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**British and French Integration Policies toward Muslims:  
Jilbab and Headscarf Affairs at School**

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Debates on the integration policies in European states are becoming more prominent. Saying that ‘multiculturalism has failed’ is a new trend among European leaders.

In Britain, Tariq Modood (2011) argues that minorities themselves are not promoting differences and separatism, and that multiculturalism has to be a two-way process with a continual remaking of the national identity, creating ‘a new, ongoing “We” out of all the little, medium-sized, and large platoons that make up the country’.

In France also, the state policy on immigration has steered debate. Over the last 3 decades, the French political discourses have evolved from an ‘assimilation’ approach aiming at creating a unique culture, to an ‘insertion’ and ‘integration’ approach promoting cultural pluralism (Favell, 1998). Dominique Schnapper (2008) explains that integration is not an achievement only from immigrants or their children, but also the French society as a whole.

In order to achieve multicultural equality, Modood (2009) suggests ‘moderate secularism’ The ‘moderate secularism’ is based on three principles: 1) the incorporation of the respect for difference; 2) a moderate and evolutionary secularism based on institutional adjustments; and 3) dealing with controversy and conflict: not an ideological secularism (p. 180).

The presentation will show whether, in spite of different approaches to immigration, ‘moderate secularism’ is appropriate for both Britain and France and whether the two countries respective integration policies are leveraging best practices from a legal pluralist perspective, taking into account not only the state law, but also international law/human rights, religion/ethics/morality, and society (Menski, 2006, 2010).

The presentation will firstly analyse the historical background of church-state relations, which influenced the secularism ideologies and integration philosophies in Britain and in France respectively (Locke, 1689; Favell, 1998; Knights, 2007, Weil, 2008). Then it will introduce the concept of legal pluralism using Menski’s kite model (2010), and apply it to assess whether British and French integration policies have accepted a compromise to produce an adequate legislation and judgements for Muslim communities. As practical cases, the presentation will show the cases of Muslim wearing headscarves at school in each country: the case of a 17-year-old Muslim girl, Shabina Begum, *R (Begum) v Headteacher and Governors of Denbigh High School*<sup>1</sup> in Britain; and the French Parliament decision of passing the ban on conspicuous religious symbols in public school. Statistical analyses (Pew Research Centre, 2006; Dombey

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<sup>1</sup> [2006]UKHL 15.

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and Kuper, 2007) will also illustrate how each countries states' policies influenced the integration of the Muslim population. Lastly this presentation will conclude by answering the problematic as to whether the 'moderate secularism' is an appropriate approach for both states to succeed in their integration policies.

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