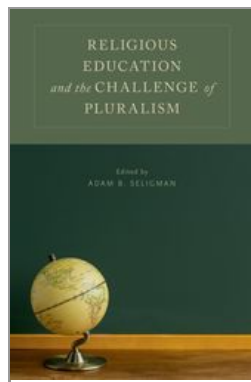


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## Religious Education and the Challenge of Pluralism

Adam B. Seligman

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## The Vanishing State

Religious Education and Intolerance in French Jewish Schools

Kimberly A. Arkin

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### [–] Abstract and Keywords

France does not offer religious education in public schools. The French state does, however, fund private religious schools. The author focuses on the unintended consequences of one aspect of this practice—the decision to finance, but not regulate, Jewish day schools. The French Department of Education intends for Jewish school students (like their Catholic school counterparts) to see themselves as simultaneously French AND religious. But in the mid-2000s, the reality was quite different. The author argues that the content of religious education did not necessarily stop day schoolers from generalizing their trust beyond other Jews. Rather, it was the context of Jewish schooling that allowed Jewish students to understand themselves as “not French.” By funding and ignoring day schools, the State made this context, and thus the separation of religious and national identities, possible.

*Keywords:* France, religious education, Jewishness, national identity

UNLIKE MANY OF the countries that provide case studies for this volume, France does not offer religious education in public schools. As Silvio Ferrari notes (in chapter 1 of this volume), the state tolerates the discussion of religion in courses devoted to other topics (it would be virtually impossible, for example, not to talk about Islam when discussing the 7th-century conquest of the Arabian peninsula, or Christianity when talking about European art). But it does not permit either the teaching of or about religion.<sup>1</sup>

Furthermore, French political leaders and the French Department of Education have been deeply reluctant to entertain the idea that teaching about (let alone the teaching of) religion might be a way to address some of the issues of deep pluralism that all European countries face at the moment (Debray 2002). For many politicians, public intellectuals, and educators, religion and religious education are seen as the source of France's problem with social pluralism in the 21st century—just witness the widespread accusations that pious Muslims, and even Islam itself, are homophobic, misogynistic, and anti-Semitic (Brenner 2002; Brenner 2004; Fourest 2005; Finkelkraut 2003; Hirsi Ali 2007; Taguieff 2005; on this issue in relation to veiling, see Bowen 2007) and the deep discomfort with the growth of Islamic education (Landrin 2006, 12; Agence France Presse 2006).

This, however, has not always been the case (see Baubérot 2004). And there is a long-standing exception to France's increasingly "assertive" (p.97) form of secularism (Kuru, chapter 6 of this volume). In seemingly flagrant violation of the 1905 law that separated Church and State by ending government support for "established" religions, the state funds private religious schools that meet certain legal criteria. It began doing so in 1959 and, despite appearances, the logic behind the move was (at least arguably) staunchly Republican. As we will see, the authors of the 1959 law intended it to help (re)produce the state's vision of autonomous, tolerant, democratic French citizens by combining the national curriculum with independent religious education. The practice, however, has been quite different.

This paper will focus on the unintended consequences of a particular aspect of this practice—the state's decision to finance, but not regulate, Parisian Jewish day schools. The 1959 law intended that day school students in government-funded institutions see themselves as simultaneously French *and* Jewish, just as Catholic school students were to be Catholic and devoted to French Republicanism. But scores of Jewish day school students in the mid-2000s imagined "Frenchness" and "Jewishness" as mutually exclusive alternatives, separate "nations" that could never comfortably coexist. As one high school student noted: "Everyone knows the Jews will not be safe as long as they live with Christians!" I will argue that, despite the fears motivating contemporary public hostility toward religious education, it was not necessarily the content of religious schooling that prevented day school students from generalizing their trust beyond other Jews. Rather, it was the context of Jewish schooling that allowed Jewish students to understand themselves as incommensurably different from and existentially threatened by "the French." By funding and ignoring day schools, the state made this context and thus the separation of religious and Republican identities possible.

### Religious Schooling and the Republic

This was not supposed to happen. For the French state, the creation of appropriately Republican citizens has long been tied to education, and most particularly the replacement of religious education (and thus particularistic religious values) with an ever-changing state vision of morality (Stock-Morton 1988; for a mature articulation of this, see Durkheim 2002). It is thus not a surprise that the fledgling Third Republic (1870–1940) attempted to consolidate its power by attacking the Catholic Church’s considerable role in early childhood education. Beginning in **(p.98)** the early 1880s, the government enacted the so-called Ferry laws—named after then-Minister of Education, Jules Ferry—thereby making previously church-administered elementary education free, secular (*laïque*), and mandatory. This process of secularization included the replacement of the particularistic and metaphysical morality that had been taught by priests (or, in rarer cases, pastors or rabbis) with a philosophical morality Republicans thought necessary for turning a religiously and politically divided public into a cohesive national community (Stock-Morton 1988). It did not, however, include the secularization of children themselves. In fact, public schools at the time—and to this day—created space for embodied Catholic piety: weekly time off for catechism, fish on Fridays, and vacation on significant holy days. A few decades later, the 1905 legal separation between Church and State simply confirmed, accelerated, and extended this process of institutional (rather than individual) secularization beyond elementary education (Baubérot 2004).

But in 1959, the French government seemed to undermine its own position by passing a law that allowed state financing of private religious schools under certain conditions. Called the *loi Debré* after its sponsor, Gaullist Prime Minister Michel Debré, the measure was intended as a compromise, a way of ending the ideological battle between Catholic and secular schooling. Faced with a demographic explosion in the school-aged population, politicians were struggling with ways to quickly expand school capacity (Battut et al. 1995). Some on the Left argued for state absorption of all existing private institutions, thus eliminating *libre*, or independent, education altogether (Journal Officiel 1959). On the Right, some politicians demanded that the state fund private education unconditionally in the name of free “choice.” Debré offered a middle ground—the rapprochement of public and private educational spheres while preserving the “special character” of religious schools. He argued that private schools, the overwhelming majority of which were Catholic, were already part of the public educational system and had earned their “letters of Republican nobility” by accepting the (primarily Jewish) children that were banned from public schools during the Vichy period (*ibid.*, 3596). The proposed law, he noted, would simply expand and codify the terms of this collaborative relationship.

To do so, the law abolished some of the structural and pedagogical boundaries between public and private institutions (Poucet 2005). Private secondary schools were given the option of remaining completely independent and receiving no state funds or entering into a *contrat d’association* **(p.99)** with the state. Schools that chose this contractual relationship were henceforth to be staffed with state-appointed, state-salaried instructors who, once approved by the principal, were to teach the national curriculum. These schools were also to be granted per-student funds for regular operating expenses, like

heat, electricity, and building maintenance (Bellengier 2004, 33). In return, contracted schools were expected to respect the basic principals of French national education and Republican *laïcité*, among them: enrollment of students regardless of “origins, beliefs or opinions”; respect for individual conscience and freedom from religious compulsion; faithful implementation of the Department of Education’s standard national curriculum; and submission to the same pedagogical inspection regime as public institutions (Bellengier 2004, 52–53; *Journal Officiel* 1959, 3600).

Religious institutions were thus largely allowed to preserve their religious missions—what Debré called their special character—from state interference. But the maintenance of a schools’ religious character depended (at least in theory) on the compatibility of that character with Republican understandings of privatized religion. In other words, religion was to be supplementary, one (potentially detachable) piece of a student’s being. In keeping with this vision, the Debré government allowed religious schools to use *privately* raised funds—from student tuition, donations, or grants—for optional religion courses that would take place either before or after standard school hours. But special character was never legally defined, making it a subject of continuous contention (Poucet 2005). For decades, Catholic schools insisted that their special character involved the infusion of all instruction with Christian principals and Catholic theology, thereby abolishing any attempt to distinguish between a core Republican education and supplemental religious instruction (*ibid.*, 6–10). Under the right wing governments that held power throughout the 1970s, this interpretation received significant legislative and judicial support, reinforcing private education’s autonomy without curtailing its financial entitlements. For example, the 1971 Habib-Deloncle law required that private schools observe the “general rules” of public education, but not the exact form and content as had been stipulated by the Debré law. When the Left took control of the government in 1981 with the election of François Mitterrand, overturning these legislative changes took a backseat to more systemic attempts to retool the entire relationship between public and private schools. This preference for (failed) systemic change allowed the patently un-Republican legislation and precedents established in the **(p.100)** 1970s to remain in force for an additional four years. After a 1984 government proposal to abolish most of the distinctions between private and public schools brought thousands of conservative demonstrators into the streets, the Left abandoned a holistic approach in favor of more immediate attempts to curtail the power of private education (Battut et al. 1995). But even then, special character continued to be a potent argument for otherwise unthinkable legal concessions, including leaving the effective power of hiring and firing state-salaried teachers in the hands of private school principals, rather than the state. As a result, through the 1970s and 1980s, the state’s ability to ensure a commitment to Debré’s Republican vision decreased dramatically.

The Debré law (and all successor legislation) primarily benefited Catholic schools, which still represent the overwhelming majority of government-contracted schools in France. But Jewish schools also ultimately flourished under the new liberalized legal regime. Over the 1980s and 1990s, fifty new Jewish schools were created, more than doubling the number of institutions extant at the end of the 1970s (Petit-Ohayon 2003). The number of

students who were enrolled increased proportionally, rising from about 3, 200 at the end of the 1970s to 16, 000 in the late 1980s, and then doubling over the course of the 1990s to reach 30, 000 in 2002 (Petit-Ohayon 2003; Haymann 1978).

But in contrast to Catholic schools, which have recently responded to a shrinking religious base and a burgeoning population disaffected with public schools becoming more diverse and ecumenical (for example, see Davidenkoff 2005), Jewish schools have gone in the other direction. Much of the explosive growth in Jewish schooling over the last twenty years has come from very observant institutions that embrace Judaism as a total way of life. Schools characterized as “Orthodox” or “*Haredi*” (from the Hebrew word for “fear” and translated as “one who trembles before God”) account for thirty of the fifty new institutions created in France over the course of the 1980s and 1990s (Petit-Ohayon 2003). In 2002, almost two-thirds of elementary-aged children in French Jewish schools were enrolled in Orthodox or Haredi institutions; the same was true for 50 percent of middle school-aged students and 30 percent of high school students (ibid.). In Paris, five of the eight largest school networks were either Orthodox or Haredi, accounting for almost a third of the 21, 300 young Parisians enrolled in Jewish institutions (ibid.). In addition, a number of schools considered “traditionalist,” meaning not strictly observant of Jewish law (*halakhah*), were moving toward more pronounced forms of religious **(p.101)** practice, including more stringent dress codes and the physical separation of the sexes in secular classes. Since almost half of the government contracts awarded to Jewish schools have been granted within the last twenty years, government funds probably disproportionately subsidize highly observant institutions (ibid.).

With few exceptions, in the mid-2000s, even the least religious Parisian Jewish day schools violated the Debré law. They did so by, among other things, requiring that students prove their Jewishness in accordance with Jewish religious law<sup>2</sup> and by making religious instruction mandatory for all students. Despite the growing concerns noted at the opening of this chapter about Republican norms and state law losing ground to the religious demands of minority populations, these violations have remained a public secret—well known, but studiously ignored. The Department of Education seemed to go to great lengths to avoid acknowledging what it already knew. One department official told me that only “retired” employees might talk to me about the issue of Jewish school *laïcité* compliance. Another noted: “We have a ‘see no evil, hear no evil, speak no evil’ policy with respect to Jewish institutions, including schools.” In other words, they did not ask or tell.

### Jewish Day Schooling and the Flight from Pluralism

Although not necessarily inherently problematic, these seemingly state-sanctioned legal violations helped produce an environment in which children found difference alienating and threatening. This was a result of the remarkable homogeneity within and across Jewish schools, homogeneity that state attitudes toward religious education inadvertently authorized. Allowing schools to demand that students prove their halakhic Jewishness unintentionally turned day schools into a vehicle not only for flight from religious (and even internal Jewish) difference, but also ethnic and economic diversity. How? The explosion of a demand for Jewish day schooling from the 1980s on did not necessarily



come from religious families. It is true that in the mid-2000s a large number of Parisian day school students came from families that had “returned” to more intense religious practice over the last decade or two. Many of the students I interviewed described parents who did not observe *kashrut* (Judaism’s elaborate dietary restrictions) or celebrate religious holidays before marrying or having children. Some had since introduced Shabbat observance (the **(p.102)** Jewish day of rest, during which a large variety of forms of “work” are prohibited) and stricter adherence to *kashrut*. Jewish schooling, in turn, contributed to this process as children brought home the more rigorous practices learned in school and refused their parents’ compromises. In my interviews with day school students, few, however, described themselves or their families as “really” religious. The category most often used was “traditionalist,” a term that suggests deep ethnic attachment to Jewishness rather than stringent observance of Jewish law. For most, being “traditionalist” meant doing distinctively “Jewish” things on a weekly, if not daily, basis—and this seemed to mean everything from attending synagogue on Friday nights to eating a McFish sandwich rather than a Big Mac at McDonald’s.

Instead of religion, parental interest in Jewish schools seemed to be driven by attempts to negotiate Paris’s class and race hierarchy and, more recently, to escape anti-Semitism. In 2004–2005, most of the students in Jewish day schools were the children of lower-middle to middle-class Jews who had either been born in France to Moroccan or Tunisian immigrant parents, or who had themselves left Morocco or Tunisia as children or very young adults. This demography did not reflect the ethnic diversity of the contemporary French Jewish population. According to a 2002 Jewish population study commissioned by the *Fonds Social Juif Unifié* (hereafter FSJU), the French equivalent of the American Joint Distribution Committee, 70 percent of the French Jewish population is *Sephardi*, a term that literally means “from Spain” but popularly refers to Jews who come from North Africa and the Middle East; 24 percent is *Ashkenazi*, or of European origin; and 6 percent is “both” (Cohen 2002, 12). Of the more than 50 percent of the Jewish population born outside the boundaries of metropolitan France, the largest plurality is Algerian (21 percent), followed by Moroccans (11.2 percent), and then Tunisians (10.6 percent) (*ibid.*, 11). Jews with Algerian ancestry therefore most likely comprise the largest plurality in the French Sephardi population.

There was somewhat more socioeconomic range than ethnic diversity in contracted schools. Tuition rates were kept down by heavy state subsidies, which covered 50–60 percent of contracted schools’ budgets. Parents were called on to pay for all other services, particularly cafeteria expenses, religious education, busing, up keep, and hall monitors. But each family’s contribution was calculated on a sliding scale that factored in revenue, and school directors insisted that they had never turned away a family for financial reasons. A number of parents with whom I spoke were at **(p.103)** least temporarily unemployed, and some students described their own economic conditions as straitened. But despite the theoretical accessibility of Jewish education to all socioeconomic strata, most students seemed to come from *petit bourgeois* homes with solidly middle-class incomes, but little social capital in Paris’s steeply hierarchal social

order (Bourdieu 1984). Teachers consistently described their students in precisely these terms, noting (often with derision) that students' families were well off but not cultured, more interested in material well-being than education (see further, Arkin 2014).

There are a number of related reasons for the overrepresentation of these particularly ethnicized and classed families in Jewish schools, many of which are too complex to enumerate here (see further, Arkin 2014). Suffice it to say that for historical reasons, Moroccan and Tunisian Jews have generally had a harder time with upward mobility in post-World War II France than have Algerian Jews or Ashkenazim. As a result, unlike many (although certainly not all) Ashkenazim and Algerians, many Moroccan and Tunisian families still lived in rough, lower-middle class, semi-urban neighborhoods: Aubervilliers, Bondy, Bobigny, Créteil, Sarcelles, and Saint-Germain-des-Prés (Strudel 1996). Those who lived in Paris itself often had homes on the literal and figurative margins of the city, in the 18th, 19th, and 20th arrondissements. These neighborhoods typically have large concentrations of recent immigrants, relatively high unemployment, and public schools that have suffered considerably from proportionally declining investments in education (Battut et al. 1995).

For these families, physical proximity with other immigrants, and most particularly Muslim immigrants, presented the related problems of ethnic and class distinction (Comaroff and Comaroff 1992). In these diverse neighborhoods, North African Jews' and Muslims' shared physical characteristics, family names, cultural practices, linguistic patterns, and even religious traditions made the maintenance of Jewish ethnic distinction both difficult and necessary (see further, Arkin 2014). Sephardi adults, whether implicitly or explicitly, recognized that it was far more problematic to be (mis)taken for "Arab" or "Muslim" than it was to be Jewish. During my fieldwork, I heard numerous stories about how Sephardi adults navigated such potential confusion—emphasizing, for example, the "French" first names that many thought were associated with Jews rather than Muslims. Sephardi adolescents and young adults had developed their own nonverbal, sartorial strategies for coping with the same kinds of situations (Arkin 2009). In addition to potential ethnic **(p.104)** confusion, Jewish and Muslim proximity in these mixed socioeconomic neighborhoods created class anxieties. For many of my Sephardi interlocutors, only Jews were upwardly mobile. Having wealth and being able to show it, particularly in contexts of relative deprivation, helped underscore the distinctions between North African populations. As my teenage informants often explained: Jews were "classy," while "Arabs" were "cheap" (see further, Arkin 2009).

Jewish schooling, for many of these families, offered a way of shoring up the overlapping class and ethnoracial distinctions. For upwardly mobile but precariously positioned families, private schooling suggested a middle-class commitment to education and the resources to back up that commitment.<sup>3</sup> It also appeared to assure a child's future class status through the purchase of services imagined as better adapted for academic and, therefore, financial success than public schools, which were often seen as inflexible, as well as plagued with problems like drugs and violence (see further, Battut et al. 1995; Georgel and Thorel 1995). A twelfth grader's Tunisian-born mother, who had never

completed her own high school education, described the tuition payments to an Orthodox school that she could barely afford as the structural equivalent of mortgage payments. She lived in subsidized, public housing and would never be able to buy her own home, but private schooling would allow her son to earn enough money to purchase one (or more) for her. “With what I paid for school I could have bought ten houses! It’s that expensive...Everything that I put into education, I didn’t put into the apartment for me. At least I’ll have given you a good education, ” she said turning to her son. “We put everything on you.”

In addition, Jewish students and parents openly admitted that Jewish schooling provided a means of escaping contact with other “immigrant” populations, which were sometimes in the majority at neighborhood public schools. Since 2001, which brought an increase in youth-on-youth anti-Semitic attacks, fear has further fueled the flight from mixed contexts. A Moroccan-born father of two boys enrolled in a Haredi institution told me that he had “to put them [his sons] in Jewish school and there are so few choices...I could not have put them in public schools with Arabs or blacks...They would have been hit and brutalized...That’s the way it is with Arabs and blacks; they don’t like Jews.” An eleventh grader who had attended public school until high school described her decision to enroll in a Jewish institution as a reaction to her “extreme discomfort” at being “the only Jew in a school with 500 Muslims.” Marion, a ninth **(p.105)** grader at an Orthodox institution, told a similar story: “I was in public school through sixth grade, but as soon as I was supposed to go to middle school, my mother put me in [Jewish school]. The public schools in Bondy [a low-income suburb of Paris] are filled with Arabs and blacks. And my mother did not want me in school with Arabs and blacks.” Students at an all-girls Haredi school also regularly claimed that they were enrolled in a Jewish school because public schools had “too many Arabs and blacks, ” so much so that the school director panicked when reporters came to film his school. He instructed the girls NOT to say that they were in day school because there were too many Arabs and blacks in public schools, but to explain that they were there for the religious education.

Given the way that day schools were structured, this separation from both non-Jews and other Jewish Jews was virtually complete. Many day school students traveled great distances from their local neighborhoods to attend school. To accommodate this, day schools tended to start and end later than neighborhood public schools, which meant that some day school students did not get home until well after dark. Day school vacations, which logically followed major Jewish holidays, almost never coincided with those of public schools. On top of this, by middle school and high school, day school students found maintaining extracurricular activities difficult because of the additional hours of religious education added to an already full national curriculum. And as we will see below, students also thought they were religiously discouraged from befriending non-Jews. As a result, not very many day schoolers had non-Jewish or even non-day school friends. One of the few students who admitted publicly to having such friends—whom she called “French”—found herself mercilessly mocked by her classmates.

The homogenization and segregation of Jewishness that occurred in government-funded



Jewish day schools had two nefarious consequences. First, homogenization allowed students to mistake their forms of particularity for Jewish generality. By this, I mean that rather than see their classmates as particularly classed, ethnicized, and religiously positioned subjects—second and third generation, upwardly mobile, “traditionalist” Jews of Moroccan and Tunisian origin—day school students viewed them as tokens of universal “Jewishness.” As a result, students had trouble recognizing the “Jewishness” of those who did not share their ethnic particularities. “Ashkenazi” Jewishness, for most students, had no clear referent; one student asked me whether Ashkenazim were from Morocco, Tunisia, or Algeria. If European Jewishness was a foreign concept, black **(p. 106)** Jewishness was incomprehensible. Two eleventh graders—Jason and Joshua—told me about two black children—Salomé and Eric—who had been briefly enrolled in their Orthodox school. Jason explained that when he first met them: “I asked myself questions. They are here, but they are black, and this is a Jewish school. But Salomé, I think she was a real black, I don’t know.” What does it mean to be a “real black, ” I asked. “That means she is not Jewish, ” he explained. Joshua, who had previously insisted that Salomé was at least a “half-Jew” because her mother was Jewish and evidently white, clarified: “There were no signs of Jewishness.” Again, I had to ask what that meant.

JASON:

In France, there are no black Jews.

JOSHUA:

Yes there are.

JASON:

I’ve never seen any!

JOSHUA:

We just do not notice them...It’s rare. I know that in the synagogue I sometimes go to, I have an uncle who officiates at this synagogue. And when we go to his synagogue, sometimes there are blacks who come. And it’s true, it seems really strange.

JASON:

Saying Shabbat Shalom to a black, it’s ummm. . .

JOSHUA:

Yeah, when we see blacks we think non-Jews. We just do not have the experience.

In other words, to a large extent, being Jewish meant sharing Jason and Joshua’s ethnic, historical, cultural, and even economic profile.

If homogenization encouraged the narrowing of Jewishness, Jewish segregation facilitated the misreading of student particularities as Jewishness when in fact the day-to-day routines of day school students were irreducibly French. In this sense, the Debré law had achieved its author's intentions. Jewish schooling, including religious instruction, was conducted almost exclusively in French. Day school students were required to take and pass national exams in order to receive their diplomas. The content of secular courses, which were taught by state-trained and salaried teachers, closely followed nationally established guidelines. And those guidelines still tended to be vaguely "nationalist," in the sense that Anglo-American politics and policies systematically appeared as foils for their French counterparts and "Europe" remained an administrative abstraction. Even institutional micropractices, the kinds of minute bodily regulations that Foucault (1977) described as the essence of subject formation, were similar across school contexts.

**(p.107)** Modes of authority, the value placed on particular disciplines (math and science were for "smart" students, social sciences and literature for those who struggled), the desks students learned to sit in, and systems for evaluating student performance were more or less uniform across France.

Nonetheless, there was little recognition that these everyday banalities constituted a shared adolescent French universe that transcended the particularities of Jewish schooling. Although day schoolers' parents often had very complex understandings of the relationship between Jewishness and Frenchness—often insisting in different contexts on the centrality of each identity, their connections to one another, and their divergences (see further, Arkin 2014)—their children had much more dichotomous assessments. The students I interacted with routinely insisted on the mutual exclusivity of Jewishness and Frenchness, without any of the ambivalence evident in their parents' generation. An entire class of tenth graders in a Haredi school loudly insisted that they had no "French" friends, by which they actually meant no white, Christian friends. Similarly, students in Haredi and Orthodox schools told me time and time again that they were not "French," that "France was not [their] country," and that "the French" and the "the Jews" had nothing in common. Joshua, a senior, explained: "In fact, when we say French, we think of non-Jews and non-Muslims. We know that we are French. But that means, there is always this gap..."<sup>4</sup> Others expressed a similar sentiment with less subtlety. Levina, an eleventh grader in a Haredi school, explained: "I don't feel French...When there are reports of events on the news, none of us particularly care about what happens in France or in Europe..." Still, others told me that their Frenchness was reducible to a passport and did not correspond to any meaningful sense of self. Teachers at an Orthodox school even complained that confusion about national identity had seeped into uncertainty about citizenship. Apparently, many students did not know how to answer questions about nationality on government forms, writing in "Tunisian" or "Moroccan," depending on where their parents had been born.

### Lost in Translation

So far we have seen the heady combination of two trends. First, the growth of increasingly stringent religious instruction, made possible by displacing public investment into private schools that are poorly regulated. This **(p.108)** meant that Jewish families

seeking non-Catholic private schooling were virtually forced to pick schools that excluded non-Jews—even those interested in a Jewish education—on religious grounds.<sup>5</sup> At the same time, homogenized Jewish schools allowed a socioeconomically marginalized population to partially escape the cultural, class, and ethnic proximities it shared with an even more marginal other. In other words, Jewish schools joined religiously inflected worries about intermixture with concerns about preserving classed and raced distinctions. This combination produced stunningly homogenous and remarkably isolated day school students who misrecognized their very narrow French Jewish particularities as Jewish generality.

With the addition of one more piece of the puzzle, this created conditions under which Jewishness became a racial and national identity incompatible with other modes of identification, endangered by pluralism. That additional puzzle piece was also a product of the vanishing state. Even as it made greater and greater room for religious control of otherwise state-funded establishments, the state did not introduce required pedagogical training for religious instructors. Recognizing the potential problem this created, private Jewish institutions tried to step into the breach. The FSJU, for example, established a training center and diploma program for religious educators, but many religion teachers objected to an ostensibly “secular” institution certifying religious teachers. Day schools were thus free to privilege embodied piety over any ability to understand/communicate with students. As one Haredi school director noted, when faced with the choice between someone who was pedagogically skilled and intellectually knowledgeable on the one hand, and someone who was visibly pious on the other, he would always choose the latter. Given this kind of logic—and the very poor benefits and pay associated with being a religious instructor—it is not surprising that most religion teachers had little training. They were overwhelmingly pious men and women looking for part-time work that would not compromise their religious convictions or practices. The men were often yeshiva scholars who had renounced secular pursuits and education for a life of Torah learning. The women, many of whom had spent a year or two in Jewish seminary, were predominantly Haredi housewives with large families and considerable domestic responsibilities.

In practice, this meant that few religion teachers in day schools were good teachers. Most shunned any real engagement with student questions; they also cut short any dialogue or debate about the material presented, **(p.109)** preferring—in what some would say is un-Jewish fashion—to give students simple rules to follow in their daily lives. One religious instructor at a Haredi school taught his tenth graders about Shabbat as a series of pragmatic questions to which he immediately provided the answers: Can one open a bottle of wine on Shabbat? Yes, doing so does not create a new object. A soda bottle? No, unless you puncture the cap so that it can no longer be used. Otherwise, one has created a new object—a bottle cap. A packet of sugar? Yes, but you cannot tear it in any place with words; tearing words violates the injunction against erasing on Shabbat. Can you tear off a paper towel on Shabbat? No. What if there is a cake with writing on it, can it be cut and eaten? It can only be cut and eaten if the words are made of the same ingredients as the cake; otherwise, cutting into the letters also violates rules about

erasing.

Some teachers articulated this avoidance of student questions and debate as part of a conscious agenda. Mme Grunspan, a very thoughtful religious instructor in an Orthodox school, explained that she was trying to teach children to defer to and respect (religious) authority. She claimed that day school children grew up thinking that nothing was sacred because ambient French popular culture taught them to challenge authority of all kinds loudly and impertinently:

They all watch these television programs with the journalists who want to show off and look like know-it-alls. They interrupt the invited guests constantly...A student, copying what he's seen on TV, will tell a teacher that he's "totally wrong" or that he's in "total disagreement" with what the teacher just said. They have to learn that this is not an appropriate way to speak to someone like a teacher...Ten years ago, the journalist really just asked the questions and stayed in the background, but today kids have learned a really different model and need to be re-socialized at school.

So rather than teach them to argue, she encouraged "respect" and therefore silence. But most teachers did not have well-formulated pedagogical agendas; they simply could not understand or handle student puzzlement. Some were so uncomfortable with student questions that they chastised students for their curiosity. In what was actually an argument about action and intent in religious Judaism, Shoshanna, a tenth grader in a Haredi school, asked her teacher—Mme Benayoun—why someone ignorant of the *dinnim*, or rules, associated with Shabbat should be punished for **(p.110)** turning on the lights. She also wanted to know whether turning them on accidentally (out of habit, for example) was a serious offense. For Shoshanna, these questions were motivated by secular concerns about individual intention and the distinction between exterior action and internal belief. She reasoned that if laws were broken without knowledge or intention, the perpetrator should not be punished, or at least not in the same way. But Mme Benayoun saw the questions themselves as frustrating and irrelevant, a distraction from the central point of a lesson focused on rule memorization. "Why are you asking these questions?" she demanded. "Do you typically transgress Shabbat? It's death if you do!" When Shoshanna tried to ask another series of questions about a (confusing) interpretation of a biblical passage, Mme Benayoun humiliated her for her trouble: she was accused of being "insubordinate" and acting inappropriately for a "Jewish girl."

Why do these poor pedagogical skills matter? What, if anything, does this have to do with day school students' sense that they were incommensurable and incompatible with non-Jews? Teaching religious Judaism to children who come primarily from secular families is difficult. As I argue elsewhere, Jewish tradition and secular modernity offer very different conceptions of community and personhood (see further, Arkin 2014, chapter 4). And when Jewish practices emphasizing separation and distinction are presented without their accompanying religious logics, they can easily be (mis)understood as implying that non-Jews are ontologically different and dangerous, and therefore can be ill accommodated under the same political regime.

For many religion teachers, as for observant Jews in general, Jewishness presupposed and entailed following the biblical command to be *kaddosh*, often glossed as holy or separate, in every aspect of daily life (i.e., Deuteronomy 7:6). Under the influence of post-Enlightenment ultra-orthodox interpretations of rabbinic Judaism, this has come to mean conscious and conspicuous separation from what are often Biblically termed “the nations,” or non-Jews and surrounding non-Jewish society (Heilman 1994; Neusner 1996; Soloveitchik 1994). Those who strive to embody this distinctive form of Jewishness imagine themselves as not only guaranteeing a place in God’s favor, but also as contributing to a larger Jewish eschatological project—the “return” to a theocratic Israel and the concomitant arrival of the Messiah. In a certain kind of context, this project is not about racial separation, but about ritual purity; in Mary Douglas’ terms (2002), it is about managing structural dangers, not the physical (p.111) or biological threat created by non-Jews. In fact, one could argue that the threat of social and cultural proximity between Jews and non-Jews fueled evermore rigorous attempts to establish boundaries in certain places (intimacy and marriage), while leaving others (commerce, daily interactions) rather open. This is very different than either presuming stable ontological difference (race) or attempting to create the presumption of that difference through absolute segregation (Jim Crow).

But when the rules governing Jewish separation are presented without their accompanying religious logic, they can appear to be about race contamination rather than ritual separation. A lesson at a Haredi school about *bishul akum*, or forbidden forms of cooking, illustrates the slippage between these two different understandings. Mlle Chitrit, a very imposing religion teacher, told seniors that wine touched or even looked at by a non-Jew was no longer kosher and therefore unfit for consumption. “If a *goy* [non-Jew] so much looks at my glass, I can’t drink it; I throw it out. Others might [drink it], but I would rather be safe than sorry.” The same teacher instructed students never to share a meal with non-Jews or eat even kosher foods cooked by a non-Jew because “the beginning of intermarriage is a meal together.” A student, who was perhaps shocked by how this sounded, noted that this could not really apply to “a [female] Jew and a *goya* [female non-Jew],” who “logically would not marry one another.” Mlle Chitrit shouted in response:

God forbid, God forbid...The Torah that created us says that the table is a sacred space. We can be friends, [as in saying] good morning, good evening, but not at the table. I would never invite my neighbor, a *goya*, even if I’ve known her for twenty years. I would never even go to her apartment, because the day that she tells me to come in, I’ll have to tell her to come in. And after that it’s finished, it’s hopeless. My children and her children will start playing together in the courtyard. And they can’t do that; it’s forbidden!

She also warned students about never feeling spiritually safe with non-Jews:

I recently saw a guy I know. How’s it going? [I ask] He tells me he has a problem. What? My son is twenty-six, and he has gotten involved with a non-Jewish girl. I’m sick [he says], and I don’t know what to do. And I say: how did he meet her? At the university. It (p.112) starts with classes together and then it goes further. You



think it's not true? Remember when we talked about hurting God. It's [hopeless] if we don't put ramparts and walls and everything up...Don't tell yourself that you're the son of a rabbi, [so you're safe]. Don't believe it...We have to take care of ourselves. We decide to keep them [non-Jews] at arms length. I say that for our ears only. How many times have the teachers, my colleagues, said to me, "come on, let's get a pizza amongst ourselves, a kosher one!" Never!...

Mlle Chitrit's discussion was a mixture of particularly stringent, Ashkenazi interpretations of Jewish law and intolerant personal embroidery. During the period of halakhic elaboration, now glossed as *tosafist* in medieval Northern Europe (a region commonly called *Ashkenaz*), it was indeed the case that wine touched by a Gentile after a certain point in its production was no longer considered kosher.<sup>6</sup> This (very onerous) legal stricture grew out of Talmudic concerns about *avodah zarah*, literally foreign work, which referred to idolatry and idolaters.<sup>7</sup> Rabbinic writers in the first centuries of the common era assumed that wine in non-Jewish hands was first and foremost used as a libation for idols, making it and anything with which it came in contact a source of apostasy and an affront to the one true God (Porton 1988, 252). The ban on libation wine was extended to any food that might contain wine or be used in heathen religious rituals. The restrictions on consuming kosher food cooked by non-Jews were also influenced by fears of aiding and abetting idolatry. The Talmudic term generally used for forbidden instances of such cooking, *bishul akum*, directly references idolaters, *akum*.

But early rabbis were simultaneously worried about the social implications of eating and, more particularly, drinking with the pagan nations. Such intimate social intercourse, it was argued, might lead to sexual intercourse and intermarriage. As the Talmud notes: "Their wine was forbidden on account of their daughters" (cited in Katz 1961a, 47). Indeed, well into the medieval period, when concerns about libation wine had virtually disappeared, many rabbinical scholars—but certainly not all<sup>8</sup>—continued to conflate Christians with idolaters, leaving the blanket Talmudic injunctions intact (Katz 1961a; Soloveitchik 1978). And even when halakhic thinkers reinterpreted those injunctions so as to disassociate Christians from idolaters, thus allowing for more Gentile contact with wine (particularly in its production phases) and Jewish contact with Gentile wine (for purposes of trade and debt repayment), the Ashkenazi prohibition against **(p.113)** social (rather than simply economic) intercourse around wine and food remained (Soloveitchik 1978). Established social practice and medieval Ashkenazi revulsion at the perceived idolatry of Christians prevented this reclassification from vitiating the halakhic prohibitions on commensality (Berger 2002; Katz 1961a; Soloveitchik 1978). But this reclassification of Christians allowed for the loosening of a range of other social restrictions separating Jews and Gentiles, including, for example, the relatively intimate exchange of gifts. In non-Ashkenazi contexts, it had more direct consequences. There were several attempts by Sephardi halakhists to abolish the restrictions around wine entirely (Soloveitchik 1978, 178). And in places like Italy and Eastern Europe, widespread pragmatic dispensations made consumption of Gentile wine common (Katz 1961b).

Most crucially for the point I am trying to make, Mlle Chitrit presented a particularly

stringent medieval halakhic interpretation without explaining its history or complexity. She dismissed a very reasonable student question as illogical and unthinkable. And she added her own very modern and perhaps irreligious disgust, disgust that seemed to reflect concerns about the fragility of racial distinction. The idea that wine merely *looked at* by a non-Jew would be dangerous and undrinkable is not part of any halakhic interpretation because it has nothing to do with the forms of interaction Jewish law strives to regulate. Her insistence that she refused to drink wine seen by a Gentile because she would rather be “safe than sorry” sounded suspiciously like contemporary racism with its theories of innate contagion. One has only to think of the widespread accusations in the southern United States against African Americans who were accused of violating white women with their eyes. The same extra-halakhic disgust applies to Mlle Chitrit’s horror at the idea of socializing with business colleagues, allowing Jewish and non-Jewish children to play together or attend the same university classes, or inviting a non-Jewish neighbor into her house. Even in medieval Ashkenaz, maintaining cordial and even friendly relations with business partners was necessary and permitted; Jewish children were commonly apprenticed with other non-Jews to Gentile master tradesmen; and visiting non-Jewish households was regulated (in terms of ritual and food) but common (Katz 1961b). In fact, the importance of maintaining Christian good will for the sake of Jewish communal safety—what was called “preventing resentment” or “promoting peaceful relations”—and the glorification of God through exemplary Jewish conduct was a common halakhic justification for behaviors that allowed for the (temporary) crossing of Jewish-Gentile boundaries (ibid.). **(p.114)** Instead, Mlle Chitrit described a world in which even the most basic social contact between Jews and non-Jews appeared to open the door to ethnocide, turning non-Jewish neighbors into dangerous physical, as well as spiritual, enemies.

Did Mlle Chitrit intend for students to understand Judaism as an endangered racial identity? The answer to that question is unclear. But when she was confronted with the implications of such a student vision, she was religiously horrified. After Mlle Chitrit read a biblical passage in which the cries of young Ishmael—Abraham’s son with his non-Jewish servant, Hagar—were heard and heeded by God, a shocked student asked: “God listens to the prayers of non-Jews?” Although Mlle Chitrit is hardly a conventional antiracist, she was disturbed by the question, which presumed that monotheism was impossible because religious differences reflected innate and unbridgeable differences between groups. In other words, the question presumed Jewishness as a race, and in the process, transformed the single God of Jewish monotheism into a tribal deity who jealously protected Jews and ignored everyone else. In fact, students frequently articulated visions of God that bordered on polytheism—often suggesting that there was a “Muslim” or “Christian” God who similarly took care of those who were “born” Muslim or Christian. Concerned about reinforcing the central message of monotheism, Mlle Chitrit shot back:

Of course, and so what! There’s a little bird that cries; he doesn’t have anything to eat. What does HaShem [literally “the name,” one of the most common ways religious Jews refer to God] do? He makes sure that the rain falls so that the worms come out of the earth so that the little bird can find something to eat. You

need to know that. He does that for everyone. He's good, HaShem; he feeds everyone. And when I say everyone, that means everyone, even the little ant that you don't see but who sees you. HaShem feeds it.

But this reply may very well have reinforced the presumption that fueled the question in the first place. HaShem may feed everyone, but the only examples given were zoological ones.

With no pedagogical training and often little education in non-religious matters, religion teachers did not necessarily understand and certainly could not bridge the gap between the way they lived and understood Jewishness, on the one hand, and the assumptions and dispositions of their largely secular audience on the other. This forced students to poorly **(p.115)** translate religious logics about collectivity and identity into terms that they understood—innate difference, inequality, and danger. Contrary to state intentions, the result was a very particular vision of Jewishness and a non-pluralist understanding of the foundation for livable political community.

### We Are Jewish, Not French!

By funding—but not regulating—Jewish schools, the French state inadvertently created its own worst nightmare: a minority population that increasingly defined its religious differences not only in ontological terms, but also in opposition to “Frenchness.” And in many ways, it has only itself to blame. The frenzied growth in Jewish schools over the last couple of decades would not have been possible without generous state financing that came, at least in part, at the expense of investment in public education in the difficult, multiethnic neighborhoods in which many Jewish day schoolers lived. In addition, the state's failure to enforce its own admission guidelines for publicly funded religious schools allowed Jewish schools to become havens from diversity of all kinds, whether that was internal Jewish difference or religious and ethnic pluralism. And finally, the state's decision not to create pedagogical requirements for religious instructors who teach in classrooms that it lights, heats, and maintains has helped a largely secular Jewish public understand their segregation as protection for a fragile form of racial difference *and* as a religious requirement.

This does not mean that the “assertive” secularists in France are right, that religious education in any form contributes to the growth of intolerance and the impossibility of pluralism. The example of Jewish day schools suggests something very different—that the context in which religious education is offered profoundly shapes the message. State funding that allows certain narrow communities (but not others) to opt out of sustained engagement with admittedly difficult forms of pluralism may be money poorly spent.<sup>9</sup> Ignoring the pedagogical qualifications of religious instructors whose work depends on facilities and captive audiences provided—at least in part—by the state may also be a mistake. As I have emphasized in this paper, the same religious content provided in a different social, physical, and pedagogical context might produce very different understandings of the meanings of Jewishness and Frenchness, as well as the contours of trust-based social and political community.

## Notes

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### Notes:

(1) . The exception, as Ferrari notes, is in Alsace-Moselle, where the state still allows religious education in public schools.

(2) . This requirement was typically satisfied by the presentation of a *ketubah*, a contract certifying that the applicant's parents were married by a Consistorial or ultra-Orthodox rabbi, and therefore were both considered Jewish either by birth or conversion. In cases of intermarriage, children of Jewish mothers were eligible if the maternal grandmother's *ketubah* could be produced. Because Jewish law locates religious transmission in the maternal line, children with Jewish fathers and non-Jewish mothers were refused.

(3) . It is important to note that the Parisian bourgeoisie does not, in general, send their children to private schools. Public schools in well-heeled neighborhoods are still considered the most prestigious and promising educational route for those with the cultural capital to fully understand French educational hierarchies.

(4) . Some might say that this is a logical legacy of the Holocaust in France. There are a number of problems with this argument. Recall that Jewish schooling caters almost exclusively to a population that was spared most of the horrors of the Holocaust. In addition, students' parents and grandparents, who were generationally much closer to the horrors of World War II, did not necessarily share the dichotomous views of their

children. And finally, as Maud Mandel (2003) has demonstrated, even Metropolitan Jews who lived through Vichy did not necessarily understand the experience as proof that Frenchness could not or would not accommodate Jewishness.

(5) . The director of a Haredi girls' school told me the story of a Moroccan Muslim family that was desperate to enroll their daughter so she could be in a protected, all-girls environment. Even when the director tried to dissuade them by emphasizing the amount of Hebrew and religious instruction offered, they remained interested.

(6) . For accounts of *yein nesekh*, or libation wine, see Katz (1961 a) and Soloveitchik (1978; 2003).

(7) . By definition, idolaters do not conform to the seven noachide principles that make for "righteous" non-Jews.

(8) . Two major exceptions were, in the Spanish and then-North African context, Moses Maimonides (12th century), and in the halakhic tradition associated with *Ashkenaz*, what is now France and Germany, R. Menahem Ha-Me'iri (14th century) (Katz 1961 a).

(9) . One can say the same thing for the other end of the class spectrum; state practices that allow the relatively wealthy to live in their own homogenous enclaves have their own nefarious consequences for pluralism.



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