



This paper is taken from

*Teaching Citizenship
Proceedings of the seventh Conference of the
Children's Identity and Citizenship in Europe
Thematic Network*

London: CiCe 2005

edited by Alistair Ross, published in London by CiCe, ISBN 1 85377 389 1

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Fulmat, Y., Rondot, M. (2005) The debate on secularism in France and its implications for education towards citizenship, in Ross, A. (ed) Teaching Citizenship. London: CiCe, pp 335-340.

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This paper does not necessarily represent the views of the CiCe Network.



This project has been funded with support from the European Commission. This publication reflects the views only of the authors, and the Commission cannot be held responsible for any use which may be made of the information contained herein.

Acknowledgements:

This is taken from the book that is a collection of papers given at the annual CiCe Conference indicated. The CiCe Steering Group and the editor would like to thank

- All those who contributed to the Conference
- Cass Mitchell-Riddle, head of the CiCe Coordination Unit at the time of the conference, and for the initial stages of editing this book
- Lindsay Melling and Gitesh Gohel of IPSE, London Metropolitan University
- London Metropolitan University, for financial and other support for the programme, conference and publication
- The SOCRATES programme and the personnel of the Department of Education and Culture of the European Commission for their support and encouragement.

The debate on secularism in France and its implications for education towards citizenship

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A law on the wearing of religious symbols at school was passed by the French parliament on 15 March 2004. This law has been misunderstood, not only in the Arab/Muslim world but also in other European countries. A British Labour Member of Parliament said it was the most retrograde law passed since the Second World War. At the October 2004 meeting of the European Social Forum in London, critics called it ‘a racist and Islamophobic law’. Can one explain the French point of view and remove at least part of this incomprehension? We shall first describe the present state of opinion and the context of the law; then we shall link this law to more general principles of secularism and its significance for French identity; finally we shall examine the directives given by the Ministry of Education in 2000 in a document entitled *From Mixing to Equality* in which precise examples are given of situations in class and of pedagogic practice that encourage equality between girls and boys in education towards citizenship.

The Law of 15 March 2004

It must first be noted that, after much discussion in the press, in Parliament, and following the work of the Stasi Commission, the law was passed by a very large majority (494 for, 36 against). There were splits within the political parties, movements and associations about the contents of the law, and even about the necessity of making a law, but finally an agreement was reached by Parliament. The law was passed neither hastily nor lightly.

The law forbids the wearing of ‘symbols conspicuously showing religious belonging, in state primary and secondary schools’.

It is true that the debate had its roots in the Muslim *hijab* issue, but it developed well beyond this and in the end concerned all religions. It must be stated emphatically here that there was no question of forbidding Islam in France – as some have said or led the public to believe – nor was it about banning religious signs in the street, or even in private schools or in universities. What therefore is the sense of this specific ban? Why was it considered necessary to reaffirm that religious symbols are banned for the younger members of French society? The fact that state schools are singled out by the law is linked both to the very recent political context and to the missions that the French secular state school has embraced since its foundation, and thus to education towards citizenship as it is understood by the French.

The political and social context

From 1989, the year of the first Muslim *hijab* incidents, each secondary school was free to resolve the problem case by case, some accepting the *hijab*, others refusing it. However, international tensions and a greater fear of the increase of radical Islam (particularly after 11 September 2001), real clashes in the suburbs, incidents of racism between Jews and Muslims, and the increasing prevalence of sexist attitudes among young people born of immigrant families have led to an awareness of the necessity of reaffirming secular values. The Stasi Commission heard numerous witnesses. It was struck by the disarray among school head teachers, uneasy at making decisions on their own, and above all by

the fact that the *hijab* problem was only the visible part of other more serious phenomena: the refusal to attend classes in certain curriculum subjects (some girls would not attend sport classes or participate in school trips), parents' objections to subject content or the choice of certain authors (Molière, Voltaire, Rabelais) and the presentation of certain artists which the parents considered indecent. It seemed to the Commission that what had been hitherto taken for granted in schools – the mixing of sexes, both of teachers and pupils, pedagogic freedom, and the spirit of a rational approach to events and facts, including religious ones – was not understood or accepted by some parents in the name of their radical religious positions.

The law concerned 'conspicuous' symbols: symbols which are very visible (*hijab*, *kippas*, large crosses) and which seek to demonstrate to others the wearer's religious identity. The desire to show is essential; 'discrete' symbols are acceptable. The word 'conspicuous' marks the border of proselytising, propaganda and provocation. The law reaffirms that these attitudes are forbidden within the space of the secular public school. Furthermore, in the second part of the report the Commission also reaffirms the obligation of all pupils to follow all lessons – the 'obligation of diligence' – and notes that religious convictions 'do not give the pupils the right to oppose certain teachings' or to contest in any manner the role of the teacher (or the fact for example that the teacher is a man or a woman).

It has been said that the law on religious symbols marks a solemn halt. It represents, it is true, a kind of warning, 'a line not to be crossed', portraying the reaffirmation of values which in one way were taken for granted, and which have been rediscovered suddenly, insofar as they are denied or contested by social groups in the name of religious precepts.

The law leads to a consolidation of traditional republican principles. Throughout the debates, however, the emphasis put on the *hijab* led to the question of the position of women. It is notable that on this occasion, all parties and all movements strongly declared themselves in favour of equality between men and women: it is no longer said that it is good that women be subdued! One could say that Republican Equality has been consolidated, and even strengthened so far as issues of gender are concerned. A national consensus was revealed in view of the conception of gender relations shown up by the *hijab*. Various tragic affairs have led to the creation of new feminist movements, for example '*Ni putes, ni soumises*' ('Neither Whores nor Slaves'), a women's movement in suburban housing estates. The precise context in which this new awareness developed was as follows:

Sohanne was assaulted and then burnt alive by a boy of North African origin because she had refused his advances... The spokesperson of the group '*Laïcité Liberté*' (Secularism Freedom) wanted to put a memorial plaque on the wall of the estate (but the town council refused). The plaque was finally put on the tomb of Simone de Beauvoir.

It is certain that ideological sexist practices have increased in suburban estates under the influence of radical Islam. The reasons given by young women who wear the *hijab* are numerous and complex (from the small girl who simply obeys her parents, who are themselves following the prescription of the Imam, to the young girl seeking to assert herself in the face of parents whom she feels are insufficiently religious, claiming thus a near- militant identity) but often, as investigations have shown, under social pressure 'to be left alone and go unnoticed' in the neighbourhood.

In 2004 the school year began peacefully. Despite misgivings, there was no action on the part of religious movements to take hold of the ban and encourage resistance on the part of young girls. The international situation was undoubtedly partly responsible: Islamic movements which had at first been the most critical of the law (UOIF: Union of French Islamic Organisations) came to the aid of the French hostages in Iraq and demanded their liberation with force. On this occasion they declared the law on religious signs to be a false pretext for the kidnapers and openly acknowledged that Islam was not persecuted in France; their decision to appear first and foremost as French citizens was welcomed. In the end, the law on conspicuous symbols led to the reinforcement of national union.

The general sense of secularism in France

The evolution towards a distinction between the political and the religious is not unique to France, it is common to all European democracies. In France, however, it has taken a more particular historical form, marked by the precocity and the radical nature of the separation.

The distinction of the two powers, the ‘disentangling’, was theorised as early as the 17th century by John Locke (*A Letter Concerning Toleration*): nothing concerning the final purpose of Man (personal salvation, belief in the hereafter etc.) may be the object of any legislation by a political power. But conversely the legislative system organising life in the City cannot be founded on a transcendent principle – ‘no politics based on holy scriptures’. The idea that societies do not receive their laws from God gained ground. The manner in which they organise themselves depends on human invention. The basis of political Authority, the legitimacy of political power, comes from a Contract which political philosophy will consider in diverse ways – in Grotius, Pufendorf, the King’s Contract with his subjects (which puts a stop to the idea of absolute Monarchy), in Hobbes the contract of subjects between themselves which hands over their power to the King for their security; in Rousseau the ‘social contract’ of subjects among themselves which does not give up their ‘inalienable’ sovereignty, and appointing only revocable governments. Two more centuries in the history of political ideas were necessary to clarify democratic ideals. The possibility for all to choose their rulers leads also to a diversity of forms, but the democratic principle remains the same. It presupposes a free individual, subject to laws, capable of thinking for her/himself (natural common sense, as in Descartes) and capable of moral autonomy (Kant). Personal judgement becomes a value, as does the critical search for truth. Teaching no longer refers constantly to one single revealed truth or to texts that one commends; it examines truths that are justified, discussed, argued and constantly questioned by experience. Europe took several centuries to develop these democratic principles, this sense of individual liberty and this relation to truth, at the cost of multiplying bloody confrontations and persecutions. The countries of Europe share these values, which were not heaven-sent and which were developed most often against the dogmas of the Churches.

In France the state school was freed from all influence of the Catholic church (on all levels: organisation, teaching body, curriculum) from its foundation in 1789, and again in 1881 when the Republicans were back in power (from the leadership of Jules Ferry). The separation increased even more in 1905, when crucifixes were removed from schools. The ‘war’ between the secular school, school ‘without God’, and the Catholic confessional school was violent and one which troubled the country for a long time. The Catholic church at first fought the law of separation harshly, then resigned itself, then accepted it.

The other religions (Jewish, Protestant), which were persecuted until the French Revolution, had been liberated from Catholic hegemony and subscribed to secular values. The Muslim religion, which came late upon the French scene (after decolonisation), has no living memory of these confrontations which ended in a peace appreciated by all parties.

The state school welcomes all children, whatever their religion, but it remains neutral with regard to religion, dispenses no specific religious teaching, and abstains from all judgement in this domain. It is not altogether 'neutral' in the sense that it has no values, for it precisely urges each and every one to respect the beliefs of others, to be tolerant with regard to other religions. It very clearly maintains a positive commitment to free will and to freedom of conscience: 'everyone has the right to have his religion, to change it, and even to have none' (Paul Bert, 1882). It is the preoccupation with preserving a neutral space, but also undoubtedly the desire to develop a humanism over and above particular religions, which has led the French state school more than in other countries to be vigilant as far as religious symbols are concerned.

The historical evolution of other European countries has not been the same. Where there is a state religion (the Anglican church in England, the Presbyterian church in Scotland, the Orthodox church in Greece or the Lutheran church in Denmark) or the support of a dominant cult, relations to religious symbols are different. The system of denominational schools related to minority religions is often far more developed. It is rather the juxtaposition of schools linked to a particular religion which is dominant. In France, where most children attend state schools, the preoccupation of preserving the school space from religious confrontation is certainly stronger.

We therefore arrive at a paradox: in many countries, in order to respect freedom of conscience, attacking religious symbols is unacceptable, and at school the way a pupil dresses must be accepted, especially if it reflects his/her religion. In England the *hijab* has been accepted, sometimes with reservation: 'if it respects the colours of the school uniform, and if it is well-attached' (Lina Molokotos, Exeter University, *Le Monde de l'éducation*, January 2004, p33) which to a French person is rather surprising.

In France, however, state school children are asked not to show their religious sympathies, but within the confines of the school to suspend their family religious identity and acquire a new one, that of a citizen, which does not necessarily blot out the religious one but which will nevertheless distance it (and perhaps lead to a better understanding of it and thus a better personal assumption of it). The desire to give a new identity to these young people in education – the common identity of French citizens who share the same Republican values – explains therefore the concern for ending religious identity linked to particular faiths.

In 1789, and again in 1881, in defending 'the Declaration of the Rights of Man and the Citizen' the Republic was fighting the principles of the society of the old political system, which regarded political power as sacred in the form of the Divine Right of Kings. The power of God, the power of the monarch, and the power of the father mutually supported each other, bolstering each other by justifications which only reinforced their hold: God was like a monarch and a father for all men, the king was like a father for his subjects, the father was like a king in his family. The paternal figure of power was central in the social imagination. When the Republic proclaimed equality in 1793, it undermined monarchical power on a political level, but it did not really criticise the patriarchal power

which remained the same in the family (power of man, the only one capable of guiding woman, the irresponsible minor) but also in the mills and factories (monarchical power, almost absolute, the paternalism of the master). In 1881 Republican textbooks still defended the Rights of Man in the sense of masculine man, and was only concerned with the destruction of the sacred aura surrounding political power. It was the development of democracy which in the 20th century gave civil rights and the right to vote to women, and rights to workers in factories. The secularisation of power is not yet completed, and the most recent demands for equality on the part of young women and girls of immigrant families are in reality linked to the questioning of the power of the father. The perception of the *hijab* as ‘a sign of the submission of women’ is closely linked to this development of the Rights of Man. It has become unbearable to some to imagine going back and accepting that this sign of obedience be allowed in state schools. They remind us that for Islamic radicals, Woman is always maintained in an ‘invisible enclosure of which the headscarf is the visible sign’ (as Pierre Bourdieu said).

The struggle for sexual equality at school

As for the school syllabus on education towards citizenship, instructions were given in 2000 by the Ministry of Education. As the introduction states, ‘Far too many obstacles and powerful discriminations still exist. In school something other than the acquisition of knowledge alone is at stake. Respect for others, essential for an authentic and concrete equality between the sexes, has still to be achieved’.

This document was given to stimulate reflection by teachers on their own practice, which not only affects the way in which they approach certain taught topics in class, for example careers orientation which is often based on erroneous representations of roles in society nourished by a traditional, gender-based division of knowledge and skills, but also in the way certain activities are organised in class or the way the pupils are assessed. Its 25 scenarios are inspired by observations revealed by research carried out over a number of years in France. They are grouped under six headings: interaction in class; group work; sport and physical activities; assessment; education for careers orientation; and health education (including sex education and the prevention of sexist and sexual violence). For each scenario a situation is presented, stereotypes are suggested, consequences are discussed and recommendations are given. Two examples are given here¹.

Physical activities.

Scenario: a class of thirteen year olds doing sport. A handball competition is organised involving mixed teams. From the start, the boys take the attacking positions: the girls are obliged to play defence and never manage to take their place in the game.

Stereotypes: Girls are less competitive than boys. They are frightened of being hurt. They are not so good as boys at shooting goals and are less strong.

Question: In an exercise that requires physical participation, should one let girls and boys spontaneously follow the established traditional behaviour which suits them?

¹ Two examples Scenario 1.1 maths = boys. Girls try harder; Scenario 4.2 conseil de classe. Scenario 3.1 Girls and boys in sport

Consequences: The game will quickly become the boys' affair. The girls will feel useless and their passivity will become reinforced, detaching them from the collective spirit of the game.

Recommendations: Point out the spontaneous way the teams are organised, insisting on the collective, team spirit of the game in which everyone has a role to play. Put both boys and girls in defence and attack. Build up the girls' confidence during match training-sessions. Emphasise the performance of national female teams.

Assessment

Scenario: In a class of fourteen year olds, Julie and Christopher have obtained the same average mark in mathematics – 13 out of 20. On Julie's school report, the teacher's comment is 'Julie has made a lot of effort. Good work. Continue.' On Christopher's report the comment is 'Christopher is working below his potential. He could be a brilliant pupil if he worked more regularly.'

Stereotypes: In maths girls are successful by working hard. Boys can often do better, but they do not exploit their possibilities.

Question: Does the same mark measure different elements according to gender?

Consequences: Double standards are often applied in the assessment of girls and boys. Girls are judged on the amount of effort they provide, boys on their intellectual capacities. This reinforces the perception girls have that they are less good at maths than boys. They think that one has to be mathematically-minded and that they are not.

Recommendations: Be aware of double standards in assessment in subjects that are considered masculine or feminine. To avoid the effect of labelling in assessment, from the beginning of the year ask for unnamed work. Be careful when writing comments to make as much of the girls' skills as the efforts they put in.

Teachers are often unaware that they hold gendered representations of potential based on stereotypes: this document aims to lead teachers to question their own representations. These should be the starting point for a profound reflection on the equality of girls and boys.