



## The Laicism and Its Religious Limits

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**Abstract.** Public school as a constitutional condition of modern democracy can not deal with absolutistic and fundamentalistic claims of public morality in a neutral way. The problems resulting from this for a laicistic school are discussed in the context of liberal tradition in France and the “*école laïque*” as it originated in the 19th century.

**Key words:** 19th century in France, liberalism, democracy, moral education, religion and school

Les conditions morales d’une société démocratique se résument toutes dans un mot: l’éducation. /.../ L’unité d’éducation /.../ peut seule faire l’égalité morale d’un peuple, sans laquelle l’égalité politique est un mensonge, et la démocratie une chimère dangereuse. Etienne Vacherot: *La démocratie*. Bruxelles<sup>2</sup> 1860, p. 63

On 10 April 1870, in the glamorous light of the setting sun of the Second Napoleonic Empire, shortly before the outbreak of the Franco-Prussian war and the events when led to the proclamation of the Third Republic on 4 September 70 and the rebellion of the Commune early in 1871, the young lawyer and representative of Paris, Jules Ferry, gives a public speech on the subject “*Sur l’égalité d’éducation*.” Neither the event nor its content are conspicuous within the framework of the intellectual activity in the largely liberalized empire. This speech and its concepts are remarkable above all because of the position and the future significance of their author.<sup>1</sup> Ferry became an important figure in 1879 when he was appointed *Ministre de l’instruction publique* and carried out the laization<sup>2</sup> of the school and with that initiated the debate which has had a determining influence on the concepts of education policy and, in the broadest sense, on the relationship between democracy and school until today.

Ferry based his speech on a general law of development of human history towards increasing equality. This tendency is valid both for social as well as for political-legal development. It includes the balancing out of physically strong and weak people, the dissolving of the corporations and the introduction of universal suffrage (Ferry, 1870/1996, I, p. 61).

There is one obstacle to enforcing this tendency: Without equality of education, the equality of rights can never be realized, but without equality of rights there will never be democracy. It follows from this that there will be no democracy without

equality of education. “Avec l’inégalité d’éducation, je vous défie d’avoir jamais l’égalité des droits /.../ et l’égalité des droits est pourtant le fond et l’essence de la démocratie” (p. 63).

But for Ferry, unity of society in educationally established equality of ideas is not the specificity of the modern democratic society but the characteristic feature of any organized society. In the Middle Ages, the Christian church guaranteed unity by means of the Christian religion which was realized in a gigantic egalitarian educational system. And just this educational system entered a state of crisis because of the development of the modern sciences. Consequently, a new egalitarian educational system had to be built up, one that corresponds to modern science and attributes a new national unity to democracy.

His “prophet and his master” (p. 67) is the author of the democratic constitution and the chairman of the “comité de l’instruction publique” of the First Republic, Condorcet. The main part of Ferry’s speech is a summary and a comment of Condorcet’s school plan.<sup>3</sup>

The speech anticipated the educational reforms which Ferry carried out in the Third Republic and the concepts developed in the course of these reforms (above all by the historically educated minister); these concepts had a determining influence on the discussion about the relationship between school and democracy. It is evident, however, that this speech was not only about Condorcet’s concepts – which I shall show and discuss below.

The concept of two educational powers which fight as a matter of life and death to form the unity of the “patrie” within the ideas and the feelings of the citizens or to split it is the basis of what has been called laicism or “l’école laïque” or even “l’école de Jules Ferry” in this dispute, and since then, in France.<sup>4</sup> The religious boundary of “laicity” – which I shall examine in this paper – appears, at first glance, to go to make up the boundary of the new educational system which dissociates itself from religion. In a first step however, I shall try to show that there is a religious boundary within the concept of the “laicistic” school itself.

In a second step, I shall try to show how this boundary was discussed in the context of school education by going into the work of the leading school organizer, teacher trainer and school politician of the time, Ferdinand Buisson. Finally, I will ask to what extent this religion within laicism threatened or strengthened democracy. To put the final question in a less historical way: how can, in the present discussion about the relationship between school and democracy, laicity be understood in such a way that this boundary within laicity towards religion does not interrupt the mutual connection of school and democracy.

## 1. Ferry’s Legal Concept of the “École laïque”

With what concepts and argumentation does Ferry grasp the different legal and institutional steps of laization?<sup>5</sup> Does he simply follow Condorcet here or does he

bring up different, in part even contradictory considerations regarding the laization of school by the Third Republic?

For Condorcet,<sup>6</sup> school-laicism is tied to the central concepts of citizen, science and society, the democratic control of the state. It includes the right of all citizens to be educated to become independent, equal subjects in the area of public affairs, but otherwise to protect all inequalities; the epistemologic conception of empirical science which proceeds individually but publicly and which requires that school is orientated to this public process of knowledge; and his institutional conception of state and public. As regards content, the educational institution must be taken away from all forces which act in particularistic and exclusive interests and therefore it should not be state-run but public. The religions, with their claim to final reasons and revelations, can neither be rationally examined for their accuracy by the individual, nor can they be negotiated publicly; the religious inequality is a right of the individuals who have to be educated, the religious upbringing and attachment of the children a right of the parents. The church and its organizations are exclusive bodies with particularistic interests, they are not allowed to make decisions regarding public education, members of congregations and orders are obliged to obedience and to be excluded from public education.

In his speeches, Ferry brings to bear these arguments which are related to the laws of the individual time after time. In the programmatic speech, he explains already that legal equality can only be obtained on the basis of a scientific education (Ferry, 1870/1996, I. p. 67).

During the debate in the house of representatives regarding the exclusion of the congregations from public school on 27 June 1879, he emphasizes that they were dealing neither with a struggle against Catholicism nor against the religions (p. 395) but for “liberté en matière d’enseignement” (p. 391) which was curtailed by the orders. The freedom of the parents regarding the religious education of their children must not be cut back by prohibiting the education by the congregations, he explains in his declaration of war against the Jesuits in his speech of Epinal on 23 April 1879.

As far as religious questions are concerned, school has to be neutral (Ferry, 1880/1996, II. p. 28). In the senate he declares himself against the inclusion of the “enseignement des devoirs de l’homme envers Dieu” in the curriculum, since otherwise school has to decide if it is the God of Spinoza or Descartes or Malbranche or even the one of the deists (p. 66). The public is not interested in deciding this metaphysical matter and with that to think little of the opinion of a part of the population (p. 36). With all these arguments, Ferry agrees with Condorcet’s concept and the early liberal law school.

## 2. The Defence of the Republic and the Struggle of the “École laïque” against Political Religions

An important part of Ferry's argumentation, however, shows that he does not confine himself to this negative definition and that he has in mind a completely different concept from the one of the individual, publicly constituted legal person. This becomes visible already in his programmatic speech. At first glance, it may be astonishing that Ferry comes out in favour of the “égalité d'éducation” of women and men right from the beginning, in spite of his denial of the vote for women (Ferry, 1870/1996, I. p. 72). The reason, however, takes an altogether different direction than the legal equality of the sexes in early liberalism. In the family, the wife brings up the children and, if she is not brought up by the new school, the children too are educated in a religious way. The educational system should banish religion from the private area, too, and not leave it up to the individual (p. 75).

The main reproach in the speech of Epinal against the congregations is that they have raised the young in ignorance and remote from the ideas which are important to “us.” By this collective term, he understands the followers of the French Revolution of 1789, the ones “qui révèrent 1789 comme une délivrance de la société moderne, comme un idéal” (p. 383). In the debate about the neutrality of school, he puts the demand to keep away those “qui ont des opinions séparées des nôtres par un si profond abîme” (Ferry, 1880/1996, II. S. 36) and to struggle against their ideals directly beside the religious indifference of the educational system.

But with the help of the educational system, not only those ideas which are an obstacle to the revolution are combated but also and to the same extent those which misunderstand it. In 1879, in the first parliamentary debate on school which Ferry has to stand up to, limiting factors of this kind are clearly shown. Opinions about the revolution, like those which “led to the gloomy and violent events between 18 March and 17 May 1871” – the rebellion in the commune (p. 390) – are combated like religion. Opinions about the revolution are not left to the freedom of the individual, but they are actively laid down by the educational system.

The state is neutral as far as certain doctrines are concerned, “mais il y a deux choses dans lesquelles l'Etat enseignant et surveillant ne peut pas être indifférent: c'est la morale et c'est la politique, car en morale comme en politique, l'Etat est chez lui: c'est son domaine, et par conséquent, c'est sa responsabilité.” (p. 409) A right and a duty are attributed to the state to determine the moral and political education by means of the school and with this right, it also tends to actively fight against certain religions or fundamentalist and egalitarian political trends.

This right of the state is derived from its very existence and in this respect, it is superior to any individual right. The state has a right to defend itself, i.e. the Republic. “Nous sommes des hommes politiques, ayant charge de fonder dans ce pays, un gouvernement qui a coûté de longues années d'efforts et de patience” (p. 408).

The reason for this superior right of the state is the experience of the repeated failure of Republic and democracy, the quintessence of the liberal experience

since 1789. The preceding generation of the founders of the Third Republic, who experienced the coup d'état of Louis Napoleon in 1851 as active politicians, were confronted with a dramatic picture. The revolutions of 1789, 1830 and the one of their own of 1848 always ended in an authoritarian disaster. After 1848, De Tocqueville to a large extent blame the clergy – who deserted to Napoléon at the decisive moment – for the absence of the stabilization of a modern democracy (p. 431). The hero of the liberal-democratic resistance against the second empire, Edgar Quinet – who was driven into exile – in his book of 1865 “La Révolution” (Quinet, 1865/1987) developed an even more gloomy analysis relating to this. He puts the repeated failure down to two structural elements: the centralist structure of the French state and the political nature of Catholicism.

Quinet's deeply pessimistic and hopeless analysis triggered a fierce polemic in the republican milieu; above all the combination of the defense of the republic by terror with its ending in the re-establishment of the old power must have seemed offensive to those who wanted to defend the Second Republic against Napoleon by social radicalization.

In 1866, Jules Ferry intervened in this debate in favour of Quinet<sup>7</sup> with a newspaper series, defending his hypothesis and taking away its pessimistic grounds. “L'Ancien Régime n'existe plus que pour les vieux journaux qui ne veulent pas perdre l'habitude” (Ferry, 1866/1996, I. p. 90), he writes in the middle of the Second Empire. Already in 1790 – i.e. still under the old rule of the king – the country had de facto become republican (p. 99). The achievements do not come from the parties nor from the revolts in the capital, they are not made “ni par la Montagne, ni par la Gironde, mais par la France” (p. 101). The political activity of the French, which developed beside and outside the centralist structures of the state, created the basis of democracy long before the birth of the revolutionary institutions. Therefore, what matters is not the strength of the state but the protection and the organization of this freedom. Public school is the place where the republican freedom, the *élan*, and the unity are formed; at school, freedom is organized against its enemies.

### **3. The Unity of the Nation in Feelings and Ideas – the Religions Boundary within the “École laïque”**

From the point of view of the defense of the Republic, the interest of the “état enseignant” with respect to church, religion and any kind of fundamental morals is a negative one. In the end, its duty is to limit those. Quinet, and Vacherot as well, the two great theorists of democracy during the Empire, pronounce themselves in this sense in favour of the acceptance of the religious life as known from the American Protestantism (Vacherot, 1860, pp. 65–84).

The fundamental reason for the egalitarianism in Ferry's programmatic speech in 1870, however, is not this negative legal definition but a social one. Social equality does not mean community of property; but it means conferring a feeling of dignity on the worker.

In this respect, Christianity and the content of the “Instruction publique” are seen in an analogous way. Christianity and the Christian schools had instilled this common spirit into the old society, and in the same way, the new “Instruction publique” has to instil a new common spirit. With Condorcet, moral education is limited to a rational understanding of the laws, their reasons and the possibilities to change them, and it is delimited sharply from the enthusiasm, the public festivals and the civil religion of the national education of the Jacobins (Condorcet, 1793/1989, II. p. 185); for Ferry, at the same time, moral education is at the centre of the public school and its task is to reveal to the pupil the large family which he is a part of (Ferry, 1870/1996 I., p. 68).

The family has to be united by equal feelings and equal opinions (p. 73), and in the same way, the democratic society should be united by the “Instruction publique.” The adversaries of the Republic produce “une France en dissension perpétuelle, une France éternellement divisée contre elle même” (p. 384), an “anarchie d’opinions” (p. 389), a split France. On the objection of his adversaries that the laicistic school is a school without morals, Ferry replies that the laicistic school is the school of morals, i.e. of the only correct morals, the ones without connection with God and without connection with a dogma; in the age of the empirical sciences, only these morals can bring about unity.

In laicism, one is confronted with only one morality which is unchangeably set for modern society and accordingly, it has, as opposition, to win through against all other morals, especially against the religious morality and its particularism. Unlike the religions and their moral doctrines and unlike the different moral philosophies, this morality is defined by its “merveilleuse et constante unité” (Ferry, 1881/Legrand, 1961, p. 155), the minister explains at the first teachers’ congress which he has convened in the middle of the parliamentary debate about moral education in 1881. In contrast to Condorcet’s moral education, whose main goal is to teach the morals of the law – not in an absolute way but with respect to their changeability – Ferry seeks to define morality as something unchangeable, firm and uniform, analogous to the old state religion. The laicity of the school is not a negative one, determined by the absence of the connection with religion and church, but a positive one, determined by an alternative suggestion.

The Republic gives the following task to school: “fonder une éducation nationale, et de la fonder sur des notions du devoir et du droit que le législateur n’hésite pas à inscrire au nombre des premières vérités que nul ne peut ignorer” (p. 109). The close analogy between the laicistic morality and the standard religion raises necessarily the question of its content and of the authority that determines this content. In the debate of the senate Ferry calls it – following his criticism of Quinet – “l’âme même de notre patrie” (p. 54). In the circular to the teaching staff, this idea of the definite morality is reinforced by the formula “cette bonne et antique morale que nous avons reçue de nos pères et de nos mères” (p. 110). The republican morality does not have to be invented first, but it is already there and has been handed down for generations.

Things are quite different regarding the moral authority, though. Analogous to church and religion, the teachers have the apostolic order, the mission, “la mission et l’apostolat” (p. 110), to pass this unifying morality on to the French children. The moral education of the Republican missionary-teachers is not supposed to give rational reasons for a morality, but “une longue suite d’influences morales à exercer sur ces jeunes êtres” (p. 111) should continue the historical tradition of the Republicanism. The teachers themselves are withdrawn from the discord of the parties and act out of a position high above politics as modern saints, “l’éducateur sera désormais chose sacrée” (p. 444). This close analogy of laicistic morals and church religion, which goes far beyond what has hitherto characterized the early liberalism, can only be understood in its fundamental nature on the background of Ferry’s moral positivism. On 5 August 1875, when Ferry was admitted to the Masonic Lodge, he confirmed and explained his positivism, i.e. that he is very obliged to Auguste Comte’s concepts (Ferry, 1875/Légrand, 1961, p. 238). Already in his first years in Paris, Ferry was introduced to positivism by Philemon Deroisin together with other Young Republicans.<sup>8</sup> Positivism, which attracted a lively response from the intellectual milieu of the Second Republic and the Empire, was split by questions posed by Comte’s works themselves. Comte saw the modern sciences as a organologic system, which in a teleological development should catch the whole society and structure it organically. The starting point for this is not the political rule of the scientists, but their spiritual power, a mixture of council and academy (Comte, 1839/1995).<sup>9</sup> Neither people nor government become scientists themselves, but rather they accept science like they formerly accepted religion and therein they find their rational unity. In 1848, with the crisis of the Republic and the social tensions within the republican camp becoming increasingly evident, Comte introduced a sudden religious-affective change. By itself, science is not able to bring about social unity since it does not work actively but only by objectifying. In the new concept of positivism, the coming social reorganization, “ordre et progress,” does not rest mainly on knowledge but on affect, which first has to be disentangled scientifically from religion, though; it rests on the feeling of the social unity as expounded in the “Discours sur l’ensemble du positivisme” of 1848.

For the founder of positivism, the conclusion is the invention of a new religion of mankind, the social affect. This transition to the affective religion split the organized positivistic circles in two directions: One – around Emile Littré – stuck to the ideas of scientific supremacy, and the orthodox positivists around Jean Robinet and Pierre Lafitte who joined Comte with his transition (Plé, 1996, pp. 307–377). By intensively reading the “Discours sur l’ensemble du positivisme” Ferry became a positivist (Légrand, 1961, p. 106). Regarding the two positivistic sects, he became equidistant, like his master Deroisin, but he accepted the idea of the new affective religion while rejecting Comte’s formulation and his draft of its cult. This religious concept is explained in Ferry’s speech held when he was admitted to the Masonic Lodge as it forms the basis of his concept of the “école

laïque” since the programme of 1870. The Christian religion lacks two essential things: it is old, full of “worm-holes,” because it is not supported by the sciences; and it has a personalistic-individualistic side since it is orientated to individual rather than to organical-social bliss.

Science faced the task of finding an alternative and Comte performed the synthesis of these successful efforts.

Ce mathématicien [...] a compris, que la coordination des pensées, des sentiments, de l'activité humaine, que l'unité de l'existence humaine ne pouvait se faire par l'intelligence seule et par la seule science et il a proclamé résolument dans la théorie, ce que l'expérience révèle: la prédominance du coeur sur l'esprit. C'est aux impulsions affectives et non aux conceptions de l'intelligence qu'appartient toujours le gouvernement de l'humanité (p. 239).

Moral education towards a scientifically explored religion of mankind which in its nature is an affective one, however, means the development of the affective drive according to the different social levels: family, native country and mankind. “La vie sociale est essentiellement propre à leur développement (of the drives): Famille, Patrie, Humanité” (p. 240).

From the point of view of this positivistic affective religion, the element of Ferry's concept, which at first glance seems to be a continuation of early liberalism, is seen in a new light: Egalitarianism.

August Comte was consistently anti-egalitarian and consequently he also was on principle against the concept of the individual rights, both contradicted his organologic view of society. Ferry accepts this model of society, but nevertheless he declares himself in favour of egalitarianism. Correspondingly, the individuals are equal regarding their affective tasks facing other people or legally in their duties and only secondarily in their rights.

In the Freemason-speech, this form of egalitarianism in the name of positivism is sharply emphasized. The old idea of the “right of the individual” has led to irreconcilable conflicts and can only be redefined within the framework of the religion of mankind. “Qu'il y a dans la société que des devoirs et comme le dit Auguste Comte, que chacun n'a qu'un droit, celui de faire son devoir” (p. 242). The scientific educational institution has the right to – as Comte calls it – the apostolate of the social order. Politically and socially it is all about a struggle of two completely equally structured religions for the soul of the individuals, one of which should form the “âme de la patrie,” while the other one orientates itself to individual redemption.

From here, laicism is not a separation of school on the one hand and religion and church on the other hand, but it replaces the Christian religion with the religion of the social order, the Catholic clergy with the scientific-educational apostolate. The “école laïque” itself should be a “pouvoir moral” “qui gouverne les volontés individuels sans tribunal et sans gendarme.”

As regards content, however, Ferry does not agree with the founder of positivism, he unconditionally criticizes Comte's “culte de l'idéal” as ridiculous, even



in parliament (p. 59). But apart from the general formula regarding the “morals of our fathers and mothers” as handing down the republicanism of 1789 and regarding “duty as an individual right of soul of the home country” and the importance of the study history (Ferry, 1880/1996, I, p. 433; Ferry 1876/Legrand, 1961, p. 240), Ferry says noticeably little about the real content of moral education. In its place, he gives an answer that hardly masks the embarrassment but is a very educational one. Instead of speaking about the content of the new religion, the minister comments the corresponding teaching method.

Le précepte est simple, il ne trompe pas, il porte avec lui même et trouve dans la conscience, sa force et sa sanction. En cessant d'être confessionnel, cet enseignement moral doit être, plus soigneusement qu'aucun autre, assujéti à la méthode intuitive (Ferry, 1881/Legrand, 1961, p. 156).

#### **4. The Method of the “École laïque” – the Concept of the Intuitive Morality by Ferdinand Buisson**

From 1880 on, an additional element suddenly emerges in Ferry's dichotomy of the system, the opposition of the theological to the laicistic teaching method. At the educational congress which he convened in 1880, in front of the people responsible for the new teacher training places, he castigates the scholastic method of submission, the “méthodes grammaticales” (Ferry, 1880/1996, II, p. 437) of the church, in order to set the new method of the democratic and laicistic school against them. The intuitive method “de Froebel et Pestalozzi,” “les leçons de choses” (p. 436) are the basis of the “école laïque” as such and of all its subjects. What Ferry could not find with Comte, since the latter assumes an organic development of the child from the theological towards the positive spirit, he found in Herbert Spencer's “On Education” which came out in French in 1878 and which was presented to him by his pedagogical staff (Legrand, 1961, pp. 175–176).

But in Spencer one does not find that basic concept of the method to teach morals, one does not find the return to conscience, to the moral feeling given to the child, one does not find the moral affect of tradition present him from birth. On the contrary, Spencer develops the concept of scientific life style, i.e. the scientific, empirical recognition of the right life (Spencer, 1861/1892).

But Ferry does find the basic concept of the “intuitive method” as content of the laicistic morality with Ferdinand Buisson who was one of the most important educational advisers of the minister and who considerably participated in creating the curricula (Legrand, 1961, p. 176).

Together with Felix Pécaut and Jules Steeg, Buisson belonged to a group of republicans who orientated themselves considerably to the Protestant theology. They spent the close of the Empire in French-speaking, Calvinist Switzerland. As – under Ferry – they took over the coordinating points of the new education policy, laicism was suspected of being a Protestant conspiracy against the Catholic church.

In 1866, Buisson went through the agency of Edgar Quinet as a professor of philosophy to the academy at Neuchâtel, which was newly founded after the liberal revolution (Buisson, 1916, p. 10) and in this Canton he soon triggered off a scandal (Meylan, 1973). The content of this dispute profiles the foundation of Ferry's concept of morality and his methodology.

In 1868, Buisson gave a lecture before the *Schweizerische Gemeinnützige Gesellschaft* (Swiss Charitable Society) at Neuchâtel in which he explained that children reading the Bible at school was incompatible with the "état social où il (l'enfant) sera appelé à vivre" (Buisson, 1868, p. 54). In his defensive speech against the reproach of irreligion, "Principes du Christianisme Libérale" (Buisson, 1869), he explains the basic positions of the liberal Protestantism in 1869. According to it, there are two churches, an external one which refers to Bible and dogma and a free one which – in the tradition of Schleiermacher – starts out from the feeling and the conscience of the individual (p. 9) which constitutes the real, "purely humane and purely moral church" (p. 15) and is based on Christ as the principle of the loving human being.

Only the unity of the loving souls in this church can bring to life a formal legal society. The moral feeling, the conscience of all individuals must accordingly become the real church, "the parishioners", by means of the "spiritual education of the people" (p. 43). Buisson's religious or moral feeling corresponds to Schleiermacher's concept of "devoutness as a feeling," "that we are aware of ourselves as being absolutely dependent or as being connected to God, which has the same meaning" (Schleiermacher, 1830, p. 16).

At the teachers' training course at the Sorbonne, Buisson, being an "Inspecteur général de l'instruction publique," in 1878 transferred this concept, as "Intuition morale," to the French education policy. The "Intuition morale" is a feeling that actively turns outside, a feeling that is an individual, invariant predisposition within humans which is directed at both God and "cette autre grande chose qu'on n'a jamais pu définir et qu'on n'en aime pas moins pour cela; la patrie" (p. 6). As the feeling of holiness in the world, of the native country, as "foi laïque" (Buisson, 1912), its developmental is the most important task of the school. Exactly for this reason, the feeling of holiness, the laicistic belief, must at school be excluded from all reflection since the latter cannot include it in its totality; it would only lead to controversies and with that to new split in the nation. "N'y touchez pas" (p. 5) is the advice that leads the way for the teachers. If morality is already a priori included in the way we feel, then it is not its content, but rather the method of its development that is decisive for both school and society.

In his "Dictionnaire de pédagogie," which is authoritative for school and teachers, Buisson openly declares the contrast of moral intuition with Spencer's empiricism (Buisson, 1911, p. 865); it is aimed at a moral truth which is "indémontrable et indubitable" (p. 866) while the method of Spencer's "object lessons" in the scientific subjects is aimed at the opposite, the verifiability. It is the task of the laicistic morality of school to standardize the citizens before their entrance

into the active social life in such a way that disagreement becomes a fundamental impossibility; with that, democracy is limited to agreement.

### 5. Democratic Boundaries of the “École laïque”

The development of the concept of the “école laïque” and its inherent religious boundary which I have presented here can be discussed from two different points of view. One might, as do Christian Nique and Claude Lelièvre, virtually see in this development the degeneration or the distortion of a concept which is actually democratic. In this sense, the real “école laïque” with its different stages of development and in its different concepts is compared with the original, early liberal concept of Condorcet who linked the democratically controlled state, the civil liberty of the individual and the general public with each other with the help of the “instruction publique” (Nique and Lelièvre, 1993).

Or on the other hand, one can like e.g. Christian Harten or Keith Michael Baker, declare Condorcet’s concept of publicity made rational by general school a utopia or at least a theoretical concept despite all possibilities of enforcement (Harten, 1989; Baker, 1993). Then, the development of the “école laïque” and of its discursive conception in the Third Republic appear to be the adaptation necessary for any realization.

Finally, I would like to follow here neither of these conclusions – although I acknowledge both – but to suggest a third one which appears to me to be more productive for the present discussion of the relationship of public school and democracy. To do this, I once again start out from a strictly historical argumentation by giving the prospects of the bygone future and of the reaction of the “école laïque” to it.

Ferry’s newly introduced concept (as opposed to Condorcet) of the “defence of the Republic” made school an instrument of the struggle against social concepts that are absolutely founded or metaphysical and proceeding in a theological way; an instrument against the political Catholicism of the First Vatican Council as well as against concepts of the fundamentalist social egalitarianism. This concept contributed considerably to the establishment of an open democratic publicity and it prevented the ideological polarization within the France of the Third Republic that took place in the German Empire.

The concept of the democratic publicity and of the modern sciences that procedures can be regulated by procedures was not one among many, but it took precedence over all other concepts which regulated social decisions. It forced his two vehement critics on the left and on the right to formulate their own politico-educational alternatives within the framework of public school. They had the choice of either establishing themselves as parliamentary parties or becoming marginal. Inclusive, non-discriminating and limited educational concepts are forced to struggle against absolute and discriminating educational concepts; they have to be supported institutionally, otherwise their existence is

incessantly endangered. Today, this also holds for modern and old forms of absolute educational demands and cultural procedures that do not give rational reasons. A public school that treats all cultures in the same way, in spite of their different demands and procedures, gives up itself as well as the demand for a general democratic publicity. To the school, plurality and democracy must always also have the meaning of exclusiveness regarding the absoluteness of education and regarding procedures and cultures that do not give rational reasons. To put it positively: On democratic conditions, the public school has to make sure that rational procedures are given institutional preference.

At the same time, however, the success of this concept considerably limited the success of the second important innovation, on “*foi laïque*” or “*patriotisme spiritualisée*.” In France as well, it was possible – with the help of the school – to establish nationalism as a form of “*religion civile*”; this became apparent with the strong enthusiasm for the colonialism of the Third Republic, with the antisemitism that became political in the “*affaire Dreyfus*,” and not least with the war enthusiasm in 1914. What failed, however, was the dispensation of this “*foi laïque*” from any rational authorization or its removal from the disputing public.

Here, the wide discrepancy becomes evident between the French “*école laïque*” and its underlying concepts on the one hand, on the other hand, the German state school, its underlying organic people’s state and the education based on inwardness.

The German social democracy and other non-nationalism trends had to criticize the imperial nationalism virtually from outside the nation and they were under the duress of authorizing their being a part of this nation until, in the Weimar Republic, they submitted to the concept of the German law and of the German people and their education. At the same time, in France, the conflict broke out within the democratically constituted publicity.

The Dreyfus affair can be understood as the *de facto* retreat from the national consent – that could not be circumvented – of a large part of the intelligence that formed publicity, especially in the name of the tradition of 1798. Even before his “*J’accuse*” of 1898, Emile Zola’s “*Lettres à la jeunesse française*” of 1897 were directed at the young people, the upholders of the new “*foi laïque*” with the rhetorical question:

Des jeunes gens antisémites, ça existe donc cela? Il y a donc des cervaux neufs, des âmes neuves, que cet imbécile poison a déjà déséquilibrés? Quelle tristesse, quelle inquiétude sur le vingtième siècle qui va s’ouvrir (Biasi, 1998 p. 155).

Even more characteristic and symptomatic of the impracticability of the “*foi laïque*” within the framework of democracy and public school is its development within the framework of the notion that Ferry called the new apostolate, among the teaching staff and with the school administration. In this environment, the distant discussion about nationalism developed very early, with a broad and lasting public effect. This could to a considerable extent be put down to the activities of the inventor of the “*foi laïque*” himself. At the same moment as the social colonial-

political tensions within the framework of republicanism became obvious, Buisson and with him a large part of the teaching staff, applied the concept to a civilian and rational pacifism and for this reason they started broad political activities; for these, Buisson was awarded the Nobel peace prize. But even before this, he stepped down from all his offices within the education system – as demanded by the law of the political independence of the “pouvoir spirituel” – in order to be elected as a parliamentarian and to speak out in a rational, pacifist and restraining way while the parties were quarreling in public. The remainder of the school-laicism of the Third Republic is not its moral-intuitive standardization but the defence and strengthening of democracy by favouring the empirically developed distance of knowledge and its social standards at school and the exclusiveness regarding all forms of behaviour that are based on affect and absolute morality.

## Notes

<sup>1</sup> Regarding Ferry's biography cf. Reclus, 1947.

<sup>2</sup> Here, I intentionally use this ugly term which is modelled on the French “laïcité.” This paper will show that the English terms “separation of church and state” or “secularization” or “religious neutrality of state and school” do not describe what has become its established meaning in France under the circumstances in question.

<sup>3</sup> Obviously, Ferry refers to the report and the bill which Condorcet presented to the Asemblée Nationale on 20 and 21 April 1792 on behalf of the “Comité de l'instruction publique” (Condorcet, 1792/1989b). It is also obvious, though, that he knew the “Cinque mémoires sur l'instruction publique” which the author published during the first major crisis of the revolution (Condorcet, 1791/1989b); Ferry refers to its content as well. F. Furet showed that precise historical knowledge of the history of revolution and the publications of revolution played an important role for the Republicans of the Second Empire (Furet, 1993).

<sup>4</sup> Regarding the history and the conception of the term cf. Balibar (1991).

<sup>5</sup> Regarding the different laws and decrees cf. Ozouf (1982, pp. 55–102).

<sup>6</sup> Regarding the construction of Condorcet's concept of the “instruction publique,” cf. Osterwalder (1992) and regarding his concept of laicity cf. Coutel (1989).

<sup>7</sup> Regarding Ferry's discussion of Quinet cf. Furet (1985).

<sup>8</sup> Regarding Ferry's relationship with positivism cf. Nicolet (1982); regarding the relationship between his education policy and positivism cf. Legrand (1961), to whom I am very obliged as far as information and argumentation are concerned.

<sup>9</sup> In Comte's system, education plays a central role, as a science, it is included under sociology, i.e. under the standardizing science. But the new education should be the result of the victory of positivism, not its prerequisite. This argumentation is also found with Ferry when he repeatedly stresses that the new society is already there. Regarding Comte's concept of education cf. Arbousse-Bastide (1957).

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