

The French headscarf ban and the tragedy of fear

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Facts:

- France has western Europe's largest Muslim population – 5 million.
- The lower house of the French Parliament voted overwhelmingly to legalise the ban on wearing “ostensible religious symbols” such as veils, yarmulkes and large crucifixes in public schools.
- The vote was 494 for vs 36 against
- Belgium and Germany have indicated they would consider a similar law.
- Long history of struggle between religion and the republic –
 - 1792 – Jacobins seize power in France. Result – concerted attack on religion, leading to civil war claiming hundreds of thousands
 - 1880 – militantly atheistic Jules Ferry – expelled all religious staff from public schools, and nuns from hospitals. Moderate elements intervened.
 - 1902 – militant atheist Emile Combes – closed down 2500 religious schools, Combes' government forbade all people from religious orders to teach.
 - 1905 – separation of church and state law was an attempt to balance the different forces. Reaffirmed freedom of worship. But it caused strife by forbidding any religious instruction at all in public schools, nationalized much church property and forbade the erection of new religious symbols in any public space (incl graveyards).
 - Post World War I – diplomatic relations resumed between the Vatican and France
 - 1941 – Vichy government repealed 1905 law.
 - Charles de Gaulle – restored some, but not most of the 1905 laws.

Today it is not Christianity but Islam that is the challenge to the unitary state and republican secularism. Demographers estimate that 20-30% of the population under 25 is now Muslim. Given current birth rates it is not impossible that in 25 yrs France may have a Muslim majority.

Arguments for:

- French leaders argue the law is needed to protect the principle of secularism underpinning French society. A presidential commission that studied the state of secularism for 6 months concluded that French values were under attack and a ban on headscarves was needed.
- French leaders say it is needed to counteract what they say is rising Islamic fundamentalism and a Muslim population that isn't integrating into the mainstream.
- Headscarves are multiplying in classrooms and perceived as carrying a political message
- French citizens, whatever their origins, are expected to melt into the mainstream, place France above their community and guarantee the secular nature of public life by keeping religion a private matter. Secularism is meant to guarantee equality for all.
- The new law is an attempt by the government to show that it can still control rising anti-Semitism and Islamist militancy (the movement for Islamic rule and culture) in the outer suburbs of the big cities, and rising “incivility” (including violent misogyny among some Muslim boys).

Arguments against:

- Opponents say the ban is likely to stigmatize France's 5 million-member Muslim population

- Opponents see the legislation as discrimination, particularly against the country's Muslim population
- Fears that one of the consequences of the ban will be radicalization amongst the Muslim population
- Arguments that the majority of Muslims want to practice their religion in peace and in total respect of the law.
- Sociologists have warned that the law would be “the beginning of the problem”.
- Sociologist Farhad Khosrokhavar said that 20% of France's Muslims are “religiously minded” but that “even those who do not wear the head scarf will feel offended because it is a denial of personal rights”.
- By banning symbols and depriving people of the right to religious expression they are stirring up trouble but are not targeting the real problem – the failure of French society to integrate its Muslim youth, and the consequent rise in the influence of radicals.
- [too complex:] [Not necessarily about prejudice, but a problem of mixed messages: French politicians and intellectuals denigrating their heritage, particularly that of non or pre-Jacobin France, yet at the same time they are most punitive if young people do not show respect for the “saints” of the Revolution, and for “republican values”. Young people end up not respecting anything at all about their country.]
- French government is hoping for the cultural and legal assimilation of Europe's Muslims – the “French church of Islam”. But for Islamists, assimilation is contamination.
- Adolescent Muslim girls will see wearing banned veils as a symbol of rebellion, and may hence be more tempted to try.
- Fundamentalist families who oblige their daughters to wear veils will only be too happy to pull their girls out of state schools, depriving them of a broader education, whereas successful integration and development of a French sensibility can depend to a significant degree on all participating in common public education.
- Jewish and Catholic leaders are against it too, arguing that it will only fuel religious strife.

Christian response: It is difficult for people in Anglo-American nations to respond to these French developments, because we find it hard to imagine their appalling history of religious conflict over the last four hundred years. But the remembrance of this conflict comes through very clearly when French people speak and write about the new law. Both opponents and proponents of the new law share great fear. Opponents fear that Muslim people will radicalize, and fear that the new law will trigger the very conflict it seeks to avoid, and fear that it will increase, rather than diminish, religious fundamentalism. If such fears are expressed even by *opponents* to this law, the fear that motivated the overwhelming vote *in its favour* can only be guessed at.

Of course there is more to the debate than merely fear. Many French people pride themselves on the enormous and ongoing experiment in their country to forge a distinctive identity and culture, without reference to any religion. Nonetheless it would be foolish to ignore the role played by fears of a return to the violent past, and we can only marvel sorrowfully at a society so dominated by such fear. To say as much is not meant to belittle these fears or suggest that they are groundless, for France has seen the worst excesses of what human beings can do to each other.

The French strategy for dealing with such turmoil has been to adopt the principle of *laicite*, a strict neutrality by the state toward all its citizens. The logic of *laicite* is that by disallowing religious expression on government property, community diversity is respected. Community life can then be conducted without reference to religious claims, and peace and good order kept intact. *Laicite* is a radical example of the view that peace and respect are best achieved by keeping

painful differences hidden. It is a way forward that is self-evident to the French. Like a family who has learnt to be silent about its most painful disagreements, entire nations will react in such a way after a deep trauma. Whole cultures grow up around the avoidance of pain.

Again, it is possible to overstate the point here, for rather than remaining silent about the differences highlighted by the Muslim scarf, the French don't stop talking about it. But this is not perhaps the kind of talk that celebrates the difference of 'the Other' in their midst, as some of their postmodern thinkers would have them do. All people have a great tendency to fear strangers, particularly if they are multiplying (Australia's absurd overreaction to tiny numbers of boat people testifies amply to this reaction); and without grasping the emotional roots of *laïcité*, the French logic is hard for others to understand.

For Anglo-Americans, the best way to keep peace and order is to allow members of a society to be open and honest in the expression of what they believe, so that each can understand and accept the other even if they disagree. Freedom of speech and self-expression by individuals follows. These are the luxurious fruits of a society that has not repeatedly torn itself apart over religious differences.

But increasingly, radical fear of disagreement is emerging in Anglo-American societies. The choice therefore becomes whether or not to pursue peace and order with strategies, such as *laïcité*, which encourage differences to stay hidden and silent, or through strategies that enable the clear, free expression of what we believe.

To that end, perhaps the time has come to publicly air and discuss the different religious claims within this pluralist society. Liberal thought tends to swing between the comforting platitude that all religions are the same, and the angry shout that religious difference causes the world's conflicts. Neither of these thoughts resonate particularly well with the experience of religious people, of course.

Should liberals promote and sponsor religious conversation, in direct opposition to ideas such as *laïcité*? Yes, because then everyone will be better informed about what account each religion gives about peace, rule, government, order, harmony and the like.

Christianity's account of these matters often evoke surprise. Christians strongly believe in the lordship of Christ, and yet have the strongest reasons to protect and affirm the lives of those who do not. This same lordship of Christ results, paradoxically, in strong conceptions of the independence of church from state, particularly in Protestant thought. Christians understand good government as a precious gift to be nurtured and respected, yet their confidence in the lordship of Christ means that there is no need to utilise government for the expansion of Christianity, since Christ enacts this expansion quite effectively on his own terms. Such theology has generally made for a robust, if sometimes stormy, relationship between states and churches. States have even found themselves inadvertently borrowing from Christian habits of dispute resolution, judgment of crime, freedom of speech and social equality. (If these claims seem surprising, that is because liberals generally work hard to bury their Christian paternity.)

What account do other religions give of the way to a peaceful, ordered, plural society? Their exponents would need to state their case, but in the process of so doing, we might rediscover reasons why the West became renowned for its equality, free speech and good order. We might also begin to suspect that *laïcité* is a high-risk strategy for preserving them.

However *laïcité* is deeply understandable in a society as traumatized as France. It is ironic that the home of enlightenment reason and pluralism, and postmodern concern for the Other in its midst, struggles in a seemingly naive and defensive way. We can only hope (and the believers amongst us pray) that France will find a way out of fear, into the kind of firm, clear discussions where

people can disagree about their beliefs while still accepting one other. Even on government property.

*- Andrew Cameron and Tracy Gordon,
for the Social Issues Executive, Anglican Diocese of Sydney.*

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