The hijab in the (denominational) Irish education system – tolerated or accepted?

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Abstract
This paper explores the subtexts of the controversy generated by the hijab in Irish schools and, more specifically, what these reveal about the Irish education system’s level of acceptance of (religious) diversity, as assessed on a spectrum of non-toleration, toleration and respect-recognition. Using a critical discourse analysis approach, the study highlights and examines the main argumentative strategies through which the hijab controversy and its repercussions have been constructed and debated in Ireland. These reveal that, while the Irish education system has been able to offer a level of structural and practical accommodation to (religious) minorities – including Muslims – acceptance of religious diversity can be dependent on a number of factors, including the limited nature of the claim and the size of the minority, and is also conditional on the consequences of such diversity for the schools’ self-perception.

Keywords: schools, diversity, tolerance, Muslims, hijab

Introduction
Religious diversity has made accommodation in education a long-standing issue in Ireland. The position of religion has been distinctive among European countries; it was framed originally by the constitutionally favoured position of the Catholic Church and simultaneous recognition of other religions, in a settlement different from the strict separationist, establishment, and other accommodational models found in various European countries. Education has been organised on a largely denominational basis, while primarily funded by the state.¹ Most schools are managed by the Catholic Church, but there are also Protestant, Jewish, Muslim and multi-denominational schools. This constitutes a level of recognition for majority and minority religious groups in education and pluralism can thus be seen as a foundational principle of the Irish education system – enshrined in the Constitution (Arts 42 and 44).

Trends in religious belief have however brought about pressures of various kinds on these structural arrangements, and recent immigration to Ireland has led to increasing...
diversity, as immigrants increased from 3% of the population in 1993 to 6% in 2002 to reach 12% in 2011 originating now from more than 190 countries (Ruhls 2006; CSO 2008, 2012). While immigration has benefitted Ireland economically and provided a welcome cultural diversity, it has posed certain challenges for schools with little prior experience of dealing with ethnic, cultural, linguistic and to a certain extent religious diversity (Devine 2005; Smyth et al. 2009; Gilligan et al. 2010). According to the latest available figures, in 2009/2010 approximately 9% of students at post-primary level, and in 2007 10% at primary level were migrants (DES/OMI 2010).

In line with the Office of the Minister for Integration’s perception that “efforts in education are critical to preparing immigrants, and particularly their descendants, to be more successful and more active participants in society”, the Department of Education was designated as having a central role to play in “dealing with the integration of migrants into Irish society” (OMI 2008, 67) and a dedicated ‘integration unit’ within the Department of Education was established in October 2007. Intercultural educational materials and guidelines have been produced by various statutory and non-statutory agencies in recent years. Most notably, the National Council for Curriculum and Assessment (NCCA), an advisory body to the Department of Education, published intercultural guidelines for both primary and secondary schools (NCCA 2005, 2006).

While overall perceived as enriching the schools’ “cultural capital” (Devine 2009), the incorporation of newcomers has not always been a smooth process and some minorities have generated particular attention and required special accommodation. This paper explores how the growing contingent of Muslim pupils in particular has raised new challenges to the tolerance and flexibility of the (denominational) Irish education system and how these have been perceived, framed and responded to by different social, political and education actors.

**Muslims and education in Ireland**

According to the 2011 census, there are 49,204 Muslims living in the Republic of Ireland. The community has increased by 51.2% since 2006, a slower rate than between 2002 and 2006 when the number rose by 70% (from 19,147 to 32,539) (CSO 2007, 2012). Although Muslims can claim to be Ireland’s third largest faith group, Islam is still relatively insignificant, representing only 1.07% of the total population. Muslims are however an important part of the growing ethnic, cultural and religious diversity in Ireland; it is a rapidly growing minority, one which is potentially ‘visible’ and may be the only ‘new religious minority’ with the potential truly to challenge Irish society.

There has been limited research on Muslims in Ireland, and few surveys on the perception of Muslims in Ireland. A 2006 poll of Muslims themselves revealed that more than two-thirds felt Islam was compatible with Irish life and that 77% felt accepted (Lansdowne Market Research 2006). In general, the Irish media has been relatively indifferent, which may reflect a certain ‘isolation’ of Muslims from the ‘mainstream community’ – a separation which can be both chosen and suffered. However, the
experience of living in Ireland has been generally positive for Muslims. For Ali Selim (2005), spokesperson for the Islamic Cultural Centre of Ireland (ICCI), Muslims have integrated well into Irish society and have avoided the assimilation model, preserving their faith and way of life.

There are currently two Muslim state-funded primary schools in Dublin: the Muslim National School, set up by the Islamic Foundation of Ireland (IFI) in 1990 and now hosted by the ICCI in South Dublin, and the North Dublin Muslim School established in 2001. Both schools follow the ‘normal’ Irish school curriculum, but have an Islamic ethos, teaching Arabic and Qur’anic studies. For Ryan (1996, 58), “The Muslim National School was the first such school to be recognised in these islands and will stand as a monument to the respect accorded by the Irish State to the religious beliefs of minority groups”. In an alternative view, these schools also represent Muslims simply making use of the denominational nature of Irish education. There are no Muslim secondary schools in Ireland and therefore Muslim children in secondary education (as well as the majority in primary education) attend mainstream Irish schools, which are mainly denominational (over 90% Catholic). The presence of a religious ethos and of a large number of single-sex schools is often attractive to Muslims; however, students can encounter a number of issues regarding food, prayer and religious dress (especially the hijab).

Religious garments and symbols to be seen in Irish schools include Christian crosses, the Sikh turban and Kara (bangle), and the Jewish kippah (NCCRI 2007). Some school uniforms include crests with religious symbols including the sacred heart and crosses. Regarding the hijab, most schools came to permit it as long as it is in the school’s uniform colours, although there is no consensus on the issue. Controversy arose in May 2008 after the parents of a 14-year-old girl requested that she be allowed to wear the hijab to school in Gorey, Co. Wexford. The principal accommodated her, but was concerned about the absence of national guidelines or policy on religious dress, and wrote to the Department of Education seeking guidance and requesting ‘official’ guidelines on the matter. The issue came to public attention when the Irish Times published the correspondence between the Department and the principal, catapulting the matter into a national debate. The issue quickly gained momentum, sparking off controversy and extensive media coverage. Columnists, politicians, Muslim representatives, NGOs and ordinary people argued for and against in newspapers, radios and on the Internet, and even the international news channel Al Jazeera paid a visit to Gorey (Enniscorthy Guardian 2008).

The Office of the Minister for Integration undertook a consultation in order to devise a formal set of Departmental guidelines for future reference. On 23 September 2008, the Ministers for Education and for Integration jointly agreed recommendations on school uniform policy. The recommendations were that:

1. The current system, whereby schools decide their uniform policy at a local level, is reasonable, works and should be maintained.
2. In this context, no school uniform policy should act in such a way that it, in effect, excludes students of a particular religious background from seeking enrolment or continuing their enrolment in a school. However, this statement does not recommend the wearing of clothing in the classroom which obscures a facial view and creates an artificial barrier between pupil and teacher. Such clothing hinders proper communication.

3. Schools, when drawing up uniform policy, should consult widely in the school community.

4. Schools should take note of the obligations placed on them by the Equal Status Acts before setting down a school uniform policy. They should also be mindful of the Education Act, 1998. As previously mentioned, this obliges boards of management to take account of ‘the principles and requirements of a democratic society and have respect and promote respect for the diversity of values, beliefs, traditions, languages and ways of life in society’ (Department of Education 2008).

In September 2010, further Guidelines for Catholic schools on how best to integrate students of other faiths were issued by the Joint Managerial Body of Catholic secondary schools (JMB). They too emphasised “accommodation and dialogue” between schools and parents and, most significantly, drew a distinction between the hijab, which is accepted in Catholic schools, and the niqab, the full veil worn over the face, which is not.

**Focus and methodology of the study**

The hijab has attracted much academic attention over the past 30 years. Scholars in many disciplines, from law to religious studies, have examined its growing presence and visibility in Europe and its socio-political implications in different contexts (Bowen 2007; Joppke 2009; Mac Goldrick 2006). In several European countries (France, Belgium, Germany, the Netherlands and the UK), the hijab has become a very sensitive issue, giving rise to legal disputes and political controversies, and schools have been the primary arena for the explosion of clashes since the mid-1980s. While it has never reached the turbulent proportions of some of its EU counterparts, the Irish ‘hijab affair’ has also generated some academic interest, mainly from the perspective of constitutional and legal issues, human rights and citizenship claims/implications (Enright 2011; Hickey 2009; Hogan 2005, 2011; Mullally and O’Donovan 2011).

This paper focuses on the subtexts of the controversy generated by the hijab in Irish schools. Exploring how the public, political and media debate was framed, it investigates underlying meanings in the discussions regarding the presence of Muslims and Islam in Irish schools and, more specifically, what these reveal about the Irish education system’s level of acceptance of (religious) diversity. Acceptance is here assessed on a spectrum of non-toleration, toleration and respect-recognition...
The hijab in the (denominational) Irish education system – tolerated or accepted? (Dobbernack and Modood 2011; 2013), representing a particular conceptual perspective on contestations of religious (or cultural) diversity in European societies. These three classes thus provide an analytical tool to locate and classify responses to the challenges of diversity; “they allow us to explore the critical boundary issues in-between the refusal and the concession of tolerance and between toleration and more demanding responses such as of equality, respect or recognition” (Dobbernack and Modood 2011, 21).

The study combined secondary data from desk research and an empirical study. The desk research included over 80 media items (newspaper articles, TV and radio recordings), Oireachtas (Dáil and Senate) debates, official reports, position papers and academic works. The empirical study comprised 11 semi-structured qualitative interviews with two educationalists; a school principal; a former representative of the National Consultative Committee on Racism and Interculturalism; a representative of the National Association of Principals and Deputy Principals; a Fine Gael politician; a spokesperson for the Islamic Cultural Centre of Ireland; a Muslim mother; two Muslim students wearing the hijab (one born and raised in Ireland and one originally from the Middle East); and a high ranking member of the Catholic Church. An interview guide was developed from the initial desk research and adapted to each respondent. Interviews were carried out between March and June 2011 and lasted between 30 and 60 minutes. They focused not only on the issue of the hijab but also on the broader issues of tolerance and diversity in Ireland. With the exception of one interview conducted by phone, all interviews were recorded and transcribed verbatim. A discussion group was also organised with eight experts in the field of education and/or immigration in June 2011. With the participants’ agreement, the two-hour session was also recorded.

The data were analysed using a Critical Discourse Analysis (CDA) approach (Wodak 2001; Wodak and Meyer 2009). CDA was chosen as it highlights the discursive nature of social relations of power in societies, and especially the labelling of social actors and the construction of ‘us’ and ‘them’. These discursive constructions proceed to the generalisation of positive or negative attributions and the elaboration of arguments to justify the inclusion of some and exclusion of ‘others’. These, in turn, can intensify or mitigate society’s levels of acceptance of religious and cultural diversity. The analysis involved a multilayered process of reading, coding and interpreting each of the texts to derive recurring patterns and themes and extract the main argumentation strategies – discursive topoi – through which the event and its repercussions have been constructed and debated. Topoi (singular: topos) are “specific ‘structures of arguments’ which are linguistically ‘realized’ through argumentative strategies leading – quasi as ‘short-cut’ (frequently without providing data and warrants) – to a particular (logical and intentional) conclusion intended by the author of a text” (Krzyzanowski, Triandafyllidou and Wodak 2009, 9).
Analysis of the hijab debate

While the hijab issue has involved an intricate web of stereotypes, prejudices and discriminations with regard to gender, religion, ethnicity, nationality and citizenship, three main discursive topoi can be identified in the Irish debate: ‘gender rights’; ‘integration vs. segregation’, and ‘Religion in schools – and beyond’.

The ‘gender rights’ topos

This topos encompassed debates about ‘protecting vs. rejecting the veiled woman’. Media commentaries covered the full spectrum of feminist perspectives, with contributors voicing either support for or absolute opposition to the hijab in Irish schools (and Irish society), while invoking women’s and/or individuals’ ‘rights’. In the Irish Independent, for instance, Devlin (2008) asserted that the headscarf is inherently oppressive and that accepting it would open the door to “even more repressive” practices, evoking arranged marriages and female circumcision, while Edwards (2008) equated the hijab with child abuse. In the Sunday Business Post, O’Connor (2008) argued that “No matter how you spin it, this is such a visible sign of inequality, it can only harm women’s efforts in furthering equality. Just ask women in Afghanistan or in Iran”. The Department of Education’s (2008) report similarly acknowledged that: “There was also some concern expressed that the hijab is worn by some women as recognition of a second class status in society and is enforced by some parents to emphasise the lower status of women. (...) Schools should seek to counteract such attitudes in their work in the area of intercultural understanding” (para. 2.2.).

Here a discourse of protection is equated with the promotion of gender equality through the protection of Muslim girls from oppressive and patriarchal foreign practices. Within this discourse of ‘protection’, it is perceived as Ireland’s duty, as an ‘enlightened’ and ‘liberal’ nation, to counter such tendencies by, for instance, banning the hijab from schools. This resonates with other European hijab debates and European Court of Human Rights rulings that view the Muslim headscarf as incompatible with gender equality and necessarily oppressive (Evans 2006). This type of discourse can be interpreted as undermining the status of the veiled girl/woman as an autonomous agent and relegating her to a category of ‘woman in need’ of the state’s protection while her personal desires and aspirations are simply ignored. This discourse construes the veiled girl as not only ‘different’, but also ‘inferior’.

However, in the media debate a minority were supportive of Muslim girls’ choice; their discourse focused on the protection of the girls’ rights: their rights to religious freedom and to freedom of choice. O’Brien (2008a), for instance, regarded the demand to wear the hijab in Irish schools as an indication of autonomy, stating that “a girl who makes the request to wear [the hijab] in school is likely to have thought about it and be clear about what it means to her. She is doing something brave and countercultural”. Here the notion of protection is centred on individual rights and freedoms. In this perspective, the hijab is perceived and construed as empowering,
as enabling girls to take control of their bodies, giving them a distinct identity and a sense of belonging to a wider Muslim community.

Despite their presence in the media debate, neither the issues of gender rights nor arguments portraying the hijab as either oppressing or liberating Muslim girls featured strongly in the interviews, underlining the lack of prominence of this issue in the Irish school debate. None of the three respondents who wore the hijab themselves emphasised the ‘gender issue’ although the Muslim mother emphasised that she would “fight for future generations’ right to wear the hijab” in schools should that right be challenged again. Interestingly, one interviewee highlighted a different ‘gender issue’ with regard to Muslims in schools – some Muslim boys’ attitude towards female teachers and their potential “lack of respect” or “lack of recognition of the authority” of female teachers.

The opposing views apparent in the media debate reflect conflicting perspectives and interpretations of human rights. While those opposing it perceive women’s rights as endangered by the hijab and what it (supposedly) represents, those who support the wearing of the hijab in Irish schools perceive a ban to be an infringement of individuals’ right to (religious or cultural) self-expression.

**The ‘integration vs. segregation’ topos**

The issue went beyond the question of the hijab in schools to embody the first controversy concerning Muslims’ presence and their potential claims for recognition in Ireland. The second topos that emerged – the ‘integration vs. segregation’ topos – encompassed debates about the nature of Irish interculturalism. These debates originated mainly from statements made by the girl’s family and the opposition parties (one of which, Fine Gael, is now in government). Speaking on Al Jazeera, the girl’s father accused the government of repressing minority rights, stating: “It is time the world witnessed the true face of Ireland. It has silently repressed Muslim rights while flaunting itself as the bastion of democracy for far too long. The issue of the hijab is a reflection of how Ireland treats its minorities” (Murphy 2008). He argued that it was not an immigration issue but was about freedom to practise religious beliefs and the importance of tolerance. To the argument that he should assimilate, he responded that he was Irish and Muslim.

The education spokesmen of the two main opposition parties at the time argued that the hijab raises crucial questions around the Irish approach to cultural difference, and called for a ban on the hijab in Irish schools. Labour’s Ruairí Quinn (now Education Minister) indicated that he was no longer a supporter of multiculturalism but a believer in integration, following his study of other European countries’ experiences. He stated: “If we want to avoid the problems associated with other countries, we have to be as integrationist as possible”. As a result, his stance on the hijab was also clear: “If people want to come into a western society that is Christian and secular, they need to conform to the rules and regulations of that country... In the interests of
integration and assimilation, they should embrace our culture... Irish girls don’t wear headscarves” (McDonagh 2008). Fine Gael’s Brian Hayes also gave his support for banning the hijab in schools, adding that “[t]here is enough segregation in Ireland without adding this to it” (McGee 2008).

In the context of schools themselves, the accent was also on ‘integration/assimilation’ with a strong emphasis on downplaying differences and on ‘treating everybody the same’ and, in that spirit, most schools have been reluctant to develop a formal policy on cultural diversity (Smyth et al. 2009). The Department of Education’s (2008) report also emphasised school uniforms as an instrument of integration: “School uniforms are generally viewed by schools as a means of providing a group identity for pupils, thus eliminating possible competition amongst students in matters of dress and the wearing of jewellery, etc.”. Views downplaying differences were also deliberately expressed in the Association of Secondary Teachers of Ireland’s submission to the government on the hijab issue: “To focus on difference can encourage the development of fundamentalist viewpoints... The emphasis should be on our common humanity and shared human experiences in the context of our tradition of respect for equality and liberty” (ASTI 2008). Apart from diminishing the value of difference – and indeed problematising it – in one sentence “difference” was equated with “fundamentalism”. While it does not directly link the Muslim headscarf with fundamentalism, this connection echoes an underlying fear that allowing the hijab in schools could lead the way to the greater visibility and greater affirmation of Muslims in Irish society, and could possibly represent a first step towards the emergence of Islamic fundamentalism.

Throughout the debates, members of the government rarely commented on the Hijab issue and, beyond the consultation with school principals and selected stakeholders, no real public ‘debate’ was engaged in by the government. Integration Minister Conor Lenihan simply stated that he had no problem with students wearing the hijab, while Education Minister Batt O’Keeffe indicated he did not regard the hijab as “a serious issue” in Ireland (Donnelly and Riegel 2008). Public opinion appeared relatively evenly split. A poll showed that 48% of those surveyed felt that Muslim students should be allowed to wear the hijab in schools, with significant differences of opinion between men and women, younger and older people, different socio-economic groups and supporters of the main political parties (O’Brien 2008b).

While the interviewees did not engage in an abstract debate about ‘integration’, ‘assimilation’, ‘interculturalism’ or ‘segregation’, some touched on these issues on a more ‘grounded’ ‘pragmatic’ level. Two respondents involved in the education system in particular highlighted the issue of the relative numbers of Muslim pupils in any given school as an important concern:

...the difficulty is if they drift towards a smaller number of schools... there are some schools where, for various reasons, they were made very welcome and the parents like those schools...
but if the Islamic population in the school becomes half the school then it’s no longer the school that it’s originally set out to be... [...] I think tensions could emerge and, strange thing, the result could be that the quality of the school would go down...

...I think it was just when... when they became more than 10 in a school or something... the management started to get anxious... once parents start coming in then as well and making demands and saying, you know... “We know our rights”... you know, that’s when the difficulty starts...

This issue of the ‘number of Muslim pupils’ in any given school – and thus of their ‘visibility’ but also of their potential ‘strength’ or ‘weight’ as a group capable to formulate requests – relates directly to the ‘pragmatics’ of accommodation and integration. These refer to ‘how much’ one is prepared – as a school but also as a society – to welcome, to accommodate, to integrate – and possibly to assimilate, and can represent an indication of the nature (and ‘quantity’) of diversity one can deal with/accommodate.

The only answer to the multitude of questions raised by the hijab controversy were the “Guidelines” to schools released in 2008. The main teacher unions welcomed the Minister’s statement. For the Teachers Union of Ireland (TUI), the recommendations “fully respect the various religious backgrounds of students in our schools while taking account of the legal position”, while the Irish National Teachers Organisation (INTO) described them as “sensible and practical” (Mac Cormaic 2008). However, these guidelines, representing a relative ‘laisser-faire’ approach, did not fully satisfy either the supporters or the opponents of the hijab. The Irish Council for Civil Liberties (ICCL) officially criticised the government for “passing on” their responsibilities to school principals. For Director Mark Kelly: “This would appear to be a policy not to have a policy... In the absence of a nationally-agreed and enforceable policy, there remains a danger that individual principals could interpret this to permit them to exclude a child for wearing religious dress, such as the hijab. The Ministers should live up to their responsibility to close this loophole” (Carr 2008). In September 2010, they released a consultation paper highlighting the potential issues – not addressed by the government – of Muslim girls being turned down by a school for requesting to wear the hijab, and of school policies becoming opposed to hijab after students’ enrolments (ICCL 2010).

Similarly, two Muslim interviewees emphasised that the absence of a strong “legal basis” could not only raise problems in the future but had already done so. A Muslim mother, whose five children have gone through the Irish education system, gave concrete examples where schools simply refused to accept the hijab or to accommodate certain demands or, more “subtly”, ostracised Muslim students. She explained how her eldest girls were allowed to wear the hijab in their secondary school (after being refused in a previous one) but were “not allowed in the school photo”, and how her youngest girl was not allowed to take part in the school play when wearing a hijab. She emphasised that the issue of accommodating Muslim pupils in secondary schools...
was not restricted to girls and that, despite the “encouragements to accommodate” made in both sets of guidelines, some issues could still prove problematic and even “backfire” if the challenge proved too great for the school. Describing how a “Christian ethos school” had refused to allow her son and his friends to have an area to pray at lunchtime, she explained that since the last request had been denied the school had “stopped taking Muslims altogether”.

One of the underlying concerns emerging was of the loss of ‘Irishness’ through the dilution of Irish culture and identity – starting within the schools, then potentially spreading to Irish society. We can see in statements such as Quinn’s assertion that “Irish girls don’t wear headscarves” the emergence of a politics of belonging which defines Irishness, if not in terms of birth or blood, in terms of behaviour. However, as one Muslim interviewee emphasised: “What about Irish Muslims?”. Within the discourses of integration, the hijab was indeed clearly associated with ‘foreignness’ and the veiled (Muslim) girl construed as a symbol of ‘otherness’ within Irish schools; Irish Muslims were largely ignored. The overwhelming assumption seemed to be that there non-Christians are clearly seen as ‘others’, and their presence permitted on condition that they behave – and dress – according to the overwhelmingly Christian ethos of Irish schools, revealing not only boundaries but also conditions of acceptance.

**The ‘religion in schools – and beyond’ topos**

As we have seen, the hijab debate is not only about religion. It is also about religion, about how faith and religious beliefs are expressed, acknowledged and valued/respected – within schools but also within society at large. Unlike France or Turkey where the state has consciously been constructed as secular, Ireland has always enjoyed a close relationship with religious institutions, notably the Catholic Church. This special history has resulted in quite unique arguments both for and against the hijab in Irish schools.

Articles 44 and 42 of the Irish Constitution have tended to be interpreted as making pluralism and tolerance an integral part of the Irish education system; and guaranteeing “freedom of conscience and freedom of profession and practice of religion” would seem to translate into permitting wearing Muslim headscarves and other religious symbols in schools. However, in order to fully understand the issues faced by minority religion students in Irish schools, we need to consider the denominational nature of the education system. Within the secondary sector (where the hijab emerged as an issue) over half of all schools are denominational institutions; the majority being owned and controlled by Catholic religious orders or trusts set up by them who represent in effects the ‘patrons’ of the schools. The educational philosophy of the patron is reflected in the distinctive character of the education provided in the school, usually referred to as the ethos and is upheld by its board of management. Through the Constitution and the Education Act 1998, patrons are given significant latitude to manage their schools and all rights and obligations are therefore subject to their chosen ethos.
The denominational nature of schools and the primacy attributed to the maintenance of their ethos are significant factors which can conflict with the rights of religious minorities in Ireland and potentially lead to discrimination (Hogan 2005). A significant example is the exemption from equality legislation for religious-run institutions, where schools can refuse admission based on ethos. Similarly, the Employment Equality Act 1998, while in general outlawing discrimination on the grounds of religion, contains a provision allowing schools to discriminate on a similar basis. These provisions can be seen as perpetuating a tradition of segregated education and thus, when a pupil of a religious belief other than Catholic is admitted into a Catholic secondary school, it can be regarded as a ‘privilege’ rather than a ‘right’. Thus, while the Education Act 1998 clearly outlines the rights and obligations of the state and of schools, these are somewhat ‘qualified’ by what has been termed the “ethos let-out clause” (Lodge and Lynch 2004, 49).

The importance of maintaining – or ‘fitting-in’ – the ‘ethos’ of a school was mentioned by several interviewees. As we have seen earlier, the issue of the ‘number’ of Muslim pupils within a school was perceived as potentially challenging. As a Church representative explained, “an Islamic minority in Catholic schools is one thing... as it grows it’s changing the ethos of the school and it could become more difficult”. The ‘visibility issue’ was also raised by two Muslim respondents. The Muslim mother indicated that, in the (Catholic) schools her daughters had attended, the issue of maintaining the image/perception of the school as a Catholic school had often been emphasised by the school management. The (Irish) Muslim student similarly recalled that her hijab had attracted particular attention while attending an open day at a prospective school: “I was sitting in the front and the principal of that particular school she... kind of pointed towards me and was like ‘this is a CATHOLIC school’”.

It can be suggested that it was not religion which was under attack by those who demanded a ban on the hijab, but the presence of religious and cultural ‘others’ who, as we have seen earlier, are likely to be construed as ‘outsiders’ within the ‘established multi-denominational’ education system. One Muslim student highlighted the presence of other religious emblems in Irish schools and argued that “with most schools in Ireland they have a crest... in the crest there’s a cross... so if the crest has a cross that’s kind of representing your religion, why can’t we wear our thing”. The NCCRI (2007) argued that those who advocated a ban on the hijab “might not have fully considered the consequences of such a ban with regard to all religious symbols and obligations in the schools”. For its (then) director, Philip Watt, “The banning of religious symbols or obligations solely aimed at one religious community or indeed all religious faiths is potentially discriminatory and likely to be tested in Irish law” (Neville 2008). Others in the Muslim community emphasised the distinctiveness of the hijab in Islam, in an attempt to ‘exempt’ it from the ‘religious symbols debates’ that have been raging in other European countries. Imam Hussein Halawa of the ICCI emphasised that the hijab was not just a religious symbol but “an Islamic obligation”,
adding: “Just as nobody had the right to prevent people going to church, nobody has right to prevent Muslim women wearing the hijab” (Irish Times 2007).

Finally, some used the debate to criticise the very presence of religion in Irish schools and argued that schools should not only ban *all* religious symbolism but should be wholly secular (Groarke 2009; McCrea 2009). More recently, Daly (2011) argued that a “universal model of non-denominational education” was needed in contemporary Ireland, suggesting that only such an approach could provide an effective protection of religious freedom in Irish schools. However, while the idea of a fully secular education system was mentioned by (only) two of our interviewees, neither of them could foresee such a development in the near future. As one (educationalist) explained:

...it might be lovely in theory... but the rights, the constitutional rights of the vast majority of the people at the moment, their rights are to have a denominational education if they want to believe in it... they do... that’s constitutionally secure... and I don’t think you would get a constitutional referendum passed on those lines in contemporary Ireland...

While a strictly secular school system is unlikely to come about, the current debate on the patronage of primary schools may however be accompanied by a reconsideration of the structure of post-primary education. In July 2012, the Minister for Education announced the patrons for 14 new post-primary schools (Gartland 2012). For the first time, the multidenominational patron Educate Together will have responsibility for a secondary school (and share patronage of another). As an application from the Muslim Primary Education Board was turned down, the incorporation of Muslim students in secondary Irish schools will remain a live issue.

**Conclusion**

Providing a microcosm of how states grapple with the challenges posed by (social, cultural, ethnic and religious) diversity, debates around the hijab in schools reveal not only the education system’s capacity for flexibility and openness in the face of increased diversity, but also the dominant socio-political culture and national models governing the reception of immigrants, and the space granted to minorities to challenge the rules. As Joppke (2009, 1) suggested, “each country has the headscarf controversy it deserves”.

Occurring in a country which has not seen any prohibition on religious dress in schools or public places, and in view of the fact that it did not lead to any regulation, the Irish hijab debate provides an interesting contrast with those European countries where the headscarf has been a major issue or has been banned in schools. This debate brought out to a greater extent than any previous event a range of views on the new religious and cultural diversity in Ireland. It offers thus a “magnifying glass” to examine how diversity is perceived, interpreted and managed on the spectrum of *non-toleration, toleration and respect or recognition* (Dobbernack and Modood 2011).
At the time of the debate, the official emphasis was on the integration of diverse religious and cultural communities, framed in Ireland in terms of ‘interculturalism’, defined by the NCCRI as the “development of strategy, policy and practices that promote interaction, understanding, respect and integration between different cultures and ethnic groups on the basis that cultural diversity is a strength that can enrich society, without glossing over issues such as racism” (NCCRI 2006, 29). Such a definition would seem to require schools to go beyond mere tolerance to provide respect/recognition to the diversity of their new student populations. Prior to the debate, there appeared to be a broad tolerance of diversity in most schools and, in its aftermath, there is relatively little change. Schoolgirls were and are widely allowed to wear hijabs, and there is no public prohibition of such dress. The only element of intolerance that emerged was a virtual consensus that the niqab/face covering would not be tolerated in schools, if and when this arose. This level of acceptance of Muslims is also clear in the recognition of two state-supported Muslim primary schools.

However, the Irish hijab issue represented a touchstone in discussions on the growing Muslim presence in Ireland. Until then, the Muslim community had been not only ‘well integrated’ but, in a sense, relatively ‘ignored’ and this event sparked a questioning about the potential for controversy of Muslims and Muslim practices in Ireland. It also highlighted that, as Hopkins argues, Muslims in Europe are often placed in a difficult position as “they are routinely viewed as ‘in’ Europe, but not ‘of’ Europe” (2011, 253). This was demonstrated in the Irish debate by the frequent conflation of ‘Muslim’ and ‘foreigner/immigrant’ and the tendency by both the opponents and the supporters of the hijab to overlook the existence of Irish Muslims (both Irish-born children and Irish converts). This could be construed as an indication of the (mere) tolerance of religious diversity in Irish society; while Muslims are accepted in Ireland, they are not perceived as being part of the Irish nation.

As we have seen, the issue was discussed mainly in terms of respect for religion and acceptance of (other) religious beliefs and religious minorities. However, the issue of the relative numbers of Muslim pupils (and thus of their ‘visibility’) in any given school also gives an indication of the nature and limits of such acceptance. The arguments that a growing number of Muslim pupils can ‘challenge the ethos of a school’ and affect ‘the perception of the school as a Catholic school’, for example, could indicate that acceptance of religious diversity is dependent on a number of factors including the limited nature of the claim and the relatively small numbers of the minority, and is also conditional on the consequences of such diversity for the schools’ self-perception. This could be an interesting indication of the kind of diversity Ireland is prepared to deal with.6

While the Irish education system has been able to offer a level of structural and practical accommodation to (religious) minorities, a substantial recognition of diversity as an integral component of Irishness is still lacking and, although a relatively brief affair, Ireland’s hijab controversy has left many questions unanswered. The
issue involved both a legal and a practical challenge, and while the ‘practical’ side was dealt with through accommodation of the hijab in most schools, the legal aspect was not clearly addressed. The 2008 government guidelines and the 2010 JMB guidelines have no legal standing. While there could be a concern that legally binding guidelines could be used to express intolerance in some contexts, and that the law can send a signal of exclusion to some sections of the population, the government’s stance means that schools do have the capacity to exclude students wearing the hijab if they so wish. This leaves Muslims girls in a state of precariousness in terms of both accessing and/or remaining in the school of their choice. The implications of this situation in terms of potential school dropouts and alienation of Muslims girls from education, or indeed in terms of their struggle to negotiate both their faith and their ‘ethno-religious’ identity between the potentially conflicting messages they receive from their home and school environments (Hamzeh 2011; Zine 2006) have not (yet) been fully considered in the Irish context. This led to criticisms by the ICCL (2010) and by some interviewees who have been directly affected by this. It also leads to a broader questioning of the place and recognition granted to minorities in the education system. For Enright (2011), the decision not to ban the hijab in Irish schools is not synonymous with inclusive politics and the lack of legislation may in fact have “disempowering and exclusionary effects”; for Hickey (2009), this represents a kind of “domination without interference”, while for Hogan (2011) Muslim students’ rights should not be conditional on “the elasticity of Catholic ethos”.

The recent Intercultural Education Strategy (DES/OMI 2010) proposed a comprehensive agenda that highlights diversity as a “normal part of the Irish society” – interestingly, it did not address the issue of the hijab or of any other religious symbols in schools. Most significantly, it clearly confirmed that the onus is on local schools to effect change. This perpetuates a controversial ‘distribution of power’ between the key actors of the Irish education system – while the state (government) is responsible for national education policy, schools patrons/boards of management are free to manage their schools in accordance with their chosen ethos (Enright 2011). This disjunction of roles and power might account for the fact that, despite the prevalent rhetoric of ‘interculturalism’ in most educational policy documents, the practical implementation of such an approach is left to the command of each individual school, allowing the state to ‘opt out’ of sensitive questions and controversial debates and remain a “neutral arbiter” (O’Sullivan 2005).

As both guardians of the past and socialising agents of future generations, “caught between processes of ‘production’ and ‘reproduction’” (Devine 2011), schools are thus left to determine the reception they give to minority children and determine whether 21st century Ireland will simply tolerate – or respect and recognise – Muslim’s (and other religious and cultural minorities’) identity and practices within its midst.
The hijab in the (denominational) Irish education system – tolerated or accepted?

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Notes

1 There are no state-run or ‘public’ primary schools in Ireland, almost all primary schools are run by private bodies, but are financed by the state; 98% of these schools are religious (90% Catholic). Within the secondary sector, over half (57%) of all schools are denominational institutions, there too the majority are owned and controlled by the Catholic Church (Lodge and Lynch, 2004). For a detailed (historical) presentation of the Irish education system, see Coolahan (1981) but also O’Sullivan (2005), Devine (2011) and Fischer (2011) for more recent analyses of its evolution.

2 Leyla Sahin v. Turkey; Dahlab v. Switzerland, Dogru v. France

3 Under section 7(3) of the Equal Status Act 2000 schools can discriminate by giving preference in admissions to children of a particular denomination, or by refusing to admit a child where such refusal is essential to maintain the ethos of the school.

4 Under the Employment Equality Act 1998 “certain religious, educational and medical institutions may give more favourable treatment on the religion ground to an employee or prospective employee where it is reasonable to do so in order to maintain the religious ethos of the institution”.

5 In March 2011, the Minister for Education, Ruairi Quinn, established a Forum on Patronage and Pluralism in the Primary Sector; the report of the Advisory Group to the Forum was published in April 2012 –http://www.education.ie/en/Press-Events/Conferences/Patronage-and-Pluralism-in-the-Primary-Sector/ (Accessed 2012-06-10).

6 It is interesting to note that the hijab was not the only example of challenges posed to the Irish denominational education system by growing religious and cultural diversity. In September 2007, an ‘emergency school’ had to be opened under the auspices of the non-denominational patron Educate Together in Balbriggan, Co Dublin to cater almost exclusively for children of migrant origin who could not access any local Catholic schools as they did not possess the necessary Catholic baptismal certificate (McDonald, 2007; Boland, 2007). The spectre of educational segregation along racial as well as religious lines emerged then, following denominational schools’ recourse to their right to discriminate (on religious grounds) with regard to enrolment in order to preserve, here again, the ethos of their schools. This event highlighted then a relatively defensive reaction to diversity from Catholic schools.

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