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Abstract

The reaction against non-western immigrants and especially Muslims has been analysed both in terms of an exclusionary civic nationalism and in terms of an assertive liberalism. Similar to exclusionary civic nationalism, assertive liberalism purports to defend liberal democratic principles and society against illiberal principles and forces predominantly represented by Muslims. This article argues that nationalism and liberalism are analytically distinguishable but difficult to disentangle empirically. It contends that a more detailed analysis of assertive liberalism can be obtained by subdividing it into four categories of liberal intolerance and demonstrates this by analysing six national debates on the accommodation of cultural and religious diversity in education. The analysis indicates that the nature of liberal intolerance understood as the combination of the four categories of liberal intolerance varies with the state tradition regarding religious neutrality of public institutions and the type of welfare state, but also that many liberal arguments for and against accommodation repeat themselves across national contexts.

Introduction

The categories of ethnic and civic nationalism are ideal types. Most living national identities are based on elements from both types. However, recent scholarship has emphasised that the elements of ethnic nationalism, e.g. language, creed and community of birth, have been pushed to the back because of the predominance of liberal values such as tolerance, individual freedom, non-discrimination, equality, democracy and the rule of law. Halikiopoulou, Mock and Vasilopoulou (2013) demonstrate how radical right parties with electoral success are characterised by foregrounding a defence of primarily civic values against immigrant groups rather than ethnic nationalist values. Immigrants from certain parts of the world are seen as threats to the nation's civic or liberal values such as 'democracy, multiculturalism and the rule of law' rather than a threat to the nation understood in terms of race, blood or creed (Halikiopoulou, Mock and Vasilopoulou 2013: 112). Fozdar and Low (2015: 524) argue that because ethnic nationalism is normatively out of favour, ethnic nationalist arguments about immigrants (in Australia) are 'superficially concealed beneath the acceptable language of civic nationalism'.

This assessment of nationalism overlaps with studies that point to the existence of an assertive liberalism which defends liberal values and identities against what is seen as illiberal values and groups (Adamson, Triadafilopoulos and Zolberg 2011; Gustavsson 2015; Joppke 2007; Tebble 2006; Triadafilopoulos 2011). However, not all such assertive liberalism should be seen as hypocritical and a cover up for ethnic nationalism. It also originates in the liberal identity of West European states and genuine (but not necessarily warranted) concerns about threats to a liberal way of life. Some claim that it is basically the same form of liberalism in all contexts (Joppke 2007). Others claim that this liberalism – as part of a civic turn emphasising the necessary creation of

citizen virtues to ensure integration – are found in different national versions (Jensen 2014; Mouritsen 2012). This latter claim mirrors the analysis of 'the civic zeitgeist' in Halikiopoulou, Mock and Vasilopoulou (2013), who describe how radical right-wing rhetoric has to be tailored to specific national conceptions of civic values to be successful.

The present article will bypass the 'convergence vs. continued divergence' discussion and aim to obtain a more detailed understanding of the assertive liberalism which is predominantly directed against Muslims in Europe. It argues that assertive liberalism is separable into four loosely connected categories of liberal intolerance. Liberal intolerance is *liberal* because it entails the *rejection* of certain groups, their ideas, culture and practices on ostensibly *liberal* grounds. Liberal intolerance implies that they should be banned or discontinued. The four categories consist of different rationales for why things should be banned or discontinued. They regard a) the social conditions of possibility of the liberal democratic order; b) the violation of the constitutive liberal public-private divide; c) the value of personal autonomy; and d) the harm done to others by non-autonomous living.

Educational institutions are well suited for the study of both the extent and the nature of liberal intolerance because they are (seen as) pivotal institutions in society's transmission of values and identity to the next generation. Positively, they are conceived as the place to inculcate values of citizenship and the creation of national identity. And negatively, schools are expected not to violate or allow practices which are at odds with the fundamental identity of the society, either because they are public institutions run by the (local) government or because they are (partly) publicly sponsored and regulated.

The article will analyse debates concerning cultural and religious diversity in educational institutions in six different West European countries which have varying state traditions, education

systems and immigration histories, namely France, the UK, Germany, Denmark, Sweden and Ireland. Debates in these countries can, within the limitations of a small-N qualitative studies approach, give us a good idea about the extent and nature of liberal intolerance. Its nature is conceived in the combination of the different categories of liberal intolerance. The theoretical expectation is that the nature of liberal intolerance varies with a) the state tradition understood as the emphasis placed on the religious neutrality of public institutions and b) the type of welfare state. The latter because welfare states with universal welfare rights which are not dependent on individual contributions are more dependent on virtuous individuals and citizens who contribute actively to society through labour market participation and non-frictional participation in welfare institutions. A last expectation is c) that countries with long immigration histories are more accommodating towards cultural and religious diversity than countries with shorter such histories.

The article will, first, explicate the nature of assertive liberalism and relate it to (civic) nationalism. The two are analytically separable but tend to overlap empirically. Second, it will outline the four categories of liberal intolerance. Third, it will point to some additional principles and values which are central in debates on accommodation of diversity in education in general, before (in section four) turning to the analysis of the debates on accommodation of cultural and religious diversity in the six countries. The fifth section discusses the extent to which liberal intolerance varies with the state tradition, the type of welfare state and with immigration history.

Nationalism and assertive liberalism

The assertive liberalism affiliated with 'civic integrationism' and the civic zeitgeist has been called 'repressive liberalism' (Joppke 2007: 14-18), 'identity liberalism' (Tebble 2006), 'illiberal liberalism' or even 'Schmittian liberalism' (Adamson, Triadafilopoulos and Zolberg 2011; Triadafilopoulos 2011). It includes views and policies which argue for the defence of liberal

societies consisting of 'liberal people'. To some extent, this leads to the use of 'illiberal means' to achieve this goal. Among them is the more or less forced re-socialisation of minority group members. People who do not act responsibly and do not participate in programmes which will make them more suitable for the modern labour market are sanctioned. Immigrants are excluded from accessing certain rights, not least permanent residency and citizenship, if they cannot prove that they are good, reliable, economically self-sufficient persons who have acquired (the knowledge of) liberal values and the practice of 'active citizenship'. Examples of this include the introduction of mandatory integration programmes for the acquisition of language skills and the adoption of fundamental values and citizenship tests aimed at establishing whether people have internalized the proper values. The most notorious example of the latter was the Baden Württemberg naturalization interview guidelines (later discontinued) directed against Muslims, which presupposed that Muslims were likely to be against the liberal democratic values of the German constitution and to support extremist views (Joppke 2007: 15). A second example is the Dutch integration test, which requires potential immigrants to demonstrate 'integration' as a condition for even entering the country. Further examples include restrictions on wearing religious attire (e.g. burqa and hijab) and moves towards halting the practice of arranged marriage (Triadafilopoulos 2011: 862).

The assertive liberalism is described as a general phenomenon, like a zeitgeist which has been spreading across countries. And to be sure, there is a significant overlap between the analysis offered by Halikiopoulou, Mock and Vasilopoulou (2013) and Fozdar and Low (2015) regarding how arguments based on a defence of civic nationalism is used in an exclusionary manner and the diagnosis given by Tebble (2006), Joppke (2007) and Triadafilopoulos (2011) of assertive liberalism. The exclusionary force of civic nationalism targeted 'at those who do not share "our" liberal values such as democracy, multiculturalism and the rule of law' (Halikiopoulou, Mock and Vasilopoulou 2013: 112) is based on liberal values interpreted in a specific way. As Halikiopoulou,

Mock and Vasilopoulou perceptively observe, liberal ideology negotiates the boundaries between the liberal and the illiberal and is ambiguous as to whether the intolerant should be tolerated:

> Tolerance as inclusion may become intolerance as exclusion although still in the name of tolerance and liberal values, depending on where these boundaries are set, i.e. on the interpretation of liberal language (Halikiopoulou, Mock and Vasilopoulou2013: 112).

Assertive liberalism does indeed use liberal arguments to exclude people or deny the accommodation of difference. Still, however, liberalism can be analytically distinguished from nationalism.

Conservative nationalists emphasise the constitutive and inherently antagonistic nature of national identity and the need to remain loyal to the traditional values and institutions of society (Scruton 1999; Tebble 2006: 467-8) whereas liberal nationalists emphasise the democratic and dynamic development of the more inclusive, yet distinct nature of a common public culture and identity, which provides individual members with a sense of self and facilitates democratic deliberation and economic redistribution among citizens (Miller 1995). By contrast, assertive liberalism is based on concerns with the ability to preserve liberal principles, a liberal culture and a liberal identity in the presence of minorities in society who are not liberal people and do not subscribe to the same liberal principles which guarantee minorities the right 'to be different' in the first place (Tebble 2006). These immigrant minorities, Muslims in particular, are 'securitized' (cf. Huysman 2000) and increasingly seen as the constitutive other, the Schmittian 'enemy', which, at the same time, defines and threatens the liberal identity (Triadafilopoulos 2011).

Thus, nationalist arguments rely on a defence of society's national tradition or identity and on what is particular to *this society*. This applies even when the values defended are liberal values pertaining to a civic national identity. By contrast, liberal arguments rely on liberal values which should be defended regardless of the national tradition and identity. The rationale behind arguments is therefore different even if the conclusions are often the same. This also means that in (the analysis of) public debates, the two types of arguments can be difficult to separate, especially because civic nationalism is based on liberal values.

Four categories of liberal intolerance

The argument in the present article is that assertive liberalism can be analysed in terms of four different categories of liberal intolerance and that such an analysis will give us a more detailed understanding of its nature. The article here expands and applies the analytical framework developed in Mouritsen and Olsen (2013). For the purposes of simplicity and overview the four categories of liberal intolerance are labelled as follows: (1) Liberal Identity; (2) Public Neutrality; (3) Perfectionism; and (4) Harmful Non-Autonomy.

 (1) *Liberal Identity* intolerance is based on a liberal version of the instrumental argument for the value of a common national identity. The presence of too many groups with non-liberal identities makes the society 'too diverse' for maintaining the social underpinnings of a liberal welfare state and democracy (Goodhart 2004). The rationale is that the presence of non-liberal differences renders it difficult to mutually reassure ourselves that all are committed to the same liberal democratic values. This form of liberal intolerance results in a ban on illiberal differences or in an argument in favour of reinforced efforts to educate and socialize groups away from the illiberal differences they exhibit in their public *and* private practices. They need to integrate through adopting liberal society's key values.

(2) *Public Neutrality* intolerance is directed towards identities that challenge the key liberal private-public divide that, crucially, relegates religious questions to the private sphere and insists on keeping the public sphere culturally and religiously neutral. Galeotti's description of how liberal tolerance turns into its opposite catches this phenomenon well:

> The original liberal promise of openness towards the inclusion of anyone independent of her origin, culture, language, religion, and race, turns into resistance to accepting alien or oppressed groups into full citizenship. Such resistance is explained by the alleged threat to the neutral public sphere represented by groups who do not accept the principle of neutral citizenship. In other words, it is an argument for the self-defense of the liberal order (Galeotti 2006: 571).

This second category of liberal intolerance is based on a defence of a constitutive principle of the liberal order. Together, the first two categories of liberal intolerance are consonant with a view of liberal society based on public institutions which are neutral towards different conceptions of the good (life), even if it is a very particular construal of neutrality.

(3) *Perfectionism* intolerance, on the other hand, emphasises a particular liberal conception of the good. As a crude liberal perfectionism, it is directed against people who are seen as living traditional, non-autonomous lives out of tune with modern society. Living a non-autonomous life implies doing harm to oneself and ought not to be tolerated. Signs of non-autonomous lives are following convention, tradition and the submission to the authority of others in one's life choices. It is therefore also tied to the acquiescence to unequal or hierarchical relations with others. This form of liberal intolerance issues in calls to ban traditional or religious clothing and to counteract patriarchal social power.

(4) *Harmful Non-Autonomy* intolerance is based on the harm that living non-autonomously does to others. By living a non-autonomous life, you are not an appropriate role model for the next generation; you become unemployable in a modern labour market (and therefore welfare dependent) and generally unable to participate on equal terms in the institutions of a modern welfare society which requires certain competences and motivational dispositions among citizens. Non-modern, non-autonomous people are hence seen as 'harming' others *indirectly* through their reproduction of unwanted cultural patterns and identity formations, through their lack of smooth participation in modern institutions and through the economic burdens they place on others because of their welfare dependency. They should therefore not be tolerated. Instead, the aim should be to create liberal, responsible, reflexive and (economically) self-sufficient people (cf. Hansen 2011).

The four forms of liberal intolerance are connected to the extent that the creation of autonomous citizens is seen as a precondition for the maintenance of the liberal democratic order in which public institutions are neutral towards different conceptions of the good, not least religion, and for a well-functioning welfare state which, in turn, ensures equal opportunities for freedom, self-realization and active citizenship. The first two forms, *Liberal Identity* and *Public Neutrality,* go against the usual affiliation of liberalism with pluralism in the defence of the public institutions which maintain key liberal principles of equality, toleration and individual rights. The latter two forms, *Perfectionism* and *Harmful Non-Autonomy*, reduce pluralism by wanting to limit the ways in which individuals pursue their own life projects and represent an even more significant break with the usual association between liberalism and pluralism.

Principles and values in education

There are certain central principles, values and goals intrinsic to the field of education which may add to and detract from an impression of liberal intolerance as a dominating stance. First, adding to

the impression of liberal intolerance is the emphasis placed on the development of personal autonomy and civic virtues. This emphasis is evidenced in the UN Convention on the Right of the Child (CRC), which stipulates that education should be oriented towards the 'development of the child's personality, talents, and mental and physical abilities to their fullest potential' and 'the preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes and friendship' among national, cultural and religious groups (CRC, art 29, a, d). The emphasis on personal autonomy and civic virtues can be found in many national education systems (UNESCO 2011) and will tend to reinforce the impression of liberal intolerance in debates on education.

In addition to this, the CRC emphasises the need for education to support 'respect … for the national values of the country in which the child is living' (article 29, c). Similarly, much national legislation aims to create national identity (UNESCO 2011). Of course, the effect of the emphasis on national identity creation through education is likely to vary according to whether the conception of the nation is predominantly civic or predominantly ethnic. An ethnic conception of the nation is likely to result in nationalist intolerance towards diversity while a civic conception is likely to result in something that resembles liberal intolerance – even if the rationale behind it – as explained above – is different.

Second, detracting from the impression of liberal intolerance are values, principles and goals connected with multicultural and intercultural education, which has been placed on the agenda in a number of Western countries in response both to traditional ethnic and racial minorities and to more recent immigration-based minorities from non-Western countries. Commitment to such policies will detract from the impression of liberal intolerance as a dominant phenomenon in the debate. The aim of multicultural and intercultural education has been to improve relations between groups in society, raise the educational attainment of minorities, provide language support and equip students with the

intercultural competences required to live in diverse societies (Gillborn and Ladson-Billings 2004). The EU and the Council of Europe have developed programmes for increasing tolerance and awareness of the unity of people in Europe targeted for education and cultural policies (Faas, Hajisoteriou and Angelides 2014).

Moreover, concerns with the educational interest of minorities have also been subject to international conventions. The CRC speaks of

> the development of respect for the child's parents, his or her own cultural identity, language and values … the country from which he or she may originate, and for civilizations different from his or her own (article 29, c).

Similarly, the European Convention on Human Rights (ECHR) underlines the 'the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions' (Article 2, in Protocol no 11 to the ECHR). This can be seen as an individual right which parents should have when choosing education for their own children, but it also lays the basis for the protection of cultural and religious minorities (cf. Tinker 2009).

Finally, beyond values, principles and goals inherent to the field of education, assertive liberalism can be seen as a shift of emphasis away from a general rights-based liberalism oriented primarily towards protecting the 'negative freedom' of individuals. The rights-based liberalism implies that the state (society) abstains from intervening in the lives of individuals and citizens as long as they do not violate the rights of others. This rights-based liberalism is associated with post-national citizenship, where 'universal personhood' is the basis for bestowing equal (human) rights on persons regardless of their nationality or other particular features (Hollifield 2004; Soysal 1994). Similar to the concepts of intercultural/multicultural and of minority protection in education, this

rights-based liberalism constitutes a reservoir of concepts and arguments that proponents of the accommodation of cultural differences can invoke while still remaining on a general liberal terrain.

Taken together, this means that any debate on education and the accommodation of cultural and religious differences in general will be expected to be between positions which draw on different registers of arguments. Against accommodating cultural and religious differences in educational institutions will be arguments based on nationalism (ethnic or civic) or assertive liberalism. For accommodation of cultural and religious diversity will be arguments emphasising rights to negative liberty of individual and minority groups and arguments based on concepts of intercultural and multicultural education which will emphasise not only toleration but also some degree of positive recognition of cultural and religious differences within the education system.

Method

The following analysis is based on country studies of debates on diversity in education. The country studies were carried out in 2011 by national expert teams who have selected specific events which were the centre of controversies and deemed representative for the individual country. The controversies mainly concern public primary and lower secondary education. The studies are based on critical discourse analysis (Wodak 2009) and primarily rely on a combination of qualitative data from print and online media, official documents and interviews with actors located at different levels in the school sector (from politicians to students), all according to the nature of the event and the practical accessibility of data (e.g. the nature of 'archives', such as media databases). The primary emphasis in the present article is placed on media analysis in the individual country studies since they most genuinely represent the public debate in the respective countries (e.g. compared to debates among school professionals, lawyers or academics). [1] Where available, the country studies have in the present analysis been supplemented by other academic studies of the same event(s). The

qualitative nature of the overall analysis presented here makes the conclusions from the comparison between countries indicative rather than absolute.

As mentioned, the countries included in the present article are France, the UK, Germany, Denmark, Sweden and Ireland. However, since the Länder are responsible for the education system in Germany, the German case is limited to the Land of Berlin. Still, the Berlin education system is preconditioned on the Federal German State's constitutional framework. The countries have different state traditions in terms of the separation between state and church, education system and type of welfare state. They also have divergent immigration histories. The individual countries' separation between state and church and the general structure of their education system will be explained below. However, in a few words, France, Sweden and Berlin have conscious, albeit very differently construed principles of religious neutrality for the state and the education system while Denmark, Ireland and the UK do not rely on an explicit norm of neutrality. Following the simple tripartite distinction between welfare state regimes (Esping-Andersen 1990), Ireland and the UK are liberal welfare states based on means testing and low levels of transfers, France and Germany are continental welfare states in which social rights depend on individual contributions, and Denmark and Sweden are universal welfare states in which social rights are independent of individual contributions and not based on means testing. The expectation is that in countries with universal welfare states there would be less tolerance towards people who do not meet the requirements of the labour market and more generally are not able to participate in the institutions of modern society in a non-frictional way. This would be so because universal welfare states are more dependent for their funding on the labour market participation and tax payment of all groups in society than are continental and liberal welfare states (Van Kersbergen and Vis 2014: ch 4). Regarding immigration histories, France and the UK represent countries with colonial pasts and lengthy experiences with immigration. France has been a country of immigration since the 1880s and significantly since the

end of the Second World War with a substantial number of immigrants coming from (former) colonies. UK similarly had a significant number of immigrants from (former) colonies in after the War, some of them directly recruited to help with the post-war restoration. Germany, Denmark and Sweden have relatively shorter immigration histories. They had no (or few minor) colonies after the First World War and started to recruit guest workers from Southern Europe, Turkey, Morocco, Tunisia, and Pakistan in the 1960s and the early 1970s to work in the production. Ireland has only been country of net immigration since the middle of the 1990s.[2]

This broad selection of countries provides us with a good idea about how widespread liberal intolerance is, how it is articulated with other forms of intolerance, and how it is countered in the debate by arguments drawing on a different liberal register of principles, such as individual rights and non-discrimination, and on claims regarding the value of recognising cultural and religious identities.

The following section condenses the country studies of the debates for and against accommodation of diversity in education and analyses them in terms of the absence and presence of different categories of liberal intolerance in order to establish how widespread liberal intolerance is and how it varies from context to context.

France

Although France has seen some changes in its welfare regime with retrenchments and a new emphasis on active labour market policy (activation), France can still be seen as a continental welfare state (Palier 2010). The studied French debate regards the 2004 legal ban on conspicuous religious symbols in schools. The long prehistory for the debate was the Ferry laws of 1882 that made education laic, free and mandatory and the 1905 law on the separation of state and church which banned ostentatious display of religious symbols in state schools. The laws replaced religious

teaching with 'moral instruction'; to a large extent, the equivalent of civic education (Kastoryano and Escafré-Dublet 2011: 7). The principle of laïcité, in part created to defend the French state against the power of the Catholic Church, generally restricts religion to the private realm (Thomas 2012: 111). Public spaces such as schools should be free from religious expressions that might be detrimental to *inter alia* the freedom of conscience. Moreover, the republican interpretation of civic equality means that the particular backgrounds of students, including their religion, should not be recognised (Kastoryano and Escafré-Dublet 2011, 11). Until 1989, the Catholic Church was the main target of the laws against religion in schools. But with the first 'affaire du foulard' in 1989, triggered by three girls refusing to remove their hijabs in class, the target became Islam and, in particular, Muslim students (Kastoryano and Escafré-Dublet 2011: 8-9). The second veil affair took place in 1994, after Education Minister Bayrou issued a directive stating that veils were not contradictory to 'the values of the secular and republican school' unless they were used in connection with proselytising and disturbance of school activities (Winter 2006). The directive left it to school principals to decide on a case-by-case basis whether or not to forbid student to wear headscarves. Between 1994 and 2003, a number of incidents took place, including teachers' strikes, student pickets and judicial decisions regarding student expulsions, which kept the debate going (Winter 2006: 282). In 2003, the Stasi Commission recommended a ban on conspicuous religious insignia in schools (Winter 2006: 283). It appeared to serve Jacques Chirac's need to establish himself as the defender of national unity after having faced Jean Marie Le Pen in the second round of the presidential election in 2002 (Gemie 2004).

The ban was in part requested by school principals who wanted clear rules on religious clothing and symbols on school grounds (Kastoryano and Escafré-Dublet 2011: 14, Thomas 2012: 114-5). At centre stage was the religious attire of Muslim girls even if some Sikhs became 'victims' of the law

too. Some critics argued that the main aim of the law was to stigmatise Muslims and construct them as 'the other' of the French nation (Gemie 2004, Kastoryano and Escafré-Dublet 2011: 15).

Opponents of the ban cited the need to respect the individual choices of students. Wearing a veil might well imply a free and conscious choice on the part of adolescent girls, and denying this choice would imply a lack of gender equality. They also claimed that wearing the veil indicated a freedom from the acceptance of sexualised gender perceptions. Finally, they pointed to how the ban entailed discrimination in the right to education since it excluded the possibility of expressing one's religious identity while attending mandatory public education. The ban might push the Muslim girls out of attending the public school (Kastoryano and Escafré-Dublet 2011: 15, 21).

Supporters of the ban cited the need to protect the French laicist constitutional tradition, thereby using a civic nationalist form of argument. Other arguments more readily fit the description of liberal intolerance but draw on the militant laicist tradition in France. Originally, laicism was favoured by the left, which is critical of the Catholic Church, but later, when turned against the Muslims, it has (also) become a right-wing position (Gemie 2004; Laborde 2006). Allowing religious symbols in schools was thus seen as a transgression of the constitutive public-private divide which relegates religion to the private sphere. It was argued that French students should be able to study without being exposed to religion in their school environment. Wearing conspicuous religious symbols such as veils would amount to provocation and proselytism, and the ban would counter Islamist strategies for influencing families and female students (Kastoryano and Escafré-Dublet 2011: 21, Gemie 2004: 391). This *Public Neutrality* intolerance is tied to the notion that a clear separation between the public and private realms enables students to develop into autonomous persons because they are able to free themselves from the religious (and conventional) constraints placed on them by their family and by their cultural and religious backgrounds (Kastoryano and Escafré-Dublet 2011: 11). They will be able to think and act freely in the school environment (cf.

Laborde 2006, 359). In this sense, *Perfectionism* intolerance came into play. Similarly, the ban on religious symbols was seen as promoting gender equality as wearing the veil (and similar clothing) represented the subjugation of women and female sexuality to (religious) patriarchal norms (Kastoryano and Escafré-Dublet 2011: 21).

Sweden

Sweden is the key example of a universal welfare state where relatively generous social rights are universally accessible without means testing and are financed through general taxation (Kautto 2010). Sweden, like France, is a secular state (albeit a more recent one, see Gustafsson 2003), but has a significantly more multicultural policy legacy. Here, like in France, a key debate revolved around whether official guidelines should be made on religiously related clothing in schools and teachers colleges. In contrast to France, however, the issue was niqabs or burqas, which cover the face of students (and teachers). The issue was debated in 2003 because a school principal asked the national school authority advice on regulation of burqas and, again, in connection with the 2010 general election, when debate was triggered by a teacher college student who complained about discrimination because she was not allowed to wear the burqa.

The limited Swedish multiculturalism in place since 1975 promised recognition of cultural minorities in welfare policies (Hammar 1985: 33), but within the education system, the recognition of differences has, in practice, been rather restricted (Hertzberg 2011: 16). A central value has been 'equivalence'. Equivalence implies that all schools in Sweden (public as well as private) shall provide students with the same education by following the national curriculum and refers to a further ambition to secure 'socially integrated educational environments in which students from different ethnicities, classes and gender meet and interact' (Hertzberg 2011: 43). Together with the fundamental values of the Swedish education system consisting of 'tolerance, openness, gender

equality and a democratic disposition', 'equivalence' has limited the inclination to accommodate differences within the Swedish education system since they are perceived as progressive values which should help immigrant students to overcome parochial immigrant cultures (Hertzberg 2011: 16).

In the public debate, proponents of accommodation cited the need to respect the individual choices of students – hence drawing on a rights-based liberalism – and of recognizing how different veiling practices were motivated by faith. This position was mainly taken by people on the left of the political spectrum and a few liberals and conservatives (Hertzberg 2011: 33).

Opponents of burqas argued that they went against Swedish traditions and standards. They thus drew on a (ethnic) nationalist type of argumentation. Others with no explicit nationalist reference argued that covering faces went against the values of an open democratic society. Hiding behind a burqa did not allow people to know who they were addressing in public discourse and would undermine the democratic conversation (Hertzberg 2011: 33). This is an instance of *Liberal Identity* intolerance: Veiling becomes an indication of the lack of shared liberal democratic values which underpin a liberal society. Moreover, facial covering was seen as a sign of patriarchal repression of women and a break with gender equality, a central value of the Swedish society and education system.

Furthermore, burqa opponents invoked the right of the child to be free from religion and choose her own path autonomously, also a key value in the Swedish education system (as highlighted in interviews with practitioners, e.g. teachers). This right was seen as trumping the right of parents to ensure education in continuation of their religious worldviews. Moreover, to the extent that teachers were to wear burqas, it would be unclear how they could represent and transfer the value of gender equality to students (Hertzberg 2011: 45, 39-40). Calls to ban burqas in Swedish schools hence also

drew on *Perfectionism* intolerance pertaining to the safeguarding of personal autonomy and, in a very small measure, on *Harmful Non-Autonomy* intolerance according to which teachers wearing niqab or burqas would serve as bad role models for students (Hertzberg 2011: 33).

Finally, opponents of burqas claimed that they would simply obstruct the proper education of children since good instruction requires people to be able to read off facial expressions. There were also concerns about misidentification of students and fraud in connection with exams and so on (Hertzberg 2011: 33, 36-39). The latter was met with the pragmatic objection that identification of and communication with students could be obtained in a different manner, and the problem was really numerically insignificant. The Swedish case demonstrates three modalities of liberal intolerance as the burqa both represents an affront to liberal values *(Liberal Identity* intolerance), personal autonomy and lack of efficient functioning in the institutions of modern society (*Perfectionism* and *Harmful Non-Autonomy* intolerance).

Ireland

Although Ireland expanded its welfare state in the years of economic growth and has instituted new modes of governance in the area of welfare (social partnership), the Irish model was still appropriately considered a liberal welfare when the economic crisis struck in September 2008 (Dukelow 2011). In May 2008 a debate arose in Ireland when a student wanted to wear a hijab at a catholic school and the school headmaster asked the Ministry of Education for guidelines regarding veils because he was concerned about the possibility of the student transferring to other schools later on (Honohan and Rougier 2011: 31; Rougier 2013). The background in Ireland is very different from that of France and also Sweden in that the right to denominational education is guaranteed in the Irish constitution and mainly realised through privately and predominantly religiously organised schools funded by the state. More than 90 per cent of schools in Ireland are

affiliated with the Catholic Church. In general, schools are based specific religious *ethoses* which are part of the general curriculum and teaching practices and not reserved for specific religious education classes. Muslims are a minority and, in most cases, left to attend Christian schools (predominantly Catholic). The correspondence between headmaster and Ministry was picked up by the press, and the debate began.

Proponents of accommodation referred to the equal right to express religious identity while attending mandatory schooling. Disallowing veils would imply discrimination in the right to education. Moreover, deciding to wear a veil and thereby going against the expectations of the majority culture could be seen as a sign of reflection and autonomy on the part of young women (Honohan and Rougier 2011: 33).

However, arguments against the veil dominated the debate. One was based on a form of ethnic nationalism which claimed that allowing the veil would lead to segregation and a dilution of Irishness. Those arguing that 'Irish girls don't wear headscarves' tended to conflate Irishness with Catholicism (Honohan and Rougier 2011: 35; Enright 2011: 470). This argument hence combines a form of ethnic nationalism and *Liberal Identity* intolerance: Too much recognition and focus on difference would make Irish society 'too diverse'. A second argument against veils in Irish schools took a different turn altogether and pleaded for the creation of a religiously neutral education system free of religious symbols and affiliations which would relegate religion to the private sphere. It hence took on the French approach and argued in consonance with *Public Neutrality* intolerance that future public schools should be free from religion. This proposal would require a complete re-organisation of the education system and a constitutional change (Hogan 2005). The third argument against rested on *Perfectionism* intolerance and portrayed the veil as a sign of oppression of women in a patriarchal and backwards Muslim culture. Allowing veils in schools would subject individual girls to peer pressure to adopt the veil against their will and would not allow them to resist parental

authority. An enlightened and liberal Irish nation should protect equality and autonomy by banning the hijab in school (Honohan and Rougier 2011: 33; Rougier 2013).

Berlin (Germany)

Despite the *Hartz* reforms and a new and stronger emphasis on activation and women's labour market participation Germany is considered a continental welfare state (Palier 2010). In Germany, the education system is the responsibility of the Länder. And as mentioned, the focus here is the Land of Berlin, which pursues a religiously neutral education system with a 'Law on Neutrality' banning ostensive religious symbols on buildings and school staff. Berlin is different in its secularism from other Länder, some of which have banned Islamic *religious* symbols while still allowing Judeo-Christian ones as part of the *cultural* (i.e. not religious) German tradition (Von Blumenthal 2009; Korteweg and Yurdakul 2014: 149-50). The German constitution also demands neutrality towards religion but, in contradistinction to France, endorses the principle of positive neutrality according to which the state should treat all religions equally. It entails state collection of church taxes for recognised religious communities and that schools should provide voluntary confessional religious classes taught by representatives of those communities. Another significant difference is that religious symbols worn by students, such as veils, are not forbidden. The Berlin controversy took place on the wider background of a national debate on (Muslim) religious symbols in education spurred by the *Ludin case* decided by the Bundesverfassungsgericht in 2003. While deciding in favour of the right of the Muslim Badem-Wurttemberg public school teacher (Fereshta Ludin) to wear her headscarf at work, the court indicated that the headscarf as a religious symbol could endanger the national educational mission since the headscarf was 'a symbol of Islamic fundamentalism that expresses the separation from values of Western society' (cited in Korteweg and Yurdakul 2014: 137). The court decision led to new legislation regarding cultural and religious symbols in public institutions at the level of several individual Länder, including Berlin. The Berlin

controversy revolved around a Muslim student who took his school to court for not providing him with the possibility of praying on school grounds (Mühe 2011: 12). In 2008, the court decided that the school should accommodate the student, but the Berlin senate appealed to decision on behalf of the school, and in 2010 and 2011, the next level courts decided against the student out of concern for maintaining the peace at school (Rubin 2012). At the more general level, the discussion stood between the positive freedom to express and practice one's religion while attending mandatory schooling and the negative freedom of others of not being exposed to religious proselytising at school.

People in favour of accommodating the student's demand cited equality and non-discrimination in the right to education. People should be able to express their religious identity while attending mandatory public education. Others referred to the principle 'positive neutrality' in the German constitution. A final pro-accommodation argument pointed to the possibility of establishing a multi-religious-purpose room with no religious symbols which would meet the religious needs of students and maintain the neutrality of the education system (Mühe 2011: 12-13, 17). The arguments against were, first, evincing *Public Neutrality* intolerance, that allowing prayer at a school would amount to a transgression of the liberal public-private divide and that public institutions should afford students with a religion free educational environment without pressure to observe religious norms and practices. The argument thereby slid over into *Perfectionism* intolerance. A second argument was simply that the tolerant liberal order should not tolerate intolerant religious groups: The religious rights should not be used to extinguish the religious freedom of others. This is a clear example of *Liberal Identity* intolerance: Muslims are presumed not to respect the religious freedoms of others and therefore endanger the liberal society. A final argument against accommodation was that allowing outwards religious proselytising would result in social conflict and endanger social order, the argument relied on by the highest level courts (Mühe 2011: 14-17, Rubin 2012).

Denmark

Denmark is a universal welfare state which despite retrenchments of social welfare rights still relies to a very high degree on the labour market participation of all groups for its funding. Denmark does not have a strict separation between state and church. 'The People's Church' has a special standing in the constitution and is supported by the Danish state. The education system is predominantly secular although non-confessional classes on religion, called Christianity studies, is dominated by Christianity. The Danish school system is rather decentralised with municipalities and local school boards responsible for individual schools. Religious symbols are not prohibited, neither on buildings, staff or students. In Denmark, controversy arose in 2010 when a Copenhagen public school had invited *only mothers* to attend a meeting regarding bullying. This reached national newspapers because a *father* complained about discrimination. The argument in favour of this form of gender-separated meetings was that meetings with both genders present would keep certain groups of immigrant mothers from attending the meeting. The main aim of the school was to ensure the best conditions for the education and welfare of students, and contact with all relevant parents is crucial from this perspective. Moreover, this form of pragmatic accommodation creates contacts with different parent groups and leads to better long-term communication with and inclusion of immigrant women in the school community (Olsen and Ahlgren 2011: 19). Other arguments in favour of the particular school's way of handling the issue was that local school autonomy in the relatively decentralised Danish school system should be respected (Olsen and Ahlgren 2011: 18). A final pro-accommodation argument rested on an anti-paternalist argument for the need to regard immigrant parents as equal and competent adults who have the right to make even wrong decisions on their own behalf. They need not be socialised by the Danish school system (Olsen and Ahlgren 2011: 19).

Arguments against accommodation rested on a mild civic nationalism which demanded that the Danish school transmit the national tradition and values; civic because the cited values were predominantly liberal values. Nationalism therefore shaded over into a form of liberal intolerance claiming that the school should transmit liberal values not only to the children but also to parents. Central here was gender equality, and gender equality means that both men and women should be able to attend the same meetings and that both men and women take on equal responsibility in the rearing of children, thereby also serving as good role models for coming generations (Olsen and Ahlgren 2011: 17-18). The anti-accommodation stance drew on *Liberal Identity* intolerance in that the gender-separated parent meetings represented a lack of integration into Danish liberal society and was seen as perpetuating such deficient integration. It also drew on the *Perfectionism* and *Harmful Non-Autonomy* intolerance in that accommodation was seen as bowing to norms which go against the equality of women and their ability to develop into fully independent individuals and citizens.

The UK

Although the UK has made reforms to increase employability and has improved family policies, the UK can still be considered a liberal welfare state (Chung and Thewissen 2011: 362). In the UK, a debate revolved around a proposal from the Muslim Council of Britain (MCB) in 2007 to positively accommodate the religious interests and identity of Muslim students and their parents at schools following what MCB thought was 'best practice' in the field. To further this, the MCB, a private organisation, published guidelines which *inter alia* suggested the inclusion of religiously mandated dress requirements (British students wear uniforms) and accommodations with regard to physical education. The general motivation was to affirm the positive identity and the self-worth of Muslim students and, through this, enhance their academic success, which is lacking behind that of other minority groups in the UK (Dobbernack and Modood 2011: 15).

The British school system has a large degree of local autonomy through which the Local Educational Authorities and individual schools have a tendency to accommodate its local constituency to quite a large extent. The British system also includes (partly) state-funded schools which are denominational (the majority tied to the Church of England). The British state is officially tied to the Anglican Church. The British Sovereign is the governor of the Church and Church Bishops are sitting in the House of Lords. The British system is thus quite different from the French with its strict separation between state, church and religion.

The guidelines spurred debate between proponents and opponents of this type of religious accommodation in schools. The basic argument for was that respect for and recognition of religious identity are important for academic success. Moreover, drawing on rights-based liberalism, some proponents argued that children had the right to education in continuation of the religious worldviews of their parents. Pragmatists argued that if good compromises could be found and they were not too costly to implement, then accommodation should be sought. Others based their arguments on the national tradition for schools catering to the local community's needs and for respecting the content of people's religious choices (Dobbernack and Modood 2011: 18-19).

In general, proponents of accommodation relied on a rights-based liberalism and on multiculturalist claims regarding the importance of recognising identities. By contrast, most anti-accommodation arguments drew on rationales which can readily be described as liberal intolerance. Consonant with *Liberal Identity* intolerance, opponents argued that accommodation would reinforce and result in segregation and that British society would therefore disintegrate. The most extreme opponents saw the proposal as the first step towards creating an Islamic state and argued that no toleration should be shown towards the non-tolerant. This blended in with ethnic nationalist arguments claiming that Islam was alien to the British nation (Dobbernack and Modood 2011: 20-21). Another prominent argument against accommodation was that it would tend to essentialise religious identities in a way

that would undermine individual freedom and autonomy. Students should be allowed to be free from or choose their own religious identities. This *Perfectionism* intolerance was followed by the complaint that accommodating Muslim students would mean that other students would not be free from religion while attending school, hinting at *Public Neutrality* intolerance. A final argument of a less principled nature stated that accommodation would create resentment among non-Muslims to such an extent that it would endanger social order (Dobbernack and Modood 2011: 21).

Varieties of liberal intolerance

The six cases all show elements of liberal intolerance (Table 1 gives an overview). The most prevalent are *Liberal Identity* and *Perfectionism* intolerance. *Liberal Identity* intolerance represents concerns with the general diversity of society, either as a sign of lacking integration around liberal values or that accommodating diversity in education would lead to further disintegration. France is perhaps the exception here, but in France, the defence of the constitutional tradition as part of a civic nationalist argument has been central.

Table 1: The nature of liberal intolerance

	1. Liberal Identity	2. Public Neutrality	3. Perfectionism	4. Harmful Non-Autonomy
France		X	X	
Sweden	X		X	X
Ireland	X	(X)	X	
Berlin	X	X	X	

Denmark	X		X	X
UK	X		X	

Perfectionism intolerance is also present in all countries, indicating that the autonomous and equal development of both girls and boys are central values. These values should be defended against the consequence of recognising religious identities and/or the right of students and parents to express religious identity at school and to choose education in continuation with the traditional and religious worldviews of their family and minority community. The prevalence of *Perfectionism* intolerance is perhaps unsurprising given the importance of the value of autonomy within the field of education in general.

Looking at *Liberal Identity* and *Perfectionism* intolerance does not give us the idea that the nature of liberal intolerance varies with the country and the education system. This changes if we look at the *Public Neutrality* intolerance and, to some extent, *Harmful Non-Autonomy* intolerance. With regard to the *Public Neutrality* intolerance, the demand that public institutions are free of religious symbols and expressions has been found in the contexts in which this has been explicitly addressed, notoriously in France but also in Berlin, which aims to achieve religious neutrality in public institutions with its *Neutralitätsgesetz*. Of course, the demand in Ireland for religiously neutral schools somewhat contradicts this conclusion since the demand here fundamentally goes against the current system.

In France and Berlin, the demands for religiously neutral schools are explicitly tied to the value of personal autonomy. The same applies in the UK, where freedom *from* religion was also linked to the value of personal autonomy, but where demands for strict separation between the public and the

private were not that strong. In Ireland however, the demand was more connected with *Liberal Identity* intolerance in that the continued denominationally based education with the future inclusion of Islam would lead to creation of non- or anti-democratic citizens. Such citizens, lacking the proper virtues and competences for exercising political autonomy, would undermine democracy.

Explaining the second variation in liberal intolerance, that is, the absence/presence of *Harmful Non-Autonomy* intolerance, is more speculative, and this may be due to the specific nature of the cases selected in that they, in part, concerned the role of adults in education, either as parents (Denmark) or future teachers (Sweden). Their status as role models for children and how they may thereby be harmed as well as the issue of the 'fit' or 'functionality' of people as participants in modern societies are more easily triggered by adults than by children. However, as explained above one hypothesis would be that the more comprehensive the welfare state is and the less based it is on individual contributions, the more focus there will be on the functionality of (future) citizens. This would imply a higher level of *Harmful Non-Autonomy* intolerance in universal welfare states than in other types. And the pattern of absence/presence of this type of intolerance fits this hypothesis.

The third dimension in the comparison, relating to states with long and short immigration histories respectively, do not seem to matter for the pattern of absence/presence of different categories of liberal intolerance. The tradition of separating state and church and, more specifically, of the religious neutrality of the school system would seem to be more important.

Conclusion

The reaction towards immigrants and, in particular, Muslims from non-western countries has been analysed both in terms of an exclusionary civic nationalism and in terms of an assertive liberalism. The article has argued that nationalism and liberalism are analytically distinguishable even if they are difficult to disentangle empirically. It has suggested that the assertive liberalism can be

subdivided into four categories of liberal intolerance and demonstrated this by analysing debates on the accommodation of cultural and religious diversity in education in six European countries. Within the limitations of a small-N qualitative studies approach, the analysis demonstrates that liberal intolerance, as suggested by other studies, is fairly widespread. It also suggests within the same limitations that the nature of liberal intolerance varies with the constitutional tradition, the system of education and (perhaps) with the type of welfare state. At the same time, it is clear that within the field of integration policy in general and in education policy in particular, there is a generally liberal repertoire of arguments stretching across national and institutional contexts that can be used for and against accommodation of differences. Arguments for draw on a general 'rights-based liberalism' and, to a very limited extent, multiculturalist claims for recognition, while those against draw on an assertive liberalism, which defends liberal democratic principles, society and people against illiberal principles and forces.

Notes

1. The article is based on country studies carried out by national experts as well as a comparative report written by the present author and subsequently discussed with the authors of the country studies (see Olsen 2012). This work was carried out under the European Union based ACCEPT-Pluralism research project (1 March 2010 to 31 May 2013). The country studies were not based on a quantitative score keeping of how many persons held which views or on the statistical frequency with which specific views were expressed. The present analysis is mainly dichotomous in the sense that it relies on the absence or presence of different types of arguments including the four categories of liberal intolerance. However, it does take in to consideration whether views were central or peripheral in the respective national debates. The reported conclusions regarding the latter rely on the interpretative judgments of the authors of the individual analyses. Please refer to the project

webpage of the ACCEPT-Pluralism project: http://www.accept-pluralism.eu/Home.aspx. The project was funded through the EU's seventh framework programme.

2. Comparable numbers for the cultural and religious diversity of the six countries are difficult to create due to different regulations on and methods of registration of people according to their religion, ethnicity, (previous) nationality and descent. The controversies under study all regard issues closely linked to Muslim students. The Pew Research Center (2015) estimates that France has 7.5 percent Muslims in its population, Germany has 5.8 percent, The UK has 4.8 percent, Sweden has 4.6 percent, Denmark 4.1 percent and Ireland 1.1 percent. However, the main argument for the expectation that immigration history matter is that varying immigration histories have provided the general public and educational institutions with different experiences and perspectives regarding the accommodation of cultural and religious diversity. It is not that the differences in the number of (third country) immigrants or Muslims in each country by themselves make the difference.

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