Liberalism, Education and the Hijab: Liberalism's others, the problem of "unfreedom", and l'affaire du foulard

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“Whatever raises from within itself a claim to being autonomous, critical and antithetical - while at the same time never being able to assert this claim with total legitimacy - must necessarily come to nought; this is particularly true when its impulses are integrated into something heteronomous to them… when it is granted the space in which to draw breath immediately by that power against which it rebels.”

Theodor Adorno, from *Culture and Administration*

1) Preamble

The choice of title for this paper is intended to highlight a problem present within discussions surrounding the type of education that might be thought of as a necessary component of any deliberate maintenance of a liberal society; that is, 1) a liberal society that is dependent on a (weak) performative adherence on the part of the larger portion of its citizens to a foundational set of liberal values, and 2) an education system that is functionally supportive of such aims.

With the broadest of brush-strokes, then, a question might be asked about the conditions under which the school, as a branch of the state, can reasonably ask its pupils to *'be more liberal!'* - (or for that matter, to be *less* liberal). As a means of elucidating the practical tension present within any such expectation, I examine both the 2004 ban on conspicuous religious symbols in French schools as well as the ban’s accompanying political context, to foreground a similar yet wider tension within the more general liberal project, and the implications this might carry when sites are learning are called upon to promote a form of liberal autonomy.

2) The demands of liberal education

For the moment, I will sidestep an acknowledgement of the fact that schools rarely *request* qualities of their students, and are, instead, far more likely to *require* their pupils to enter into an educative/performative relationship with prescribed ways of being and knowing through 1) a compulsory interaction with the school’s organisation, 2) the school’s categorisation of knowledge within the curriculum, and 3) the school’s chosen methods of assessment. Rather, more important, for my current purposes, is a consideration of the value-judgement in operation prior to any such commitment to general liberalism by the school, made on behalf of its pupil-charges, government and wider society.

For it should be evident that even the weakest commitments to political liberalism may involve a conscious or unconscious discernment on the part of educational and other decision makers, around *more*-desirable and *less*-desirable modes of being and knowing in the world; namely, those modes of being and knowing that are compatible with political liberalism, and those which are not.

Whereas, through it’s promotion of a form of organisational neutrality, political liberalism can appear - in its inclusiveness - ideologically impartial, if political liberalism is instead acknowledged as a historically situated creation arising out of human activity, then we cannot avoid categorising the various incarnations of political liberalism that exist and have existed, as being one related set of conceptions of the good that can be arranged, cheek-by-jowl, along the grand litany of other conceptions of the good that humans have discerned ever since the original development of their capacity to both reason and be governed by reasons.
It is in this sense, then, that the general ideas coupled together in the first third of the title of this paper, (namely, liberalism and education) shouldn’t be any more or less controversial, or thought of as more or less productive of interesting tensions, than if this paper was instead entitled *fascism and education, religious fundamentalism and education, black-supremacy and education, or revolutionary socialism and education.* The fact that many of us are struck by a greater sense of incongruity in, for example, a positive relationship between *religious fundamentalism and education or fascism and education,* serves to underscore the common, almost invisible functional association with liberalism that has permeated into the predominant usage of the word ‘education’ in our current time; the result of this is that liberal-aims and educational-aims are allowed to appear, when we are not at our most conceptually disciplined, as equivalent in reference to a similar set of priorities.

The common denominator here - namely, the impetus for this common-usage conflation - is the concept of personal autonomy, which is commonly held, at least within western conceptual regimes, as being one of the overarching - if not the overarching - classical aims of education; while at the same time, autonomy is a central capacity required of the liberal citizen who is necessarily capable of both detached and attached reflection and discernment.

It is in this way, when we are not at our most careful, that education can become just one of “a set of discursive strategies” employed to “legitima[te] a dominant power” (Eagleton, 1994. pg. 8) - that dominant power, in this case, being the regime of western liberalism.

It is within this space, that I would like to initiate my discussion. I am firmly politically committed to liberal aims and their associated freedoms; however, at the same time, when working as a school teacher, I am very often made somewhat uneasy when I become aware of the project of promoting liberal-autonomy that has characteristically hovered in the background of much of what is expected of me as an officer charged by the liberal state with the task of appropriately developing pupils; indeed, it is often something (on a good day!) that I find I happily expect of myself.

This tension, for me, is summed up in the title of Meira Levinson’s book, *The Demands of Liberal Education* (1999). Note here, that Levinson doesn’t call her book the requirements of, or the necessities of liberal education, but instead points us towards an inflexibility at the heart of the liberal project. That is, that liberalism needs to beget liberals in order to maintain itself; or as I noted above, liberalism needs to perpetuate a majority population satisfied to performatively adhere to a foundational set of liberal values (at least in their public life). Another way of articulating this tension is afforded if one asks the question, how much illiberalism can a liberal community tolerate? Or, put another way, when liberalism is equated with autonomy, and then autonomy with a kind of freedom of personhood, then to what extent can there be a liberal freedom to be unfree?

3) The hijab as controversy, and the official othering of Islam

These tensions do, of course, work out their energies in wider society with various desirable and undesirable consequences; however, I’m not going to try to tackle these wider phenomena here. Instead, what I do want to focus on is the way in which schools might respond to this conundrum, either under their own volition or under pressure from wider forces.

One example of a robust liberal response to the reality of a perceived unfreedom, is exhibited in the ban on the wearing of conspicuous religious symbols in schools in France, as passed into law in 2004. On the surface, the ban appears to be an extension of the already existing commitment within French civil society, to the concept of *Laïcité or state secularism* - a separation of church and state which has its origins in the revolution of 1789, but which was codified into French law in 1905 (Laborde, 2008, pg. 7).

The reasoning behind the ban goes something like this; the school, as a branch of the state, should be a site of neutrality (particularly religious neutrality) that, by being insulated against any infringement by religion or visible religious practices, protects pupils' autonomy as budding, freely
discerning, future citizens of the French republic. A space is therefore preserved in which pupils can go about the business of their development (or education), while being offered a performative, normalised alternative to any religious doctrines that they may have been initiated into, or which (in a weaker sense) may form the backdrop to the perception they hold of their lived experience. In this formulation, religious doctrine is undesirable to the extent that it represents ideological content that may challenge the image of the liberal state and its associated freedoms, while at the same time representing a call to the believer to defer over to a higher power their right to interpret and discern the world as it might otherwise have appeared to their experience - this higher power being a deity, or more likely a human mediator of that deity.

At first glance, the idea of providing pupils with an alternative to any such religious indoctrination appears as a desirable, state sanctioned counter to those non-liberal practices which pupils still have the freedom to engage in as part of their private lives. When thought of in this way, the exercise is one of providing pupils with a broader set of data from which to make decisions about their own lives and the wider world.

However, if we accept that liberalism (and the concomitant requirement to develop liberal-autonomy in pupils) is not a neutral stance, but is instead, as outlined above, an ideological position arrived at through a historical process of collective discernment, the sanitisation of the French classroom of performative religious content can be seen as the triumph of mainstream, centrally sanctioned norms, over other, equally valid minority values. In other words, rather than providing a broader set of data, liberalism, as a political ideology, has colonised the classroom space.

This problem is magnified when one considers that, as contrasted to any such colonisation in wider society, this mechanism of control is being exerted on young pupils who are at an early stage in the development of their own sense of identity.

If it requires further evidence to convincingly argue that this might be the case, the work of UCL professor Cécile Laborde in her book *Critical Republicanism: the hijab controversy and political philosophy* (2008) is useful here. Laborde recounts how the ban on symbols of religious allegiance in schools enacted in 2004, arose out of a particular set of political conditions, central to which was a 15-year long national debate over a classroom incident in 1989 that came to be known as *l'affaire du foulard* (the headscarf affair). In the autumn of that year, two high school students were expelled from a school in the Paris suburb of Creil after having refused to remove their Islamic headscarves when requested to do so by the teacher. As Laborde, somewhat exhaustively explains;

“The incident - quickly politicised by all sides - sparked a hotly contested national debate about religious neutrality in republican [state] schools, the dwindling status of public education in a fragmented society, the problematic legitimacy of traditional norms of authority and social integration, the status of women in minority cultures, the protracted liquidation of the colonial legacy, the politicisation of race and immigration, the seemingly difficult integration of North African immigrants, fears about a ‘conflict of civilisations’ pitting the west against Islamic fundamentalism, and a sense of diffuse threat to French national identity” (pg. 7)

Over the following fifteen years, mainstream French politicians were forced to respond to the political rise of the popular far right (ibid, pg. 185); additionally, the common-usage conceptual category ‘muslim’ was very publicly reframed and reconstituted by the 2001 terrorist attacks on the World Trade Centre in New York, and a resultant *war-on-terror* focused on a set of majority-Islamic countries.

The ban on symbols of religious allegiance in schools can therefore be thought of as originating out of a controversy involving the contested space of the muslim woman’s body - as fought over by the secular liberal state on the one hand, and by the claim to absolute freedom of religion/conscience on the other. This viewpoint is further supported by the debates that took place in France a few years later, when the government of President Nicholas Sarkozy was emboldened enough to carry out in full what had been started in part with the 2004 school ban; namely, the
wider 2010 ban on any face covering in public spaces - a ban that had a disproportionate effect on Muslim women. In a speech in 2009 Sarkozy stated that:

“We can't accept to have in our country women who are prisoners behind netting, cut off from social life, deprived of identity. That is not the idea that the French Republic has of women's dignity... The burqa is not a religious sign, it is a sign of subjugation, of the submission of women. I want to say solemnly that it will not be welcome on our territory”

(Eltahawy 2009 & Allen 2009)

Sarkozy’s claim to forwarding feminist policies fades very quickly when one considers the very many other feminist causes that were given no space in his party’s political manifesto. At the same time, there are many other ways that a woman might be directly subjected to the oppressive demands of a man; for example, a woman might be forced by an overbearing husband to attend a church or a synagogue, instead of the weekly book group that is a source of fulfilment for her, and a rare chance for social interaction in a busy week otherwise spent homemaking, looking after numerous children and an elderly parent. However, it would rightly be thought suspect to use this hypothetical yet realistic woman’s case to justify a ban on all marriage as the conduit for this oppression, or to ban all churches or synagogues as the sites of the forced activity?

To abstract, there are many ways that a person (x) may be the subject of overwhelming pressure (p) from another person (y). On account of their ability to wield this pressure (p), person (y) is able to force person (x) to engage in an activity (a) against person (x)’s will; however many other people (z+) may also chose to enter into that activity (a) voluntarily, considering it to be an activity commensurate with their conception of the good. Of all of the components in the formulation above, does the most sensible option for removing the overwhelming pressure (p) really lie in banning activity (a), where this activity (a) does not possess the quality of oppressiveness (p), and where the pressure (p) exerted by person (y) could possibly take on other forms? As John Esposito of Georgetown University wrote at the time of the second ban,

“In many countries, government policies designed to control the Muslim community, to ‘domesticate’ Islam, have put pressure on Muslims not simply to integrate into multicultural society, but to assimilate by abandoning elements of their Muslim belief and cultures in order to enjoy full participation in their new country. Changing political and legal environments in Western countries threaten and undermine Muslim’s acceptance by others, their quality of life, and their security”. (Lambert et al, 2010. pg.29)

When framed within this wider social, political and historical discourse, any claim that the original 2004 ban (in schools) has to providing a neutral space within which a pupil can grow to discern their own, autonomous conception of the good, loosens somewhat. Consider, for a moment, the ordeal that a young Muslim, headscarf wearing girl (as opposed to a Muslim boy, or a Jewish or Christian child of either genders) might go through as part of her daily journey to school. This girl might, before leaving home, adorn her head and shoulders with a scarf that is not only a religious symbol, but also a cultural one that, semiotically, may represent and communicate beliefs about femininity, family allegiance, and cultural history and identity, that are all prior to any particular conception of bodily dignity and integrity, modesty, or the appropriate spaces for sexuality, etcetera. The headscarf both forms and is representative of the lived substance of this girl’s life. And yet, as she approaches the school gates, she is reminded that she must enact a form of cleansing ritual in which she takes off this functional symbol of her personal and/or cultural identity, because the school has decreed that the beliefs that such a symbol stands for are not compatible with participation in public activities governed by mainstream norms.

Judith Butler writes,

"local conceptions of what is human or, indeed, of what the basic conditions and needs of human life are, must be subjected to reinterpretation, since there are historical and cultural circumstances in which the human is defined differently. It's basic needs, and, hence, basic entitlements are made known through various media and various kinds of practices, spoken and performed." (Butler, 2004. pg. 37)
In this case, it becomes clear that mainstream or dominant local conceptions or images of what it is to be a proper or full human being are presented as contradictory to what it is to be a Muslim woman. The Muslim girl that we have followed through this ritual is performatively reminded of this every time that she wishes to enter the school, as well as - along with her religious and non-religious peers - in other explicit and tacit ideas that are communicated through the daily organisation of school life.

Additionally, the genuine plurality offered when different conceptions of the good are allowed to exist side by side, is desirable “because one must have a standpoint from which to critique one’s values and desires, with the standpoint not grounded in those values or desires themselves under review” (Levinson, 1999). Therefore, the truly liberal classroom might be thought of as a site in which autonomy can be developed through mutual encounters of difference which seek to reveal to each child the constructed nature of her own conception of the good, thereby allowing her the comparative space in which to contrast her own beliefs with those of others, which she can then adapt when she is convinced that it is appropriate to do so.

However, drawing again on the Butler quotation above, if there are local conceptions of what it is to be human (conceptions of the good) that are in need of ongoing reinterpretation, the protectionist liberal classroom - through its excision of those ideas that it deems a threat to its own conception of the development of liberal autonomy, acts as a barrier to any process of full, ongoing conceptual reinterpretation by limiting the field of conceptual reference available to each individually discerning child. By fixating on a strict and particular, exclusive version of autonomy, liberalism (at least this version of liberalism) surrenders it truly liberal credentials.

A stronger version of this criticism of liberalism is made by Theodor Adorno when, writing about the advent of anti-semitism in Europe in the early twentieth century, he suggests that,

“Since the liberal theory assumes that unity among men is already in principle established, it serves an an apologia for existing circumstances... The existence and way of life of the Jews throw into question the generality with which they do not conform. The inflexible adherence to their own order of life has brought the Jews into an uncertain relationship with the dominant order... They [the Jews] thought that anti-Semitism would distort that order which in reality cannot exist without distorting men. The persecution of the Jews, like any other form of persecution, is inseparable from that system of order. However successfully it may at times be concealed, force is the essential nature of this order - and we are witnessing its naked truth today” (Adorno, 1972. pp. 168-170)

In the example of the female Muslim student, her existence and way of life throws into question the generality with which is does not conform. In a community that genuinely supports pluralism, and indeed relies on the presence of difference to generate the space necessary to enter into self-reflection, this would not be a problem, and instead would function as a positive addition to a political economy of identities. However, the lived cultural substance of this pupil’s life has brought her into an uncertain relationship with the dominant order.

For the hijab marks its adherents out as holding specific views as to the appropriate (and also, therefore, the inappropriate) manner of modest dress for women; it marks its adherents out as holding a specific set of views relating to the appropriate (and therefore the inappropriate) place for sex within society - situating it firmly within a context of marriage, the family, and creation, that differs greatly from that prevalent in mainstream French society; the hijab therefore also expresses its adherents’ views on the role of sexuality within mainstream western culture; it also expresses resultant attitudes in regard to the role of women in society. Indeed, the hijab carries with it a whole host of attitudes and opinions that are historically sourced in both religious and cultural practices and discourses. This discourse originally took place in a different social, political, religious and geographical context than the parallel process of cultural formation that took place in France; a separation that accounts for the conceptual difference between the two.
Moreover, for every positive pronouncement that Muslims are perceived to be making (or acting out) in regard to the morality of social organisation, there is a negative. When mainstream French society looks on at a community within their own who firmly believe that sex should only be within marriage, then they are conceptually faced with a challenge to, and an implicit criticism of a mainstream order that promotes an almost unbridled sexual freedom. When French society looks on and sees a community who believes and practices (again, to varying degrees) a dress code that promotes modesty, they also perceive a criticism of the dominant order that does not promote such virtues or, at least, has a very different set of standards by which to measure them.

And rather than entering into dialogue with this different (yet overlapping) image of the human person, the dominant liberal order has instead made recourse to force to protect the internal logic of its own construction. The Muslim girl, or more generally the different child is offered an ultimatum in which she is invited to either conform or be excluded. In this way dominant ideology is maintained, and its image of humanness established as the measure against which alternatives are to be evaluated. In this public constitution of both the full-person and the slightly-less-full-person, those who do not conform are brought into being as the other; namely, a class of person who while potentially being afforded the semblance of liberal protections in private spaces, is marked as being unworthy of full participation in the public sphere on account not only of their difference, but also the way in which their difference is used to deny them access to those resources necessary to be in a position of political power. As Tocqueville might formulate the situation:

"The master no longer says: You will think as I do or die. He says: You are free not to think as I do. You may keep your life, your property, and everything else. But from this day forth you shall be a stranger among us. You will retain your civic privileges, but they will be of no use to you. For if you seek the votes of your fellow citizens, they will withhold them, and if you seek only their esteem they will feign to refuse even that." (Tocqueville, 2004, pg. 294)

4) Concluding: looking towards negativity

There is not the space here to properly continue a discussion of the nature of liberal-autonomy and the mechanisms (sometimes very forceful) via which liberal institutions function to protect and maintain the political ideology at their source. Additionally, it must be conceded that the example given here is taken from a historico-political context particular to contemporary France. However, I posit and work through this example as a model by which we might examine other modes of prescription (or conscription) carried out within the liberal school in pursuit of liberal aims.

Education most often, perhaps necessarily, involves prior decisions as to those forms of knowledge that are thought of as being worthy of inclusion in the development of the ideal human person. However, I would suggest that a liberal plurality of conceptions of the good/images of the human, doesn’t require the exclusive educational pursuit of liberal autonomy as an end in itself, particularly when - at least within the school - the development of such an autonomy requires the excision of adequately opposing conceptions, and a concomitant creation and reification of exclusive social relations. Instead, an answer to the problem of how to maintain an openness to difference on the part of our pupils (and more widely on the part of liberal citizens) lies in providing our pupils with an epistemological awareness of the constructed nature of our own conceptions and world-views. And it is only when we are invited and encouraged to meet our respective others within conditions of equal dignity - as opposed to hierarchical social relations - that we can achieve a truly organic dialectical engagement which facilitates a journey of discernment towards the kind of conceptual negativity that might leave us open to a fuller conceptual canvas of possibility.
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