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### Stuck in a revolving door : secularism, assimilation and democratic pluralism

Jansen, H.Y.M.

**Publication date**  
2006

[Link to publication](#)

#### **Citation for published version (APA):**

Jansen, H. Y. M. (2006). *Stuck in a revolving door : secularism, assimilation and democratic pluralism*. [Thesis, fully internal, Universiteit van Amsterdam].

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## Transit II: *Laïcité 1905 – Laïcité 2005* <sup>1</sup>

My holistic strategy, characteristic of pragmatism (...) is to reinterpret every (...) dualism as a momentarily convenient blocking-out of regions along a spectrum, rather than as a recognition of an ontological, or methodological, or epistemological divide (Rorty 1990 [1985]: 84).

La *laïcité* crée du religieux en en faisant une catégorie à part, que l'on doit isoler et circonscrire. Elle renforce les identités religieuses au lieu de les laisser se fondre dans des pratiques et des identités plus diversifiées (Roy 2005: 167). [*Laïcité* creates the religious by turning it into a separate category, which has to be isolated and circumscribed. It reinforces religious identities instead of letting them dissolve into more diversified practices and identities (my translation).]

The fact that citizens inhabit several public spheres that overlap and extend laterally and do *not* coincide with national boundaries produces difficulties for the modern secular state (Asad 2004: 4).

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<sup>1</sup> An earlier and shorter version of Transit II and the next two chapters will appear in Jansen (2006).

*'Faut y aller mollo avec Lala'*

While in November 1989 people from all over the world were talking about the fall of the Berlin Wall and the future of the countries in Eastern Europe, French dinner-table conversations were more fascinated by the question of whether three Muslim girls from Creil (a Parisian suburb) had been rightly removed from school after they had refused to remove their headscarves in class (Kepel 1996 [1994]). By 2004, this fascination with the scarf had resulted, in France, in a reaffirmation of the French version of secularism, *laïcité*, and in a law prohibiting the wearing of 'signes religieux ostensibles' ['conspicuous religious signs'] in public schools for both pupils and teachers. By 2005, such 'signs' had also been problematised in hospitals.<sup>2</sup>

Anyone who has witnessed a debate about the fundamental principles of society end up in a quarrel about whether or not your ears and forehead should be 'open to the public' when you wear a bandana to school<sup>3</sup>, could hardly defend this law with dry eyes. For most of us, these tears would come from laughing, but for some they result from crying. Lala, for example, finds it very difficult to come to school without a scarf fully covering her hair and ears. 'Avec Lala, c'est compliqué, faut y aller mollo avec Lala, [car] je me demande si elle n'est pas manipulée' ['With Lala, it's complicated, we have to be careful with her, for I ask myself if she hasn't been manipulated'], says the headmaster. Haven't we all to some degree? The headmaster suggests that Lala has been pressured by radical Islamist organisations.<sup>4</sup> The girl herself says that she fears God. To me, the authority of God seems hardly more legitimate than that of these organisations, especially not when dogmaticists declare themselves God's interpreters. What is essential, however, is that this girl threatened to quit school in the year of her final exam.

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<sup>2</sup> The law was adopted in response to ongoing conflicts about the wearing of headscarves in public schools, but it prohibits all 'conspicuous religious signs', including 'large crosses' and kippahs. I translate 'ostensible' with 'conspicuous' following Asad (2004).

<sup>3</sup> We can witness the way in which the director of a large public school in a *banlieue* just north of Paris 'succeeds' in 'mettre fin aux discussions interminables' ['putting an end to the interminable discussions'] (see Latour 2004) about the scarf in the wonderful documentary 'The headmaster and the headscarf', a BBC documentary made about the days before and during the '*rentrée*' to school in September 2004. The girls attending this school are allowed to come in with a bandana—an exceptionally tolerant policy compared to other schools—but their ears and forehead have to remain visible, because it is obviously precisely around the ears that a bandana can mysteriously transfigure into a 'conspicuous religious sign'. The documentary shows the headmaster and other teachers 'checking' the girls upon their arrival at school.

<sup>4</sup> In what follows, I use 'Islamism' and 'Islamist' (adjective) as translations of the French '*islamisme*' and '*islamiste*'. In France, these concepts are frequently used to designate radical political Islam.

In chapters five and six, I try to understand secularism's role in the increasing risk of deepening cultural conflict around the Muslim presence in France – and to some extent, in Europe (see introduction). I will critically analyse some of the ways in which the modern secular liberal state deals with ethno-religious diversity and subsequently try to offer some possibilities for thinking about alternatives. I will argue that we should be clear, on the one hand, about secularism's ambiguities and its underlying heritage of assimilationism, and, on the other, about its own role in producing specific forms of religion. This does not mean that we have to reject secularism entirely, but it does imply that we should refine our conception of it and assign it a more modest and balanced place among other political values.

I will concentrate once again on France here. Many international critics of the law banning the 'conspicuous religious signs' have interpreted this law as a sort of 'coming out' of the French, finally restoring the heritage of the Jacobinic and hardly liberal Republic, which had lurked for years below the surface of the debates about the scarf. Thus, they saw the law as an exception to secular liberalism, rather than as one of its excesses. Within France, the law has often been criticised as a relapse from a pacified form of *laïcité* into its precursor, the so-called *laïcité de combat*.<sup>5</sup> Here, too, its critics have explained the law as an unacceptable digression from or misinterpretation of the defensible, even crucial principle of secularism and/or *laïcité*.

In the course of these two chapters, I will suggest that the discourse of *laïcité* itself is problematic, and not only the headscarf law that has been so disputably derived from it, and moreover, that this discourse reveals certain tendencies in the interpretation of ethno-religious diversity that we also encounter in other forms of secularism. These are related to an uncritical attitude toward some of liberalism's basic conceptual oppositions, as inherited from sociological and philosophical modernism. My suggestion will be that underlying the normative political philosophical discourse on *laïcité* and, more generally, on secular liberalism, is a semi-sociological, semi-normative concept of secularisation which merits criticism for its unreflected modernist heritage.

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<sup>5</sup> French views were more diverse than the overwhelming majority for the law in parliament suggested. Many well-known French intellectuals and scholars, such as Monique Canto-Sperber and Paul Ricoeur, Bruno Latour, Etienne Balibar, Jean-Luc Nancy, Jean-Pierre Tevanian, and Gérard Noiriel, opposed the law. Christian Joppke, whose concept of liberal assimilation I discussed in chapter two, also heavily opposed the law. He did so on the basis of the argument that it was not at all necessary within a liberal form of secularism and that the law implied a relapse into *laïcité de combat*. The basic arguments for and against forbidding the headscarf at school have been dealt with in many places (see, for example, Carens 2000; Carens, Bauboeck and Weil 2004; Tevanian 2004; Asad 2004). I will briefly summarise the central arguments against the law in chapter six in my reading of the Stasi Report, but the main goal of these chapters is to analyse and criticise the underlying concept of *laïcité*.

First, I would like to make one introductory remark about the reasons for translating *laïcité* with 'secularism'. This is a little strange, because the English concept identifies itself as a doctrine, whereas the French term suggests the existence of an actual '*laïque*' situation. By translating *laïcité* with 'secularism' I not only follow a standard translation practice, but I also think it is correct to emphasise the normative aspects of *laïcité*. A first moment of confusion in the French debates might have been produced by the form of the concept of *laïcité* itself: it makes it possible to suggest that the *laïcité* of the state indicates a reality instead of something which is, at least partially, a value or norm. This may have encouraged the notion that the state was religiously neutral 'before religion went public again', which in turn led to an undertone in public debates about the state's neutrality 'before the Muslims came'. Birnbaum (1998) is nearly the only one to mention that the whole *affaire du foulard* started because analogies were drawn between Jewish and Islamic religious practices when a struggle occurred about some Jewish children who did not want to attend school on Saturdays.

The suggestion that *laïcité* indicates an actual situation instead of just one possible doctrine, is related to the genealogy of the term. The introduction of *laïcité* needs to be placed in the history of the secularisation of the French state over the course of a centuries-long struggle with the Catholic Church. The concept of *laïcité* was first used in the 1870s, just like its counterparts *laïciser* (verb), *laïcisation* (the action and its result), and *laïcisme* (the doctrine) (*Le Petit Robert*). Only the adjective *laïque*, derived from the Greek *laos* (people), is much older (1487) and means, 'that which does not form part of the clergy' (see also Nancy 2004).<sup>6</sup> The grammatical equivalent of *laïcité*, '*secularité*', is not recognised as a word. As we will see in what follows, it is no coincidence that the combatant hypostatic nouns of the more neutral adjective gained prominence during the struggle of the Third Republic to finally rid itself of the Catholic heritage and of the Pope's and (part of) the aristocracy's shared aspirations to overturn the results of the Revolution.

Let us now return to our problematisation of the modernist heritage in *laïcité*. 'Nous n'avons jamais été modernes' ['we have never been modern(s)'], goes the by now famous dictum of Bruno Latour. But of course we *have* been modernists and I think we do not recognise and criticise the heritage of philosophical modernism as thoroughly as we could, especially when dealing with ethno-

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<sup>6</sup> This meaning is close to that of *séculier*. *Séculier* denotes that 'which belongs to the *siècle*'. The first meaning of *sacculum* in Latin is 'century'. This is related to the temporal order, the '*monde*' [world], which is the second meaning of *sacculum* in Latin, as opposed to the religious, a-temporal order (see introduction). *Le Petit Robert* lists the derivations of *laïque* and *séculier* several times as synonyms.

religious diversity. Although this became particularly visible in the law on the ‘conspicuous religious signs’, it is actually a more general feature of secularism. I will specify what I mean by ‘modernism’ in the context of secularism in the course of my argument, but I will introduce it here by returning to the nineteenth-century concept of assimilation as I studied it in the previous two chapters. Let us briefly recall the way in which the historian Théodore Reinach (1901 [1884]) understood the process of Jewish assimilation. For him, assimilation implied a somewhat linear process in which the ethno-religious heritage of Judaism would be turned into a privatised ‘religion’ that would function much like a denomination (see chapter four). He thought that in this process, all visible public traces distinguishing the Jews from the other French should be eliminated, because these traces might be interpreted as signs that the Jews belonged to another ‘nation’.

Théodore Reinach’s brother Salomon envisaged the future of Franco-Judaism in a similar way, and one of his formulations is particularly significant for what I wish to argue in the following. In 1900, in an article entitled ‘The interior emancipation of Judaism’, which was mainly directed against Jewish orthodoxy, Salomon Reinach declared that ‘ritualism’ was an increasing burden for Judaism in the modern world, leading to the Jews’ isolation. ‘The true religion’, he wrote, was ‘an affair of sentiment, not of practices’ (Reinach 1900, quoted from Marrus 1971: 60). Arendt gave the *geschichtsphilosophische* translation of this concept in her interpretation that ‘objective’ Judaism transformed into ‘subjective’ Jewishness—which she did not see as a norm but as an accomplished reality, at least in *fin de siècle* Paris (see chapter four).

The fact that Théodore Reinach wrote about the necessity of shedding the ‘national’ traits of Judaism in order to be accepted among the European nations, recalls a *noeud* between national politics, religion and ethnicity or ‘peoplehood’, as it was perceived in the nineteenth century. This *noeud* reveals to us the intimate link between assimilation and secularisation, between cultural homogenisation and the privatisation of religion. Public elements of religion were interpreted as remaining traces of ethnicity that should be eliminated. This was the case because the nation-state was a ‘jealous’ state: all political energies and affects should be concentrated at the nation-state level, and they were not to be divided by the existence of attachments and loyalties to other groups. (Suspected) diasporic loyalties to members of the same, non-territorially concentrated ethnic group, in particular, led to systematic distrust. This argument was legitimised by the interpretation of citizenship (nation-state membership) as a fundamentally different level of human self-government from all others: while the other levels were increasingly seen as the illegitimate assemblies of particularities, ‘ethnicisms’, privileges etc., national citizenship

was considered to represent the general, even universal side of human self-organisation.

Let me explain why I consider this nineteenth-century concept of assimilation as an asymptote of contemporary expectations. On the one hand, full assimilation is no longer a 'real' expectation. The transformation of ethno-religious belonging into a modern, individualised and invisible belief is no longer projected as a condition or even as a desirable result of inclusion. Today, normative standpoints on ethno-religious diversity have nuanced the conflation of the concepts of nationality, visibility, publicity and 'practice' that we discerned in the views of Théodore and Salomon Reinach. Even if these concepts sometimes overlap in contemporary debates, it is no longer common to suggest that the public visibility of certain religious practices can be immediately associated with a different 'nationality'—or with nationalism or separatism in its footsteps. Nor will attachments to 'other' groups automatically be associated with treason or double loyalties.<sup>7</sup> There is a larger acceptance of multiple cultural identifications or loyalties in multicultural polities, and the interpretations of certain practices have diversified and are less immediately inserted into the scheme of a homogeneous nation in which we are either insiders (as citizens) or outsiders.

On the other hand, although full assimilation is no longer the projected end-goal of processes of incorporation, the *direction* of our expectations surrounding secularisation still remains at least comparable to the assimilationist one, which is why I consider it as *asymptotic* with regard to our contemporary one. Specifically with regard to religion, we still tend to polarise its modern form as a personal, individual belief or experience, or, in its philosophical, Kantian translation, as a noumenal source for (a secular) morality, and its traditional (or orthodox) form as practice and ritual. The latter remains associated with pre-modernity, or, as we will see in the course of the next chapters, is interpreted as the manifest sign of post- or anti-modernity.

We can trace the 'modernist' aspect of these contemporary expectations, which I think merits criticism, in the ways in which the relations between the two 'poles' are presented. In secularist discourses, the poles keep returning as either/or dichotomies. With regard to time, they are presented as shifts instead of as gradual transformations. Sometimes, these poles are essentialised and assumed at a normative level, and sometimes they even seem to determine what sociologists and other intellectuals can *perceive*.

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<sup>7</sup> Although this has perhaps become less evident for Muslims in today's Europe. They often seem to have to prove that they do not consent to 'self-chosen' segregation or even terrorism. This is partly evident in regular questionings, identity checks etc., but it is also something more hidden that has crept into our collective mindset in the aftermath of September 11, 2001.

I will comment on the unreflected heritage of the dichotomous, abstract conceptual frames in order to understand, in different constellations, the relationships between religion and culture, but also, relatedly, in lateral and complex ways, the relationship between private and public, sentiment and practice, modernity and tradition, modern religion and orthodox religion, history and memory, polity and society, citizen and bourgeois (or, to speak with Hegel, citizen and '*Mensch*'), or, most generally speaking, the relationship between the general and the particular. In liberal secularist discourses, the dichotomous relationship between these concepts keeps being taken for granted (to different degrees), and I want to take up the challenge of looking for mediations, for possibilities to reconcile or deconstruct them, to see their entanglement, and to achieve an insight into the possibilities of a permeation of politics and social belonging at different levels.

Exploring these patterns of bifurcation in the French discourse on *laïcité* may help us to achieve a better understanding of the problems addressed in the last two quotes heading this Transit II. On the one hand, there is the problem addressed by Olivier Roy. He suggests that secularism not only serves to 'contain' religion, as it projects to do, but that it may also play a role in producing it. We will explore in more detail why this may not always lead to the most happy and relaxed forms of religion. On the other hand, there is the related problem summarised by Asad. He suggests that secularism might lead us to focus on the wrong problem, with unhappy, racialising effects: it may lead to the systematic distrust of specific levels of human organisation that will inevitably emerge in our globalising world, instead of focusing on the problematic doctrines and practices of *certain* people who organise themselves on this level.<sup>8</sup>

Although I do not pretend to be able to present an account of a better understanding of the possible relations between political participation and social belonging, I wish to try to contribute to developing such an understanding by returning, in chapter seven, to Proust's narrative of the vicissitudes of belonging and assimilation in the *Recherche*. I hope to be able to trace an alternative narrative of the complexities of belonging in a situation of 'tense intercultural' exchange. This narrative, in which I will concentrate on the role of cultural memory, may help to outline the prospect for a relational pluralism based on the complexities of belonging rather than on an assumed abstract relationship between citizenship and social relationships. On the basis of the complexities of our political, cultural and religious solidarities and inequalities, and without presupposing secularism's desirability or even its

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<sup>8</sup> In the chapters on Proust I studied the particular effects of this mechanism for Franco-Judaism.

general meaning, we may try to imagine institutional opportunities more likely to be conducive to 'parity of participation' and pluriform democracy."

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" For the concept of 'parity of participation', see Fraser (2001; 2003) and chapter six.