces of a recognizable post-1994 smugness, she seems to see no need to interrogate her juvenile impression of interfaith sociability, or to wonder if her experience really is transferable to France. Academic Gutman, for her part, seems to think that the girls who have been caught up in the French 'scarf wars' were invariably simply young Muslims, either voluntarily choosing to follow their family's traditions or obeying their fathers' wishes that they do so, whereas the available evidence suggests a more complex situation (Gutman, 1996). Both Oppelt and Gutman appear to settle for a superficial reading of culture and identity.

The Stasi report itself does not follow up on all the complexities, but Stasi members, particularly Pena-Ruiz, were at least aware of the need to problematize or to desentementalize 'identity'. Asserting that no pupil should be a prisoner of his origins Pena-Ruiz specifically addresses the question of girls and veils and, characteristically argues that the veil is a religious and a sexist stigma. 'The bare-headed young girl who is seated on the school bench beside young boys is recognized as an equal. Wearing veils allows the violence of civil society to enter into the scholarly space. Young girls report that the prohibition of veils allows them to resist the paternal/community injunctions' (Pena-Ruiz, 1999, p. 290). Here Pena-Ruiz calls on Algerian militant Kahlida Messaoudi's view that women are persecuted by the machismo of fundamentalist Islam, and that the headscarf is the most immediate sign of oppression.

Gutman, in her argument for negotiating the challenges of 'multiculturalism', proposes that religious signs that may represent the oppression of women be tolerated as long as we simultaneously teach school children an appreciation of the moral virtues of gender equality. For her, signs and an open curriculum may co-exist unproblematically, with the curriculum gaining the upper hand if needs be: 'Schools should tolerate the religious difference represented by the chadors without acquiescing in the gender segregation and subordination that often accompanies this dress in religious practice outside schools' (Gutman, 1996, p. 161).

But 'sign' for Pena-Ruiz (and Messaoudi) carries an enormous weight and potency. The headscarf as sign embodies symbolic violence that visibly and tangibly intrudes upon the retreat of the school, and literally imprisons the young girl in her difference. The confined space of the prison is commonly opposed to the open space of *la laïcité*. The 'act' of allowing the wearing of religious signs is committed under the cover of tolerance, and the young girl of Pena-Ruiz's scenario is delivered into a future of subservience inimical to the Republic's vision for its citizens. Here we should note that a few years ago, Hanifa Cherifi, who was also a member of the Stasi commission, and was at the time a member of the relatively recently created *Conseil d'intégration*, intended to ease the plight of immigrants settling in France, used the term *l'apartheid sexuel'* (gender apartheid) to describe gender differentiation and segregation (Cherifi, 2001, p. 5). It was not simply that she wished to make her point with an analogy capable of arousing public revulsion. By drawing on the universally understood connotations of apartheid, Cherifi was pointing to the *inequality* at the root of differentiation. In his article in support of the concept of *la laïcité*, Soyinka, like Pena-Ruiz, emphasizes the

importance of seeing and the power of signs. Referring to the school classroom, Soyinka proposes that '(t)his is the one place, in a child's life, where he or she can *see* [my emphasis] the other as a human equal' (Soyinka, 2004, p. 21).

Obviously sensitized to them through its members like Pena-Ruiz and Cherifi, the Stasi commission heard 'cries of distress' issuing from young girls and women through its interviews and research, and it is the question of gender inequality and violence which predominates in the Report ('Le rapport', p. 23). Stasi identified the recognition that it was the state's duty to protect the rights of women as one of the single most important changes that had taken place since the ambiguous 1989 ruling, which had seemed, it noted, more preoccupied with interruptions to the scholastic programme than with protecting the rights of girls ('Le rapport', p. 19). The authors of the Report also expressed their frustration with the practice of what it described as 'autodiscrimination'. It argued that women need support to free themselves of the inhibitions and social pressure that prevent them from obtaining promotion in the workplace ('Le rapport', p. 22). The Stasi Report also noted with displeasure that parents and scholars were sometimes disrespectful of female authority at school, and, under the heading *une grave régression de la situation des jeunes femmes'* (a serious deterioration of the position of young women) remarked that all forms of violence (psychological, verbal and physical) were increasingly being meted out to young girls and women ('Le rapport', p. 22). This included their stigmatization as 'whores' if they failed to conform to male imposed dress and behaviour codes. The Stasi commission conceded that sometimes women donned the headscarf or veil voluntarily, but argued that more often they were coerced into doing so. Ironically, the Report commented, it was the veil that now serves to protect women from (male) attack—the Republic does not. Using the onomatopoeic '*bafouer*', the Report claimed that the rights of women in France were being habitually 'ridiculed' ('Le rapport', p. 22).

It concluded that the Republic could not remain deaf to the 'cries of distress', and invoked *la laïcité*, not as we have learned to anticipate, as a passive principle of tolerance, but as a mechanism for reviving the subject and for clearing the public space ('Le rapport', p. 23). The '*espace scolaire*' (the space of the school), says the Report, should be for them ('*elles*'—thus the feminine form of 'they') '*un lieu*' (a site) of liberty and emancipation ('Le rapport', p. 23). Once again then, symbolic space is conjured, rather than a set of guidelines for interpersonal/intercultural relationships, as would be more typical of Anglophone prescriptions.

But the Report does not rest complacently with the ideal of the *espace scolaire.* What is singularly striking about it is that it reads discrimination against women, including 'autodiscrimination', as symptomatic of the failure of social integration, and of the degradation of groups of immigrant origin in French society at large. This it declares immediately under the heading concerning the deterioration of women's situation in France. It wishes to communicate to the government that social exclusion and immiseration are the sources of the threats to the Republic that are coming ever closer (see above) ('Le rapport', pp. 22–23). The Report sonorously reminds its readers that 'ghettos exist on the soil of France', and points out that it is ongoing material impoverishment as well as persistent racism

that leads people to despair of the republican model. Xenophobia and racism take many forms, it explains. The insult 'Dirty Jew' is heard once again in the country's school playgrounds, it has become dangerous to wear a yarmulke on the bus, and almost impossible in some areas to teach the *Shoah.* Anti-Muslim sentiments are also manifest. Feelings of 'social relegation' are so profound that 32 per cent of the population under the age of 20 thinks that there is no future for them. Under these conditions it is not easy to identify with the 'nation' ('Le rapport', p. 22). The Report quotes an emblematic cry that it heard: 'At the mosque, at least I exist!' ('Le rapport', p. 23). According to Stasi, '*communautariste*' groups exploit the 'social malaise' it describes by 'mythologizing' difference, and here it may well be over-simplifying the matter by imputing the need to proclaim difference simply to manipulative ideologues ('Le rapport', p. 22).

But it is small wonder that some of the principals who appeared as Stasi witnesses complained of feeling as if they were victims of guerrilla warfare against *la laïcité* ('Le rapport', p. 22). Often the headscarf or veil is not simply a sign of piety. Behind the veil lies a groundswell of anger and, in some cases, a determination to revolt against the status quo, which has become increasingly unpalatable. Tariq Ramadan, sympathetic to secularity but sensitive to the plight of 'immigrants' in France, summons an Islamic identity of 'protest, reaction and refusal' (Ramadan, 1999, p. 44).

Revolt and combat

It appears that *la laïcité* has become something of a rallying cry in certain left-wing circles with several critics of the government claiming that there is a new clericalism abroad that must be fought as tenaciously as was the old one nearly a hundred years ago. The question of who the 'clerics' of today might be, posed by several analysts, yields answers that evolve into extended analogies that most often allude to neo-liberalism and its proponents. Ducomte, for example, depicts sociologists and economists with their dogmas, mysteries, doctrines, temples, symbols and rituals as the new clerics. They make predictions upon which political decisions are based within a stifling and obfuscating orthodoxy that dupes and disempowers the people as surely as the Catholic hierarchy did in the past. Alain Gresh, in a singularly acerbic critique of what he sees as the government's manipulation of the headscarf issue to force consensus around defending the Republic, vividly describes France being confronted by an 'immense anguish' born of neo-liberalism (Gresh, 2003, p. 19). It is, he argues, the government's commitment to neo-liberalism that threatens to usurp the 'Republican pact' more than any other issue—certainly more than a couple of hundred girls wearing headscarves—because of the inequalities, discrimination (in French plural), ghettos and unemployment that are generated by current economic policies (Gresh, 2003; Ducompte, 2001, p. 57).

Stasi commissioner, Cherifi, quoted in *Le Monde* on the head scarf issue a couple of years ago, noted that the cry: 'my culture it's Islam!' is most likely to be heard in the poor *banlieus* on the outskirts of the city. She then goes on to

argue that the assertion of local Islamic identity represents a failure of the policy of integration for people who continue to be defined in practice as 'immigrants' through several generations of living in France (Cherifi, 2001). To some extent, as we have seen, informed no doubt by Cherifi's own perceptions, the Stasi commission acknowledged the connections between impoverishment and marginalization and certain kinds of religious identification. But, in the interests of its overall argument about the Republic's duty to defend the rights of women, it did tend to gloss over the anomaly of those girls who choose to wear the headscarf or the veil.

After the commission had submitted its report to the President one of *Le Monde's* special editions shed some light on cases where girls have decided to adopt Islamic dress even though they are not Muslims by birth, or in cases where they are actually flouting the wishes of their parents. Returns from a recent poll suggest that only a minority of adult Muslims in France visit the mosque regularly or consider themselves to be devout.[18]

On one level, observe the researchers quoted by *Le Monde*, the adoption of Islamic dress against parental wishes might be seen in the same light as facial piercings or tattoos (Chupin, 2004, pp. 36–37). The intention is to shock and provoke a response. The phrase 'my father knows nothing about Islam' has the familiar ring of universal adolescent scorn for the decrepit intelligence of parents (Chupin, 2004, pp. 36–37). But, in this case, it has special poignancy because of what Stasi called the phenomenon of 'social relegation'. One young woman is quoted as saying: 'you, my mother ... who have lived in France for 30 years, but are still in a position of submission, of shame, you capitulate to the other, before the French, before those who have power. Me, I use the elements that characterize my history ... and I'm going to do something of the order of revolt and of combat in order to oppose the society, adults, teachers' (Chupin, 2004, p. 36).

This young girl's declaration of war on a society that has systematically humiliated her mother is an extreme articulation of sentiments that Stasi was attentive to in some measure, but is certainly worthy of further investigation and interrogation. In no uncertain terms Stasi had argued that extremist identity politics is a response to 'social relegation' experienced by poor people of immigrant origin, and it went as far as urging the government to address their marginalization through prioritizing urban regeneration ('Le rapport', p. 23). It interpreted the deterioration of women's social position as a direct reflection of material deterioration. But, perhaps precisely because it was able to detect the deep levels of disaffection that lay behind the more widespread adoption of the headscarf/veil, the commission argued that to back down on the principle of *la laïcité* would only further segregation and ghettoization.

Ultimately then, Stasi upheld the legitimacy of *la laïcité*, maintaining that it should be indissolubly linked to the state's duty to protect girls and women. It called for curriculum inclusions of topics related to slavery, colonization, decolonization and immigration, and for the establishment of a national school of Islamic studies to further the 'scientific' study of Islam. But it advised the government to make it inadmissible for a scholar to refuse to study a particular author or to follow an educational programme. It also recommended the banning of ostentatious

(*ostensible*) religious signs such as big crosses, veils or yarmulkes in state schools, which led to some heated debate as to the meaning of '*ostensible*' and about the logic of drawing distinctions between signs that were *ostensible* and thus illegal, and those that were not and were therefore to be tolerated. Was that not a compromise of the principle of *laïcité*? (see, for example, Penicault, 2003, p. 3). 'Discreet' religious signs exemplified by small crosses, Stars of David and Hands of Fatimah were to be permitted, Stasi recommended in an apparent attempt to clarify the matter. In a further compromise it was also recommended that Eid and Yom Kippur become public holidays.

As we have seen, the Stasi commission operated from a particular understanding of the public space, which it is easy for those of us who come from different philosophical and historical traditions to misconstrue. The commissioners had no intention of making recommendations that would interfere with individuals' rights to religious or non-religious beliefs and practices. Their intention was to lay the groundwork for an enlargement rather than a constriction of civil liberties. Whereas Chirac may well have been hoping for a simple endorsement of the ideal of a united nation instead of the fractious one he had on his hands by mid 2003, the Stasi commission actually tried to advance an argument that would deepen and complicate the question of identity by pointing to certain social and economic determinants. After a considered debate, it called for the minimizing of obvious cultural differences in the classroom as a way of reducing stigma, and of making the public space of the state school an enabling one for all pupils irrespective of their class or racial origins or gender. But Stasi was not dismissive of culture. On the contrary, it tried to encourage a more profound engagement with it.

Tariq Ramadan had pointed to the 'deculturation' that takes place within 'neo fundamentalism', arguing that it is the dilution of the local content of cultures that allows for fundamentalist Islam's adaptation to globalized society, thus suiting it to the generational revolt articulated by the young woman quoted above (cited in Chupin, 2004, p. 36). Similarly, Stasi approached the issue of culture with a philosophical subtlety that was most evident in the illuminating distinction it made between allowing people a *culturel* as opposed to *cultuel* identity, and it is on this distinction that South Africans, who are inclined to imbibe the light diet of Rainbow Nation ideology, might usefully reflect ('Le rapport', p. 23). *Cultuel* refers to an identity that is primarily religious (*culte* means religion), but Stasi intends here that 'religious' be understood in a superficial sense. The opposition of *cultuel* and *culturel* is meant to imply something that is one-dimensional and closed in the first instance, lacking the historical, philosophical and literary depth in which the major religions and philosophies are embedded—that is the *culturel.* The person who feels that he exists only when he is at the mosque has been, from the Stasi perspective, reduced to his *cultuel* identity.

Conclusions

This paper has attempted to demonstrate that many issues lie behind the veil, which, when it is worn in the public space (understood to have particular

connotations related to the exercise of citizenship), is often not simply an innocuous sign of cultural affiliation. If we pursue the metaphorical invitation extended to us by the image of the veil we might ask what it hides, or what we should expect it to reveal. The Stasi commission argued that it veiled increased levels of coercion and violence against women, which in turn reflected deteriorating social and economic conditions in France for many people of immigrant origin. Evidence both from the commission itself and beyond it, suggests that, in some cases the veil or headscarf represents a defiant assertion of identity from those who have experienced a progressive marginalization and denial of effective citizenship. But, after reflecting on Stasi's multifaceted defence of *la laïcité*, we are bound to ask, in the vein of Soyinka's reasoning cited at the beginning of this paper, if compromizing the secularity of the public space is really the best way of achieving integration and social justice.

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Notes

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1. Lessons observed by the author and interviews conducted with teachers at Voltaire, Amiens, France, 17 October 1997. ZEP stands for *Zone d'éducation prioritaire*—schools prioritized for additional state resources because of poverty. This policy was implemented from 1981.
2. For an exceptional rendition of this point of view, see Pieterse and Erasmus (1999, pp. 167–87).
3. The law of 1905 began: 'The Republic guarantees freedom of conscience and freedom to practise religion . . . except if it threatens public order' and goes on to say that the Republic will not recognise or subvent any religion (Jean-Jaures quoted in Gresh, 2003, p. 19).
4. Gresh (2003) remarks on how highly charged the debate is and notes that it traverses a broad spectrum of French society. The Internet site www.laic.info created on 14 July 2003 had (by the beginning of 2004) 2,000 hits a day according to *Le Monde des Religions*, 3, January–February 2004, p. 36.
5. The average age of the members of the commission was 61, with none under 40 years old. Most had connections with prestigious French academic institutions. Fourteen were men and six were women. The commission held over 120 interviews with teachers, union members, members of militant associations, religious representatives, doctors, nurses, directors of prisons, the commissioner of police, social directors, veiled women and *lycée* scholars. The research and interviews were conducted between July and December 2003. The commission members particularly dealt with in the paper are Bernard Stasi himself—who is described in the body of the paper—Hanifa Cherifi—who is 50 years old and a sociologist as well as a mediator on juridical affairs in the Ministry of Education. She arrived in France when she was nine years old and was formerly a member of the *Haut conseil de l'intégration*—Jacqueline Costa-Lascoux, who is 64, and a jurist and psychosociologist. She is Director of Research at the *Centre national de la recherche scientifique* (CNRS), ex-president of the *Ligue de l'enseignement*, expert consultant to the

Conseil d'Europe on questions of citizenship and the Rights of Man and a member of the *Haut conseil de l'intégration*—and Henri Pena-Ruiz, who is 56, is a philosopher, writer and lecturer at l'IEP in Paris, a teacher at the *lycée* Fenelon in Paris, and the author of *Dieu et Marianne*, a philosophical study of *la laïcité.*

6. The word *cacophonie* is used in an article in *Le Monde* (2003), '*Chirac crée une commission pour repenser la laïcité'*, 2 July, p. 1. It should be noted that there were different items of headgear at issue, and one of the points of the debate came to be whether or not less obtrusive kinds of headdress (scarves rather than veils) should be tolerated. Paul Ricoeur, for example, argued in the press that headscarves should be permitted and veils banned.
7. It has been pointed out in several sources that incidents were actually quite limited and that many of the families who associated themselves with the so-called 'Creil Revolt' were actually converts to Islam. A circular from the Minister of Education in 1994 revived the issue by reminding heads of institutions to be strict about ostentatious religious signs. *Le Monde* reports that there have been very few cases of conflict and only 6 exclusions over the wearing of headscarves over the past 14 years. It notes the rise of a 'racist discourse', however, and signs of resistance from some Muslim children when certain 'contentious' subjects were presented in the classroom, pressure imposed on children who did not observe Ramadan or wear headscarves and men who refused to shake hands with women principals. *Le Monde*, 'Foulard a l'école: l'etat des lieux avant le rapport Stasi', 11 December 2003, p. 11.
8. Cherifi (2001, p. 15) is quoted as saying that with the decision to put on the headscarf the young girl stigmatizes herself (note French reflexive construction: *s'auto-stigmatise*').
9. *Communautés* is meant to emphasize fragmentation and exclusivity in a negative sense.
10. The debate on *laïcité* within the Union Pour un Mouvement Populaire (UMP) seems to have accelerated in 2003 with the impetus probably coming from prime-minister Jean-Pierre Raffarin. President of the UMP, Alain Juppé, wanted a law against religious signs. Minister of the Interior, Nicolas Sarkozy did not and caused a furore by suggesting that France adopt a policy of affirmative action. There are suggestions in the press that Juppé and Sarkozy used the issues around *laïcité* to test for popular support. Chirac reprimanded Sarkozy for his ideas on affirmative action on the occasion of the former's visit to a *lycée* in Tunisia and spoke about headscarves representing 'aggression' (Fabre and Weill, 2003, p. 8).
11. 'L'Appel du *Nouvel Obs: Nous, Cityoyens de toutes origines . . .*', *Le Nouvel Observateur*, 2040, 11 August–17 December 2003, p. 106.
12. My thanks to Kai Horsthempke for bringing this article to my attention and thereby providing me with a springboard for my argument.
13. *Le Monde*, '*Le rapport de la commission Stasi sur Laïcité*', Document, 12 December 2003, p. 20. Henceforth cited in the text as 'Le rapport'.
14. Fysh and Wolfreys (1998, p. 176) note that of a sample of Muslim parents polled in 1989 only 30 percent favoured allowing the headscarf. Five years later only 22 percent did.
15. Gurey (2003) mentions Stasi's 1984 book, whose title translates as: *Immigration: An Opportunity for France.*
16. Left-wing journalists remarked wryly on Chirac's penchant for '*cohesion nationale'* (Coroller, 2003a). See also Emtaz (2003, p. 2), The caricature accompanies an article in the same edition of *Le Canard* entitled: 'Feux d'artifice de Légions d'honneur', p. 2.
17. Conflict was generated over higher medical aid fees and taxes and the postponement of retirement age for civil servants justified in terms of EU regulations aimed at keeping the public deficit below 3 percent of the Gross Domestic Product. Conflict in the Education sector was exacerbated by the cutting of posts and by a proposal to transfer non-teaching staff, including school psychologists, to the jurisdiction of local rather than national authorities.
18. A poll conducted by *Le Monde* in 2001 found that of the sample 36 percent of Muslims said they were 'practising believers', 42 percent described themselves as 'believers', 16 percent as being 'of Muslim origin' and 5 percent said that they had no religion. 79 percent said they never went to mosque (Galbaud, 2004, pp. 40–41).

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