Laïcité, Fraternité, and Nationalité: Discontinuities in French Jewish Discourse

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In general, French Jews have always supported laïcité, a term that is usually translated as secularism. At the beginning of the century, Jews supported the Republican government's attempts to contain the power of the Catholic Church. In the name of laïcité, after World War II, many surviving French Jews welcomed a return to laïcité after Vichy's deadly foregrounding and essentialization of religious identities. Today, many French Jews, and almost all institutional elites, approve of legislation designed to "reinforce" laïcité, including the 2004 decision to outlaw "ostentatious" religious symbols in public schools and the 2010 ban of the burqa in public spaces. Articulating a widely held position, Richard Prasquier, the president of one of the largest Jewish organizations in France, noted that the burqa "humiliates women" and undermines the face-to-face relations that form the foundation of social life in France. But this continuous support for laïcité hides a fundamental shift in many French Jews' attitudes toward religious pluralism and minority rights. This shift, in turn, highlights a potentially dangerous new trend in French Jewish negotiations of national identity, one that depends on distinguishing between and among religious minorities in order to claim Jewish Frenchness.

Despite widespread rhetoric about continuity, contemporary invocations of laïcité are quite unlike the principle of religious neutrality that animated the 1905 legislation establishing the separation of church and state in France. That older understanding created new possibilities for minority religious expression, in part because it removed Catholic influence from classrooms and curricula. In other words, the 1905 version of laïcité simultaneously guaranteed freedom of religion for those who chose to observe AND freedom from religion for those who did not. Today, laïcité is premised almost exclusively on freedom from religion, and particularly freedom from religions that are seen as grounded in corporeality (dietary restrictions, dress codes, organized daily prayers) and hierarchy (between believers and nonbelievers, the pious and the impious, men and women, etc.). Where the old version of laïcité targeted an established, majority religion—Catholicism—the new version is being used to restrict the practices of a religious minority—Muslims.

Islam is not new to France; it dates back at least to the beginning of French colonization in the early nineteenth century. But Islamic practice in metropolitan France (and Europe more generally) has changed over the last few decades. The children and grandchildren of secularized immigrant families are returning to religious practices rooted in text-based orthopraxy. From the perspective of the new laïcité, these forms of religiosity are inherently problematic. One cannot be loyal to the French nation-state and be part of an ascriptive religious community that regulates a whole range of daily actions. In addition, deeply corporeal religions are thought to be "racist," thus fueling intolerance within and across social groups. Islam is thus accused of producing misogynists, anti-Semites, and jihadists—all of whom threaten the stability and values of the Republic.

Although the recent call to arms over laïcité focuses on Muslims, it could very easily begin to implicate Jews. Over the last forty years, changes in French Judaism have paralleled the shifts in French Islam. Between the 1958s and the 1980s, approximately 250,000 North African Jews immigrated to France. This wave of immigration transformed French Jewish practice. The postwar French Jewish population, which was overwhelmingly Ashkenazi, was relatively assimilated and bourgeois. Sephardi immigrants, however, were not. They reestablished visible ethnic and religious difference by building day schools, community centers, synagogues, and kosher butchers. They also turned in large numbers to Eastern European forms of ultra-Orthodoxy that had long been marginal in France. By the 1980s, as North African Jews were making inroads into establishment Jewish institutions, some Ashkenazim even accused new Sephardi leaders of promoting "fundamentalism," a word not accidentally associated with Iran and Muslim extremism.

Both the influx of Arab Jews and the turn to visible, corporeal forms of Judaism left all French Jews at a crossroads. Some continued to support minority religious rights and therefore opposed legislation enacted in the name of laïcité. This was the case for the French Chief Rabbi during the first "headscarf affair" in the late 1980s. Tunisian-born Joseph Sitruk argued that governmental attempts to restrict Muslim religious practice, including veiling, would negatively impact religious Jews, particularly kippot-wearing boys. In other words, although the national hysteria over laïcité had generally targeted Muslims, Sitruk feared it could negatively impact Jews. And he was right. In 2004, the French equivalent of the FBI warned that 300 neighborhoods were exhibiting a dangerous tendency toward "ethnic withdrawal," noting that the signs of such a threat were women with covered heads and bodies, butchers certified in ritual slaughter, shops selling religious objects, and well-attended houses of worship. All of these signs could be found in a range of Jewish neighborhoods and were encouraged by the French rabbinate and day schools. The 2004 published report of the Stasi Commission, the deliberative body created to advise the government on secularism, also highlighted breaches in laïcité that applied better to Jewish groups than to Muslims. For example, the Commission noted that, contrary to Republican law, "certain private schools under contract accept only students who can prove that they belong to the same religion as the establishment." At the time, there were no Muslim schools under contract, and anyone involved in Jewish schooling knew that admission required the presentation of an Orthodox ketubah.

Sitrik's reluctance to support banning the veil was consistent with twentieth-century French Jewish discourse about minority rights. But the reaction to Sitruk's comments revealed the second possible path at this crossroads in French Jewish history. The religious newspaper that interviewed Sitruk in 1989 asked three times why he could not condemn veiling and yet support the wearing of kippot. This question was an attempt to divorce the concerns of practicing Jews and Muslims by insisting that two manifestations of religious obligation—the kippa and the headscarf—were incommensurable. In other words, a religious newspaper used the concept of laïcité not to argue for minority inclusion but to
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