

# HIJAB - MBOLED OUT?

## **A contribution to the public discussion focusing on the wearing of the hijab in Irish schools**

There has been considerable discussion in the Irish media in recent weeks in relation to the wearing of the hijab by Muslim girls and young women in schools in Ireland.

The following paper is designed to provide some further background information and reflection to help inform the present debate, while respecting that there are different perspectives on this issue.

### **The following issues are highlighted:**

- To date, the hijab has not been a problem in Irish schools- why make it into a problem?
- Those advocating a ban on the hijab may, or may not, have fully considered the consequences of such a ban for example in respect of all religious symbols and obligations in Irish schools
- Accepting some religious symbols and obligations in Irish schools does not mean all symbols and obligations must or should be accepted. Issues such as health and safety and effective communication and interaction should also be considered. To date most Schools have adopted a de facto pragmatic policy or 'reasonable accommodation'. It would seem to make sense if this policy has worked to date then Boards of Management of schools should continue to decide on future policy, with some broad/non prescriptive guidance from the Department of Education and Science
- During the present debate, there are assumptions being made about Muslims in Ireland that are inaccurate. Far from not being integrated, just under one third of the 32,000 Muslims in Ireland are in actual fact Irish citizens. There has been a well integrated Muslim community that has existed in Ireland in significant numbers since the 1950's. Recent inward migration has increased the numbers of Muslims who make up 0.5% of the total population of Ireland.
- Those advocating sweeping bans as part of a policy of 'assimilation' are doing so in way that is at the very least confusing and open to interpretation. Assimilation is widely understood in Ireland, internationally and academically as meaning the expectation that minorities, their beliefs, their symbols and their diversity should become as invisible as possible. If this does not reflect the actual position of those advocating 'assimilation', it would be helpful if they would clarify their present positions.
- Integration is defined in Europe and Ireland as a two way street which is about valuing diversity and intercultural dialogue, but also about promoting cohesion. Integration should not be defined a one way street of expecting all to conform to a narrow interpretation of what it means to be Irish, including from a religious or secular perspective
- This is European Year of Intercultural Dialogue, 2008. Dialogue and consultation should inform future decision making and discussion on this issue, including dialogue with parents, teachers and students and the main faith and expert bodies concerned. Adherence to dialogue and consultation should also be a feature of the internal processes of all opinion formers, including political parties on this sensitive issue.

### **What is the hijab?**

The hijab is a scarf that is worn by many Muslim girls/women. It is a relatively small, simple headscarf that does not cover the face or body, other than the neck. It is generally worn by Muslim girls/young women mostly at secondary level but sometimes also by some girls in primary school. As with all forms of religious observance, the practice of wearing of the hijab can vary, but it is generally regarded as a religious obligation by Muslims.

What has been the policy on the wearing of the hijab in Irish schools to date?

To date, most secondary schools in Ireland, irrespective of whether they are a community school or a school with a particular religious ethos, have adopted the pragmatic, negotiated policy of allowing the hijab to be worn, provided the colour is consistent with the school uniform.

In the experience of the NCCRI over the ten years, there have been very few complaints from Muslims about individual schools seeking to ban the hijab from everyday school use. Likewise very few schools have raised the wearing of the hijab as an issue with the NCCRI and some have now expressed surprise that it has now become such a high profile issue.

It was and remains an issue which the vast majority of schools seem to have been able to resolve themselves without fuss and in a way which has not been problematic to the key stakeholders in education, including parents, teachers and students.

Official policy in Ireland on the wearing of the hijab has been left to the boards of management of individual schools. In response to recent public discussion, the Irish Government has indicated that it does not see the wearing of the hijab as a problem but has indicated the possibility of issuing guidance on this issue as part of the forthcoming intercultural education policy.

### **Are Muslims new to Ireland?**

Despite the impression given by some recent comment that all Muslims are recent migrants, in actual fact, just under one third (31%) of all Muslims in Ireland are Irish.

Most observers have commented that Muslims are well integrated into Irish society and the level of citizenship one sign of this integration.

To presume that all Muslims in Ireland are recent and non-EU migrants, misunderstands the history of cultural and religious diversity in Ireland. Muslims have been in Ireland in significant numbers since the 1950's. According to Census 2006, there are 32,500 Muslims in Ireland representing about 0.5% of the population .

### **What about other religious symbols/obligations worn by students in Irish schools?**

Although much of the present focus has been on the hijab, it should be noted that other religious symbols and obligations are worn by both male and female students in Irish schools. The following are provided as examples , rather than being a definitive list and includes:

**The Sikh kara:** A bangle worn on the wrist by females and males of the Sikh faith as a religious obligation

**The Sikh patka and turban:** The patka is a turban like head wear worn by boys and young men of the Sikh community and on occasion by men engaged in sport . The full turban is worn by Sikh men. The wearing of the patka and turban are considered religious obligations. The age at which young men begin wearing the patka can vary

**The Jewish Kippah.** It is accepted for most men and young men to wear a kippah (scull-cap) at the synagogue, during Jewish services, at Bar and Bat Mitzvahs, Jewish ceremonies and Jewish holidays. As previously stated, observance can vary as with all religious faiths and an ordinary cap, such as a baseball cap, can suffice at most occasions other than attendance at the synagogue

**Christian Crucifixes:** Worn by children from a wide range of Christian faiths as a religious symbol

In addition to the wearing of symbols/obligations, there are also a wide range of religious symbols worn by teachers in Irish schools, including the pioneer badge, the sacred heart and crucifixes. Some teachers employed as general teachers or those involved in teaching religious education, may choose or may be required to wear a style of clothing associated with their religious order or ministry.

Religious symbols such as large crucifixes on walls are also a significant feature of many schools in Ireland.

### **Does allowing the wearing of the hijab and other religious symbols and obligations mean that any religious symbol or obligation can be worn?**

Not necessarily. There are no hard and fast rules in relation to this issue but there are obviously a wider range of issues that have to be considered by schools. These include for example, health and safety issues and the need to maintain effective communication and interaction between students and between the teacher and the student within the classroom. Allowing the hijab and other religious obligations and symbols (some of which are listed above) does not necessarily mean that all religious obligations and symbols should be accepted by schools in Ireland.

### **Is Integration about assimilation?**

Integration should not be about assimilation. Assimilation can essentially be defined as creating the conditions where minorities and their culture and their beliefs are expected to disappear or become as invisible as possible . The United Nations has condemned assimilation, particularly where force is involved.

The language with which assimilation is expressed can vary. One media commentator recently contended in very crude terms that migrants should 'shape up or ship out'. Others will express support for assimilation without fully understanding or being fully clear about the meaning or implications of the concept.

The NCCRI has consistently worked for an integration policy that both encourages a more inclusive and intercultural society while at the same time striving for societal cohesion. It is our view that the valuing of cohesion in society and the valuing of diversity are not mutually exclusive concepts. For example, Irish emigrants have shown that they can integrate into many societies worldwide, while still retaining pride and expression in their cultural, national and religious symbols and beliefs.

### **Reflections of the issues involved**

The following are reflections on the issues involved drawn from the experience of NCCRI including our contacts with key stakeholders in education.

- There is a need to continue to encourage conditions in our schools that contributes to an inclusive, cohesive and intercultural environment , where children from both majority and minority faiths and cultures feel valued and not singled out or feel 'put upon'

- Pragmatic, consensual and common sense approaches , based on 'reasonable accommodation' are to be preferred to dictated policy positions
  - To date the vast majority of schools in Ireland have found their own sensible and sensitive compromise on the issue of the hijab, which is to allow it to be worn (provided it is consistent with the colour of the school uniform). This shows that schools can and should negotiate on what is acceptable and what is not acceptable to be worn by children in the school. It does not mean that everything that is worn by students (including for religious reasons) should be allowed. 'Reasonable accommodation' should at all times be the approach that is adopted.
  - The banning of religious symbols /obligations which are deemed important to religious minorities is likely to result in tension with those communities where no tension existed before
  - Before arriving at definitive positions on issues related to sensitive religious and cultural issues, there is a need to consult with all key stakeholders including the children and the parents of minority and majority religious faiths and no faiths. This concept of consultation should apply to all those concerned with democratic processes and decision making, including all political parties
  - 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. In 2004 in France, the French Government considered the issuing of a ban on the wearing of the hijab in French schools, but after legal considerations decided that the only way that such a ban would be legal would be to ban virtually all religious symbols and obligations, including large crucifixes
  - While recognizing that the history of each country is different, the banning of religious symbols and obligations in other countries has often proved to have been counter-productive and has on many occasions been reversed, but only after creating significant tensions
  - The banning of obligations and symbols in schools in Ireland which are widely accepted in other parts of Europe and the rest of the world (with some exceptions), will potentially damage Ireland's image and interest abroad
- The National Consultative Committee on Racism and Interculturalism (NCCRI) is an expert body that works closely with Government and non Government bodies to provide advice and develop initiatives linked to our aims. Further information about the NCCRI is available on [www.nccri.ie](http://www.nccri.ie)
- NCCRI is the coordinator of the European Year of Intercultural Dialogue in Ireland, 2008
  - The Director of the NCCRI drafted the National Action Plan Against Racism
  - The NCCRI is the national focal point for the EU Fundamental Rights Agency in Ireland in respect of monitoring and collecting data on racism

**Philip Watt**

**Director, NCCRI**

[www.nccri.ie](http://www.nccri.ie)