

Aporetic differences? Equality entitlements, religious schools, and contours of protection

BEN KASSTAN *London School of Hygiene & Tropical Medicine/University of Bristol*

The requirement for schools in England to implement equality education has led religious conservative minorities to voice a conflict between legally protected characteristics of religion and sexual orientation. Drawing on long-term ethnographic engagement with Jewish orthodoxies in England, the article critiques these apparent aporetic differences by tracing the grammars of protection that are fielded by custodians of state governance and religious conservatism in public disputes and how particular grammars of protection are rendered authoritative over others. The article excavates how the staging of authoritative grammars of protection by state and religious conservative actors forecloses an understanding of the subject-positions that manoeuvre at the sidelines to integrate ways of being and protect a space for difference. Through the framing of an arm-wrestle, the article critiques negotiations over policy and legal reform as it is grasped in social worlds, and explores how state and religious conservative actors move within the conventions of secular liberal governance to maintain their authority and stakes amidst challenges to continuity.

Eli was raised in a stringently religious and self-protective Jewish neighbourhood in London, and we met in 2021 to discuss a new requirement for all schools in England to teach about equality education – including sexual orientation as a legally protected characteristic. ‘What do you do when a religious community perceives a law to be existentially threatening?’, he asked, as he sought to contextualize (and perhaps theorize) the refusal of Haredi schools to act on the legal directive because of contested meanings of protection. Anthropologists would note that Eli’s question is not too dissimilar to one posed by Talal Asad (2003: 6) in his critique of political secularism, ‘What happens, the citizen asks, to the principles of equality and liberty in the modern secular imaginary when they are subjected to the necessities of the law? It emerges then that although she can choose her happiness, she may not identify her harms’. Substituting harm for threat, Eli’s question offers a stepping-stone into theoretical debates that centre on the politics of secularism and attempts to manage religious difference (Asad 2003; Mahmood 2015; Taylor 1994).

Anthropologists have long demonstrated how religion is regulated in ways that co-constitute ideas of political secularism, and how regulation is premised on a separation

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of public/private domains that engenders intractable tensions (Agrama 2012; Asad 2003; Fernando 2014; Mahmood 2015). Secular/religious and public/private tensions have tended to be explored using the ‘Muslim problem’ in Europe, and especially France due to its national(ist) model, *laïcité*, which constitutes a situated negotiation of liberal governance and religion (Fernando 2014). Mayanthi Fernando has illustrated how Muslim French increasingly reject claims they ‘are asking for the recognition of their difference’, and instead pursue a politics of ‘indifference’ where their Muslimness should be accepted as ‘an ordinary form of being French’ (2019: 266). Eli (above) indicates an opposing stance to what Fernando (2019) observed among Muslim French, because the protection of religious difference is presented as the basis for being protected *from* difference: the ‘threat’ posed by diverse sexual orientations.

Grammars of secularism, however, are far from universal; they are situated in time and place, and undergo conceptual shape-shifts that herald ‘changes in practices’ (Asad 2003: 25). Anna Strhan (2012: 212) remarked how multiple definitions of secularism are instaurated in the sermons of Christian evangelicals in Britain, capturing how ‘its mode of existence takes distinctive shapes’ and ‘material mediations’ – with the force of grammatical alterations drawn from the staging of threats. Building on this body of work, I suggest that such analytical approaches to secularism signal a way to engage with, and begin to look beyond, the apparent irreconcilability between protection of and protection *from* difference that Eli signals. My point of departure is that the aporetic tensions around equality education involve a convergence and divergence of grammars of protection, which are fielded in public disputes by custodians of state governance and religious conservatism. Yet much can be learnt from understanding *how* particular grammars of protection are rendered authoritative over others.

In what follows, I introduce state attempts to manage religious differences by mandating the teaching of ‘British values’ of equality and tolerance in England with the force of ‘muscular liberalism’ – which constitutes a political response to contain the pluralization of the body politic.¹ The voices of differently positioned actors are juxtaposed by integrating long-term ethnographic research into Jewish orthodoxies² in England with discursive analysis of public debates around education policy. These protagonists include advocates of a state discourse of muscular liberalism, on the one hand, and religious conservative parents, educators, and stakeholders, on the other, who navigate the requirement to teach equality education or the issues raised by it. Through the framing of an arm-wrestle, the article showcases how the staging of authoritative grammars of protection by state and religious conservative actors forecloses an understanding of the subject-positions at the sidelines that try to integrate ways of being and protect a space for difference.

When a minority accepts its right to protection of religious difference but contests the same safeguards afforded to sexual minorities, the state is tasked with negotiating competing calls to protect life – revealing a rupture in the prerogative from which the state’s legitimacy is drawn. Arm-wrestles reflect the discursive flexing of moral positions held by custodians of muscular liberalism and religious conservatism amidst steadfast assurances of protection, and shine a spotlight on what is otherwise obscured in the exhibition of public disputes. As such, the article offers anthropologists a conceptual template to examine negotiations over policy as it is grasped in social worlds, and to explore how state and religious conservative actors move within the conventions of secular liberal governance to maintain their authority and stakes amidst challenges to continuity.

Muscular il/liberalism, British values, and religious schools

Religion holds an explicitly privileged place in England, evidenced by the head of state also being head of the Church of England, which remains a politically influential body despite being in public decline (Engelke 2013; McIvor 2020; Rodger, Williamson & Grimley 2020). The body politic is increasingly diverse and defined as being of ‘no religion’: that is, except for the religiosity of minorities (Woodhead 2017). This demographic reality has emerged alongside a renewed imperative to address perceived threats to national identity. Attempts to cultivate and impose imaginings of Britishness and citizenship values have spanned the past two decades of both Labour and Conservative governments, with education being a particular site in which to enact this statecraft project (Vincent 2019). The transition to Conservative rule in 2010 heralded more assertive attempts to manage different differences through an explicit political discourse of muscular liberalism – a trope that serves as an indication of the failure of multiculturalism to ‘civilize’ recalcitrant minorities (Khan 2021; Vincent 2019). Muscular liberalism, as a political posture, was coined in 2011 by David Cameron, the then Conservative Prime Minister, to protect national security from the threats posed by religious extremism, or ‘Islamist extremism’, as he put it. In his view, muscular liberalism involved actively asserting national values to defend liberties:

Frankly, we need a lot less of the passive tolerance of recent years and a much more active, muscular liberalism. A passively tolerant society says to its citizens, as long as you obey the law we will just leave you alone. It stands neutral between different values. But I believe a genuinely liberal country *does much more*; it believes in certain values and actively promotes them. Freedom of speech, freedom of worship, democracy, the rule of law, equal rights regardless of race, sex or sexuality. *It says to its citizens, this is what defines us as a society: to belong here is to believe in these things* (UK Government 2011, emphasis added).

Cameron’s vision of a muscular defence of liberalism does not do away with tolerance but makes explicit his ‘faith’ or ‘belief’ in the need to actively *assert* it as a national value, if not an obligation. Cameron’s words, then, serve as a reminder of how ‘tolerance’ is not value-free but rather constitutes a practice of governmentality (Brown 2006) and condition of citizenship (Brink-Danan 2012: 47). Education became a target of this securitization strategy, and schools in England were tasked with promoting ‘Fundamental British Values’ (FBV) in 2014.³ Scholars have since examined how Muslims have been cast as a threat to national security and liberal British values, and been policed through illiberal policies that include and extend beyond education (Holmwood & O’Toole 2018; Khan 2021; Vincent 2019; Younis & Jadhav 2019). Since 2014, however, I have observed how Haredi Jewish schools, which are otherwise and problematically referred to as ‘ultra-Orthodox’, are being accused of resisting the statecraft project in ways that diverge from concerns with state securitization. My attention to Jewish orthodoxies raises implications for understanding how equality regimes mediate relations with minorities and directs analysis towards the contours of protection that states *and* minorities project.⁴

Conservative politicians frequently stage British Jewry as a model of integration (Prime Minister’s Office 2012), against which minority Others are measured. This positioning, however, appears to be at odds with the opposing postures over equality education that have been taking place since 2014. The responsibility to promote FBV in schools in England catalysed a series of confrontations between Haredi Jewish schools and the Office for Standards in Education, Children’s Services and Skills (Ofsted): the body responsible for managing standards of education.⁵ Three Haredi Jewish

institutions (state-aided and independent) were downgraded in 2014 following no-notice inspections by Ofsted, including Manchester's Beis Yaakov High School, which is an established and global movement offering Haredi education for girls. Ofsted is required under the Equality Act (2010) to inspect whether schools in England (state-aided and independent) teach about groups with 'protected characteristics', which include religion or belief, sex, sexual orientation, and gender reassignment (to name a few categories). Ofsted (2014) inspectors noted that the Beis Yaakov School fell short on safeguarding requirements, but also that 'the school does not promote adequately students' awareness and tolerance of communities which are different to their own'. These events heralded a long-running struggle between Haredi educators and the state over equality education, and particularly opposition to teaching about sexual orientation.

Deploying the authority of muscular liberalism in response to such emerging issues with religious schools, Amanda Spielman, the Chief Inspector of Ofsted, asserted in 2018, 'Rather than adopting a passive liberalism that says "anything goes" for fear of causing offence, schools leaders should be promoting a muscular liberalism. That sort of liberalism holds no truck for ideologies that want to close minds or narrow opportunity' (UK Government 2018). Muscular liberalism thus conveys a limit of tolerance towards otherwise 'narrow' ideologies that endanger Britain's self-proclaimed liberal character.

This friction over equality education intensified when plans to make the teaching of relationships and sex education (RSE) a statutory requirement in England were first announced in 2017 – and legislated in 2019. Closely tied to the FBV project, the RSE curriculum has a dual role of contributing to students' understandings of groups with protected characteristics and the sexual and reproductive life course.⁶ Statutory guidance on RSE, however, incorporated safeguards for people of faith and faith schools, especially regarding the teaching of LGBT content (Department for Education 2019). Schools are required to have a policy, written and reviewed in consultation with parents, and ensure that their teaching is appropriate to the age and religious background of pupils. Hence, the guidance affords schools flexibility in how relationships and diverse family formations are taught. The statutory guidance notes that 'Schools with a religious character may teach the distinctive faith perspective on relationships, and balanced *debate* may take place about issues that are seen as *contentious*' (Department for Education 2019: 12–13, emphasis added).⁷ By framing non-normative subject-positions as a topic to be 'debated', the statutory guidance arguably produces the tensions around protection of difference that it purportedly describes. The state, then, 'is far from a neutral arbiter of religious differences; it also produces and creates them' (Mahmood 2015: 28).

In 2020, when the RSE curriculum was due to be implemented, Haredi rabbinic authorities released a statement announcing that their schools 'should not describe to pupils lifestyles prohibited by the Hebrew Bible (Torah); when asked by inspectors, state clearly and respectfully that they do not cover these subjects; ensure that inspectors do not speak to pupils about these matters at all; and demonstrate that pupils are taught to act respectfully to all people regardless of difference' (*Hamodia* 2020). What, then, are anthropologists to make of such different attempts to protect difference? How does education policy catalyse a convergence of protective grammars? And what do public postures foreclose? This article is grounded in such conversation.

In attempting to account for the preoccupations that pervade policy, Michal Kravel-Tovi (2017: 18) deploys the metaphor of 'winking relations' to index the transmissions

of nuanced messages that are exchanged between implementers of state policy and intended beneficiaries, and how differently positioned parties ‘collaborate in the production of refined meaning’. I argue that an arm-wrestle is more apt in capturing the discursive and public flexing of moral positions that are held by stakeholders – in this case, custodians of muscular liberalism and religious conservatism – and how a series of strategies are deployed amidst the optics of steadfast assurances of protection. It goes without saying that power relations between the state and minorities are always unequal, not least because of the prerogative of the former to construct, impose and enforce law and policy. Yet the conceptual template of an arm-wrestle encapsulates how non-state actors engage with legal and policy frameworks to attain conducive outcomes – rather than abiding passively with state directives. An arm-wrestle conveys how state and minority actors posture opposing stances in public, if not dramatic, debates, which eclipses the subject-positions at the sidelines that project internal critiques (Stadler 2009) of regulatory authorities and work to integrate what are otherwise presented as oppositional.

Jewish orthodoxies, sexualities, and reproductive values

Jewish orthodoxies comprise diverse custodians of Judaism who field multiple and at times competing claims to ‘authoritative correctness’ (Fader & Avishai 2022). Jews who regard themselves as Orthodox attempt to reconcile the teachings of the Torah and observance of Jewish law (*halachah*) with the education and employment opportunities of the non-Jewish world, which serve as proxies for openness to what is often regarded as ‘secular’. Those who position themselves as Haredi are distinguishable by their self-protective stance, maintained by an emphasis on religious or *kodesh* studies (Stadler 2009). The national curriculum, or ‘secular education’, is limited in Haredi schools as an exercise in boundary-making, but also in ways that undermine rights to education (Katzir & Perry-Hazan 2023).

Haredim (pl.) are diverse in terms of ethnic origins, stringency in how *halachah* is interpreted, and philosophical positions on the essence of Judaism.⁸ Despite their differences, Haredim nonetheless perceive themselves as being the authoritative bearers of Judaism. Ayala Fader defines the lifeworld Haredim have created as an ‘alternative religious modernity’, where ‘leaders have increasingly used the authority of religious stringency rather than leniency in observance of Jewish law to bolster their claim to Jewish authenticity’ (2020: 16; see also Fader 2009). While the politics of stringency is constantly in dialogue with social shifts in the broader non-Haredi world, it serves as a premier strategy of self-protection (Kasstan 2019).

Haredi opposition to equality education, especially the teaching of sexual orientation, must be understood in the context of emic approaches to social reproduction. Haredi Jews have among the highest total fertility rates in the United Kingdom and are set to be the dominant majority of the British Jewish population in just a few decades from now (Staetsky & Boyd 2015). Reproduction in Haredi Judaism is centred on a cis-gendered and heterosexual model of partnership, with intercourse taking place only within marriage and idealized for the purpose of procreation as a sacred act and fulfilment of divine commandments (Raucher 2020; Taragin-Zeller 2021; Teman, Ivry & Goren 2016). Haredi Jews broker marital unions through a formal matchmaking (*shidduch*) system along lines of *yichus*, meaning lineage, as well as class and levels of stringency that are observed (Lehmann & Siebzehner 2009). Moreover, marriage is expected to take place between the ages of 18 and 21 and literally marks

adulthood, as men may not be able to hold communal or congregational rabbinic roles until married, signalling how deviation is not only not tolerated but also disciplined.

Prohibitions on male homosexual intercourse (not sexuality) in *halachah* are drawn from Leviticus (20:13), 'If a man lies with a male as with a woman, both of them have committed an abomination; they shall be put to death'. Scholars note, however, that important shifts in rabbinic thinking have occurred, whereby male homosexual intercourse is placed 'on the same plane as other forbidden actions', which 'equalizes the status of those who transgress it with those who commit other sins' or "regular" prohibitions' (Irshai 2017: 405).⁹ However, the dominant position of Haredi rabbis is that homosexual intercourse is sinful, which forges a separation of religious authenticity vis-à-vis the emerging sympathy to inclusion of LGBT families in modern Orthodox Judaism (Avishai 2020).¹⁰ While the *halachic* prohibition against homosexual intercourse in Leviticus is interpreted as applying to men, lesbian relationships are also socially censured. Moreover, Haredi opposition to gender reassignment has been rendered visible in legal disputes in Britain, where rabbinic authorities have intervened to prevent a transgender parent from having access rights to their children – claiming they would be ostracized from the collective (Dunne 2018). Such events underly sociolegal analysis of a 'competition' between the legal protections afforded to religion or belief, on the one hand, and sexual orientation or gender reassignment, on the other (Johnson & Falchetta 2021) – claims that I interrogate ethnographically in this article.

My interest in the contestations surrounding 'British values' has emerged from long-running ethnographic research into Haredi Jewish family life in Manchester and London (Kasstan 2019).¹¹ While immersed in the pursuit to impart socioreligious ideals in schools, synagogues, and homes, I saw first-hand how protection formed a tangible and omnipresent dilemma of social reproduction. State and Haredi authorities continued to reach loggerheads over implementing British values and RSE in the years that followed, prompting me to reconnect with families in Jewish Manchester and also in London (2020-2), where a number of Jewish schools were left reeling from Ofsted inspections.¹² 'Returning' to the field enabled me to examine how parental decisions around child health evolved into dilemmas around RSE, as our relationships had matured to delve into socially sanctioned topics. How a policy issue is perceived and approached by differently positioned actors became the focus of this investigation.¹³

Education policy and performing authority over protection in public

The evolving friction over equality education and RSE resulted in a podcast in 2019, featuring Amanda Spielman, Ofsted's Chief Inspector, in conversation with Eli Spitzer, a Haredi educator in London who comments on issues facing Haredim. Considering Spielman's senior position in the British civil service, I take this extraordinary public relations exercise as a point of departure to consider how state actors and Haredi educators postured competing framings of protection in liberal governance. While listening to the almost hour-long podcast, my attention turned to the conflicting ways that rights and responsibilities were deployed. Spitzer began by enquiring about 'the rights of parents to bring up their children in the manner in which they choose to, in accordance with their religious beliefs, with their cultural requirements', and thus setting the scene for Haredi objections through the choice- and rights-based grammars of liberal governance. Over the course of the production, Spielman conveyed the project of statecraft as simultaneously protecting the space of religion yet, as Mahmood (2015) would say, 'managing' its difference:

We are at a very deep level of disagreement about the conception of what the state is and the extent to which there should be *opt-outs on the grounds of religion* or indeed anything else. *One of the things I see is that we are seen as secularist and it's fascinating for me, because we put so much effort into trying to balance* these different things that the law requires us to do and the hideous language of protected characteristics, none of us likes it, it's awful legalese, but for us as they are given to us in law, there is no hierarchy, we cannot put one above the other, we must make sure that all are given the respect and seriousness they deserve (*Eli Spitzer Podcast 2020*, emphasis added).

Proponents of muscular liberalism, then, envisage their governance as being far from secular, and as having a mandate to balance between rights that include protecting religion equally to different differences. Spielman's position captures not only the multimodal grammars of secularism (Asad 2003; Strhan 2012), but also the legitimacy of authority that is invoked by state actors when rejecting this framing and asserting a commitment to protection of all differences. Spielman argued that there is no religious opt-out from state governance and the liberal equality paradigm; however, as I go on to illustrate, schools are able to legitimately circumvent LGBT content.

Disputes between Haredi schools and Ofsted have taken place in a broader context over the definition of British values and what non-compliance with the statecraft project implies. Amidst these tensions, PR professionals have been representing Haredi authorities in encounters with state actors. Shimon Cohen (himself Orthodox Jewish), the Chairperson of consultancy firm the PR Office, who represents the 'Torah Education Committee', a rabbinic consortium to defend Haredi education, interjected in Jewish media to proclaim how 'British values have become a fundamentalist doctrine':¹⁴

Perhaps the most upsetting aspect of this deteriorating relationship is the implication that Orthodox schools, and by extension our community, are somehow un-British because we oppose Ofsted's new definition of 'British values'. Anyone with a basic grasp of Jewish history can see a resemblance to that most pernicious of anti-Semitic tropes: that we Jews are essentially alien and our loyalty to our faith and identity somehow opposes or undermines the countries we live in (Cohen 2018).

Claims of non-compliance with contemporary values of the nation are, then, saturated with historical questions of belonging, which captures how Jewish positionality is represented as contingent when faced with evolving projects of liberal statecraft. A values project that intended to address religious fundamentalism, Cohen argues, constituted a doctrine of nationalist fundamentalism against religious minorities with tangible histories of persecution – long summed up in Europe as the 'Jewish question' of difference. For Cohen, British values forged a definitive 'them' and 'us' narrative, where non-compliance with the statecraft project is Othered in an historically continuous discourse of anti-Semitism. Absent from Cohen's response, however, is an acknowledgement of the possibility for students in Orthodox schools to be both Jewish and LGBT – as if the two subject-positions do not, or cannot, intersect.

The intersection of discursive constructions of self-protectionism, as fielded by proponents of muscular liberalism and religious conservatives, highlights how competing models of Foucauldian biopolitic meets 'minority community biopolitics' (Kravel-Tovi 2020a). Kravel-Tovi (2020a) frames 'minority community biopolitics' in relation to demographic anxieties and interventionist logics of Jewish leaders in the United States, where population as an ultimate object of preoccupation manifests in attempts to boost birth rates and communal engagement. In the case at hand, we see how a contest over social reproduction manifests between the state and a minority, and how education is commanded in ways that reveal anxieties over conflicting ideas of population protection. My ethnographic engagement with Haredi educators and

families captures how authoritative positions over protection were deployed in relation to LGBT content and state discourse of ‘protected characteristics’, demonstrating a clear concern with protection *from* difference. Attempts to protect the place of difference were voiced, in ways that signal internal critiques of regulatory authorities (cf. Stadler 2009).

Protecting children from the threat of difference

Haredi parents send their children to independent fee-paying schools, and certain state-aided schools, to receive an education that is consistent with the grammars of religious law and moral regulation that are inculcated at home and which shape the life course of *frum* Jews. Formal instruction in sexual initiation happens when young Haredi women and men are engaged to be married, through a series of *callah* (bridal) and *chossan* (groom) classes that are usually led by a rabbi or *rebbetzin* (Yiddish, wife of rabbi). Sexuality education is, then, considered less as being ‘age appropriate’, as the Department for Education expects, and more about the appropriate life stage – which is a model that makes no accommodation for same-sex-attracted Jews (Taragin-Zeller & Kasstan 2020). Haredi educators maintain that they oppose the teaching of *any* sexuality education at a pre-ordained stage, and hence were not *only* opposed to the teaching of equality education. Mr Danzinger, an educator in a Haredi boy’s school in London, alternated his attention between the stream of pupils knocking on his office door and my questions:

Now everyone assumes, ‘Why do they fail in their Ofsted reports on LGBT issues? They are homophobic, that’s what’s going on here.’ I don’t think this has anything to do with homophobia. I think this has to do with a reluctance, an inability on the part of school leaders to discuss anything of a sexual nature.

Referencing the arm-wrestles that are taking place between Ofsted and Haredi schools, Mr Danzinger refuted public accusations that religious homophobia underpinned the opposition to equality and relationships education. While educators concurred that heterosexual relations are not taught in Haredi schools, enquiring about same-sex attraction revealed how homosexuality and heterosexuality were *not* positioned on an equal footing in the way that Mr Danzinger suggested. For Haredi educators, the matter was simple. Protecting children from LGBT content was intended to preserve moral regulatory frameworks and to not expose children to lifestyle ‘choices’ that go against the Torah. As Mrs Goldberg, a Haredi educator, put it, ‘I imagine the more you teach about these things, the more it becomes one of their choices that they can make in life. Imagine that are just being told the straight and narrow, then people will just keep to the straight and narrow’. Shir, who had left Hassidic Judaism to pursue a life that was conducive to their non-binary identity, made the exception of homosexuality as a subject-position explicit when relaying responses to the RSE curriculum among friends:

Anyone who even suggested the possibility they were gay would just be seen as a mental illness that they desperately needed help for. It’s come up a lot in discussion with the British government trying to introduce sex education in classes. I’ve had conversations with some of my friends who are parents, and a lot of it is, ‘*Why should we teach our children, or even let our children know, about such dirty things?*’ (Emphasis added).

Homosexuality was, then, framed as a choice at best, or a transgression that required therapeutic intervention – likely from the growing numbers of Haredi therapists providing services within their neighbourhoods (see Fader 2020). Children therefore had to be protected from exposure to the dangers posed by difference. The statutory

teaching of RSE and LGBT content not only contravened expectations of social reproduction, but also was a way of being, or ‘protected characteristic’, which children did not need to know about. Anthropologists have demonstrated how gender equality and values are embraced, transformed, and rejected by Haredi women in their critiques of male-dominated structures of authority (Kravel-Tovi 2020b; also Fader 2009), in ways that convey a lucid grammar of gendered and (hetero)sexual subject-positions. I suggest that homosexuality is rendered a non-grammar, rather than a ‘silence’, because homosexuality is actively removed, erased, and cleansed from the Haredi model of education – which parents were expected to conform to as part of the convergence of public/private domains in Haredi lifeworlds.

Rendering homosexuality a non-grammar

Shoshie opened her AQA GCSE history textbook (for ages 15–16) from the Haredi secondary school she had just left behind, having enrolled in an Orthodox Jewish school in London with a less stringent worldview. She pointed out how a page outlining the advancement of equality legislation had entire sentences blacked out, making any reading between the lines a challenge. Another page explained Nazi racial policies, and Shoshie drew attention to how the word ‘homosexual’ was repeatedly blacked out in permanent marker. One sentence read, “They persecuted any group that they thought challenged Nazi ideas: **homosexuals** were a threat to Nazi ideas on traditional family life”. Flicking through the pages, Shoshie indicated a right to have access to a grammar that she felt she had missed out on, ‘words were **covered** that should be known to you’. Not specific to Shoshie’s former school, broader attempts to render homosexuality a non-grammar in the Haredi education system have been documented in Ofsted (2019) inspection reports that note ‘pupils are not fully prepared for life in modern Britain. This is because they are not taught about some of the characteristics that are protected by British law’.

That is not to say, however, that Haredi children are unaware of same-sex relations or the long-running public dispute around equality education, as Rebbetzin Benovitz, a rabbi’s wife and mother of twelve living in Jewish Manchester, made clear. She began, ‘So I got a phone call from the school. The secretary said, “Your daughter used the word, I’m not even going to say *it*”’. Shaking her head with disbelief, Rebbetzin Benovitz continued, ‘I actually couldn’t make out what she’d said, so the teacher eventually told me, “She said the word *gay*. I don’t know where she’s got *it* from”’. Pausing the narrative, she addressed me directly to emphasize her consternation. ‘Remember, Ben, this is a Haredi school’. I nodded to signal I understood the gravity of the phone call and that the secretary was suggesting that she got ‘it’ from home. She continued, ‘So, I said, “She hasn’t got *it* from home because we don’t discuss *it*. *It*’s not spoken about, but I’ll talk to her about *it*, and I’ll get back to you”’. While listening attentively to Rebbetzin Benovitz’s encounter, I noted the weight of her words in my diary, ‘we don’t discuss *it*’, as I contemplated the non-grammar of ‘it’ for adults compared with the apparent encounters among children. As I returned my eyes to her gaze, Rebbetzin Benovitz said:

I later learned that there was a group of girls talking about sex and gay [*sic*]. She knew something, but she’d just picked *it* up. She got in trouble because she turned round to another girl and spoke about *it*. *It* did give me an opportunity to speak with her about a true attitude of *Yiddishkeit* – the way of living a Jewish life – from gay to sex, everything. I turned around to the teacher and said, ‘It wasn’t my daughter, it was a group of them’.

Frustrated but also concerned, she said, ‘The problem is they don’t discuss *it* in school, if *it’s* right or wrong, they’re so scared to teach *it*’. I was struck by the way Rebbetzin Benovitz simultaneously evoked the non-grammar of ‘it’, while critiquing the Haredi educational framework itself. Anxious about transgressing the Haredi educational model, school personnel rebuke parents for untoward conversations had at home that depart from expectations of conformity – indicating how Haredi education is fashioned to be contiguous with the home in ways that disrupt private/public binaries.

Rebbetzin Benovitz, however, perceived educators as reluctant to use the positionality of Haredi schools to frame a vernacular response to homosexuality that reifies the emic model of family life and that underpins the protection of social reproduction (as she did, albeit reactively). Amidst the public posturing of communal authorities and state inspectors over equality education, mothers evidently critique internal regulations and attempt to narrate a vernacular grammar of living a Jewish life that is premised on maintaining the sanctity of *Yiddishkeit*. While literally meaning Jewishness, the word *Yiddishkeit* is rooted in the historical Eastern European Jewish lifeworld to which Haredi Jews like Rebbetzin Benovitz view themselves as reviving or reconstructing after the Shoah (cf. Fader 2009: 8–9). As Barbara Myerhoff noted, *Yiddishkeit* is ‘associated with family, nurturance, and *survival*’ (1978: 96, emphasis added). This ‘loss of an imagined *Yiddishkeit*’ entrusts into the hands of Haredim ‘the survival of meaning, of tradition’ that is constantly threatened (Sheldon 2021: 182), and against which grammars of protection are fielded.

The sacrosanct role of (heterosexual) marriage in reproducing and reconstructing *Yiddishkeit* meant that ‘LGBT content’ within school curricula, as packaged by the Department for Education, was positioned as being beyond the pale by Haredi parents. Mrs Petchevsky, a Hassidish mother of nine, alluded to a dissonance by acknowledging the occurrence of same-sex acts in gender-segregated spaces such as seminaries for girls while vehemently resisting any form of LGBT content in schools. She began, ‘Of course, you get girls getting together in dormitories, you do, it’s very not spoken about, and I think they don’t really know what they’re doing.’ While invoking the non-knowledge underlying same-sex acts or attraction, in the next breath, however, she voiced her staunch opposition to the teaching of LGBT content:

Ofsted should forget about LGBT, because that will never ever come into our communities. It’s completely antithetical to our way of life, to the *Toyrah* [her pronunciation of the Torah]. I would rather sit in prison than send my children to school and have them taught about LGBT, and that it’s okay, because it is not okay and will never be okay. LGBT is not a concept for most people, it’s more like, for most people, a complete *meshugah* – that they’re crazy. Why would you even be like that? You can’t do that, it’s against the *Toyrah*. You cannot *be* like that. We need to make sure that these people have the help they need, but it’s still never going to be okay. If you call yourself a *frum* Jew, you have to accept all of it. Let me ask you a question. Do they need to know about it? Do our children need to know? Why do they need to know? What difference does it make to their lives?

Being a *frum* or pious Jew, then, meant observance of religious law could not be chosen, unlike ‘choosing’ homosexuality, which can be interpreted as drawing a moral line of separation between Haredi and modern Orthodox Jews. For Haredi educators and parents, homosexuality was not recognized as a state of being and there was no value to learning LGBT content, and arguably no value of different differences, in the lives of their children. LGBT content conjured the threat of sin dressed as a political acronym.

Protection was articulated as a dominant emic trope in this friction between differences. As the Jewish festival of Chanuka approached, Yonah received a

WhatsApp message encouraging parents to withdraw their children from the sex education component of the RSE curriculum. The message highlighted the protected characteristic of gender reassignment as a particular threat to the protection of Haredi Jewish girls, and relayed a request from the headteacher:

[Name] has **urged us very very much** to encourage ALL parents to **please please fill these forms in**. We have an opportunity to withdraw from the RSE education regarding gender change and other issues IF WE REPLY NOW ... If we don't reply the school will be required to implement the government's classes on these topics ... Chanuka is from the letters חנוכה [*chinuch*, education] it is an opportune time **to protect our daughters chinuch** (Original emphasis).

The urgency to protect the *chinuch* of Haredi girls from the statutory requirement to teach LGBT content and 'British values' education is juxtaposed against a popular narrative of Chanuka, which commemorates an ancient rebellion to protect religious freedoms from an oppressive regime. Yet Haredi responses to statutory requirements were more subversive than outright insurgency. Schools mobilized the rules and responsibilities written into the statutory guidance on teaching RSE, notably individual-level exemptions such as parental rights to withdraw children, to try to maintain a non-grammar of LGBT at the collective level. While the state postures its position and uses its clout to formulate rules and sway opposing parties towards a result of compliance, Haredi schools strategize around those rules to try to lever a desirable outcome. Hence, the 'competition' between protected characteristics of religion and sexual orientation (Johnson & Falchetta 2021) engenders protective recourses to maintain distinctions and differences in ways that construct a hierarchy of rights.

Haredi attempts to cultivate a non-grammar of homosexuality and LGBT content, as encoded in textbooks, Ofsted reports, and WhatsApp messages, offer an analytical departure from current ethnographic inquiries into conservative religious encounters with sexuality. Sophie Bjork-James argues how resistance to the advancement of LGBT rights among conservative Christian evangelicals in the United States is bound up in defending the family 'as a way to defend both God and the nation' (2021: 112). There are, of course, differences in the subject-positions of Haredi Jews in Britain, as an ethnic and religious minority, and Christian evangelicals in the United States, who largely form part of the White American majority population. Hence, the goal of Haredi educators is not to defend the purity of the 'normal' family *and* nation-state, and hence God's kingdom, as Bjork-James observed among American evangelicals. Haredim instead manoeuvre to protect a minority's *difference* by deploying the grammars of protection afforded by the state, but in such a way as to prevent its overreach.

Flexing of moral positions

The posturing and negotiating around equality education demonstrates how competing education policies – which are both predicated on protection, but in opposing ways – encounter each other. Policy changes entail a reconfiguration of public/private domains for religious minorities, a delineation that liberal governance relies on. Unlike the case of 'public' settings in France such as schools (Fernando 2014; 2019), the objections of Haredim such as Mrs Petchevsky and Mr Danzinger centre on how the state is perceived to encroach in areas that are regarded as 'private' – a distinction that is perceived as vital for the protection of difference. Yossi, who has been working with Haredi schools to navigate Ofsted compliance around RSE and equality requirements, noted that Haredi

primary schools (ages 5-11) could comply with regulations *without* venturing into LGBT content at all:

You have to teach more than one religion in school, and as long as you're teaching about two different religions, you don't have to teach about all of them, because the theory is that they will have tolerance and respect for all. That works for teaching about different family units. If you're teaching about different family units, you don't necessarily have to specifically reference same-sex relationships. Then whenever the children encounter that, they will show tolerance and respect for all. And that's definitely been an accepted route forwards and we now have lots of particularly Haredi schools as well teaching in this manner and they're compliant in this regard, so they tick off their relationships education.

Compliance with government guidance is met on the theory that all differences hold equal value – though we have seen they do not. A paradox emerges where primary schools 'comply' with promoting tolerance of LGBT families while excluding this subject-position entirely from the primary curricula, and hence teaching about sexual orientation as a protected characteristic is legitimately avoided. Despite the assertive discourse of muscular liberalism, the case of RSE indicates that liberal governance struggles to maintain a balance between protections in the liberal equality paradigm as, in reality, one right gives way to another in the 'competition' vis-à-vis religion/belief and sexual orientation. Muscular liberalism, then, maintains the tensions around protection *from* difference that it seeks to redress.

The requirement to demonstrate compliance at secondary schools (11-16), however, presents different challenges for Haredi schools. Yossi maintained that compliance with the equality regime could be met, for example, by teaching about the Nazi persecution of homosexuals, which seems difficult to imagine considering how Shoshie's textbook was punctuated with blacked-out lines. Another option would be to note that homosexual sex was forbidden in Jewish law yet legal under UK law (between two consenting adults). The 'optics', as Yossi put it, of their opposition to the equality regime could also be maintained by commissioning external services to deliver sex education and LGBT content, as *from* Jewish organizations have been developed to do. Yet he recognized that 'the last thing that some schools want is for an Ofsted inspector to write "They are teaching LGBT really well", because then they would be damned for not meeting the ethos that the Haredi sector subscribes to, that they want their child born and raised into'. Conservatism, then, also struggles to maintain its moral posture regarding parents and policy-makers.

Equality laws render difference visible and cultivate a need, at least in theory, to protect that difference – in ways that cause parents such as Mrs Petchevsky to be confronted with 'threat' (or an existential threat, as Eli put it above). Scholars have traced the zones of 'cultural refusal' that seek to keep the state at arm's length where 'civilizational discourses' are deployed against the ungoverned as part of assimilatory agendas (Scott 2009). Similarly, education constitutes a technique of statecraft to 'civilize' religious minorities (Khan 2021), who are perceived as recalcitrant and obstructive to the inculcation of British values in their quest to remain self-protective (Kasstan 2019). Rather than keeping the state at arm's length, arm-wrestles are taking place between religious minorities and the state over the protection of difference, which remains a critical fault line in secular-liberal governance. When rights are both accepted as a discourse but refuted in whom they are afforded to and to what extent, the state's arm is simultaneously grasped and wrestled with.

Equality education as a possibility for being and living

Lastly, the dramatic posturing of muscular liberalism and religious conservatism over education policy obscures how equality education was conceived as a framework to live with difference by noteworthy spectators. Parents who framed homosexuality as a ‘choice’ or ‘lifestyle’ struggled to explicate how *learning* about same-sex relations contravened religious law or constituted a religious freedom in contemporary Britain. Rebbetzin Sharfman, herself a *frum* mother of seven, pinpointed that religious opposition to *learning* about LGBT content, understood as ‘alternative lifestyles’, was more about social homophobia than contravening religious law. In her words, ‘It’s not a religious objection, it’s a cultural and social objection. You could say it’s an issue of modesty or keeping children innocent, but I don’t think there’s a specific religious objection to teaching these things, I think it’s more a societal issue’. Objections to learning about LGBT content, then, emerge as being not necessarily *halachic* or legal, but rather social, a distinction that raises implications for how claims of religious rights to the protection from difference are understood. Opposition to the teaching of equality education arguably appropriates the language of rights to pursue a politics of protection from what is positioned as challenging the ‘alternative religious modernities’ (Fader 2009) of Haredi Jewish lifeworlds.

Equality education, however, had the potential to carve a protected space for same-sex-attracted Jews in an otherwise aporetic friction between religion and sexual orientation. Batsheva characterized the Haredi ideal as a former Beis Yaakov pupil who married at the age of 18 and is raising seven children. ‘I do believe, unfortunately there are’, she began, and quickly placed her hands on her head to convey a slip of the tongue, before continuing, ‘I do believe that there are people who are gay, unfortunately for them, they were born in this community that doesn’t allow them to live happy lives’. Implying a choice on the part of the ‘community’ to not accept same-sex-attracted Jews, Batsheva explained, ‘I have no problem with my children knowing about *it*, there is no fear that knowing about *it* will turn them into *it*’. While alternating between the non-grammar of ‘it’ and the rights of same-sex-attracted Jews, she voiced a critique of the positions held by educators.

Same-sex-attracted Jews viewed their sexuality as an intrinsic part of their Judaism, in similar ways to how anthropologists have observed how religious and sexual subjectivities are integrated in conceptualizations of the self (Avishai 2020; Bjork-James 2021; Boellstorff 2005). Born and raised Haredi, and married at the age of 18 to a man through the *shidduch* system, Goldie drew attention to how the ‘alternative religious modernity’ of Haredi Judaism had erased non-normative families from its lifeworld as a necessary precondition to constructing a non-grammar of ‘it’:

I didn’t know that living as a gay person is a valid way to live. At that time, I didn’t know even that non-religious people did that. It’s not as if I even thought, ‘That’s a thing, but *frum* people can’t do *it*’. I did not know that that was a way to live my life (Emphasis added).

The non-grammar of ‘it’ meant that the protected space belonging to different kinds of families – to use the language of the Department for Education guidance – was erased in the Haredi vision for reconstructing *Yiddishkeit*. As Goldie put it, ‘Children are only not coming across a different-shaped family because you’ve created a situation where they never come across a different-shaped family because they’ve never told them about that’.

Educators, too, sought to quietly support same-sex-attracted Jews and their families – though strictly *outside* the domain of Haredi schools. Yisroel ushered me into his dining room, which was characteristic of Haredi homes in Manchester, with a large dining table for the many children and now grandchildren who came for *Shabbos* (Sabbath) meals – capturing how his family formed the centre of his home. Guiding me through his upbringing, Yisroel said, ‘I am a *frum* Jew, you know, brought up in a *frum* household, which adheres strictly to Torah, *Mitzvos* [commandments]’. A committed educator, Yisroel was careful to convey the sensitivities of the issue at hand: ‘There’s no question that the Torah has a very specific view on this [homosexuality], and as a *frum* Jew, I follow what the Torah says’. Yisroel, however, revealed how his encounters with same-sex-attracted people in Jewish education had led him on a ‘journey’, as he put it, to realize that ‘the Torah is “loving thy neighbour as thyself”, so to me, the worst thing would be if somebody feels they can’t be part of the Jewish community because of their lifestyle’. When I asked Yisroel if he was concerned about pushback from rabbinic authorities who had been posturing against equality education, he responded, ‘The question is, what is our responsibility as educators? And our responsibility is to always have a framework where they feel that they belong’.

The protection of difference, then, was not reduced to an aporetic tension between religion and homosexuality, as projected by the public arm-wrestles taking place between custodians of muscular liberalism and religious conservatism in contemporary Britain. Manoeuvring quietly at the sidelines of contentions around equality discourse that have been evolving over time, educators challenge themselves to support same-sex-attracted Jews to forge a potential for being and living. When critiquing public representations of Muslim demonstrations against equality education, scholars noted how British media staged LGBT+ Muslims as the authoritative voices emerging from the protesters – though they, themselves, elide the state appropriation of equality education as part of securitization strategies and ‘liberalism’s tactics of exclusion’ (Khan 2021: 143). By contrast, the Haredi voices described above are not celebrated as authoritative; rather, they are sidelined by dominant discourse as much as they station themselves at the sidelines. There, they assume a responsibility to work through the construction of aporetic differences, and risk being reprimanded themselves. Focusing only on the public optics of muscular liberal and conservative arm-wrestles, whether in podcasts or public protests, forecloses anthropological understandings of the internal critiques of regulatory structures and how multiple grammars of protection as a responsibility are fielded by custodians of conservatism.

Contours of protection

Disputes over equality education have been playing out between custodians of muscular liberalism and religious conservatism in England since 2014, with increasingly public postures and responses emerging during a period of legislative and policy changes. Amidst efforts to render homosexuality a non-grammar, Haredi Jewish pupils read between the blacked-out lines of what is made available to them – sometimes being reprimanded for asking questions about ‘it’ and occasionally receiving an answer. Underlying the resolve of schools and educators to maintain a non-grammar of homosexuality is an imperative to keep Haredi children on the ‘straight and narrow’, which cannot be compromised, regardless of how same-sex-attracted Jews feel that they are made in the image of God. When attempting to negotiate the regulatory authority of educators, however, parents quietly attempt to situate homosexuality *within* a grammar

of protecting Haredi Judaism and educators ask of their own responsibility to keep *Yiddishkeit* alive in Others – and for *Yiddishkeit* to survive another generation.

My ethnographic analysis directs anthropological attention to how public disputes involve postures over self-protection and the safeguarding of values, the convergence of which can be understood through the framing of an arm-wrestle and the negotiations that ensue. Arm-wrestles are a performance of sustained tension between two actors, who work within conventions to exert pressure, maintain an upper hand, and perform authority before an audience. The discursive and ethnographic analysis deployed in this article reveals how Haredi actors negotiate with equality discourse by colluding with its grammars. Protection of religious difference is, on the one hand, staged as grounds to refute requirements to teach about equality education in schools. On the other hand, custodians of religious conservatism work within the rules of statutory guidance to maintain the non-grammar of homosexuality as much as possible, or, failing that, to maintain the 'optics' of tension in their own accountability to constituents. The self-protection of both muscular liberalism and its imaginings of Britishness, on the one hand, and of religious conservatism and reconstruction of *Yiddishkeit*, on the other, is portrayed as being at stake. While opposing positions demonstrate how 'opposites attract' public (and academic) interest, less visible is the authority to question the construction of threat and responsibility.

The contemporary project of liberal statecraft frames recalcitrant religious minorities as opposing its mission and mandate, especially around its equality regimes, and thus a threat to the security of the body politic. Moving beyond securitization discourse that positions Muslim minorities as the contemporary 'Other' of Europe, the case of Jewish orthodoxies illustrates how self-protection is the concern or prerogative not only of the state, but also of minorities themselves. Unlike the politics of indifference claimed by Muslim French (Fernando 2019), I found that self-protective religious minorities seize and project their rights to religious freedom. Yet they push back against intersecting rights and reject LGBT equality as a subject-position and way of being, which is cast as a choice, 'alternative lifestyles', or sin dressed as an acronym. Haredi Jewish educators and parents do not demand the *indifference* that Fernando (2019) observed among Muslim French. Rather, because of their own protected difference, they voice a right to be protected from exposure to the difference posed by homosexuality. Protection is the subject and object of minority-state political disputes in contemporary liberal governance.

Grammars of secularism are multimodal, and take material forms over time and place (Asad 2003), which converge in the lives of religious devotees – who construct and convey secularist threats to religious freedoms (Strhan 2012). I have suggested that the convergence of authoritative and protective grammars *of* and *from* difference is at the heart of the tensions that are being postured in contemporary Britain. However, by disentangling protective grammars and the authority through which they are conveyed, perhaps there is a way to look beyond the legal dilemma of a competition between protections of religion and sexual orientation. Internal critique of regulation is a powerful vehicle for social change, and understanding its (often quiet) expressions reveals how the place of difference and plural possibilities are protected at the sidelines.

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NOTES

¹ While the requirement to teach 'Fundamental British Values' is concerned with the construction of citizenship expectations, I henceforth refer to 'equality education' because of the particular frictions that have emerged around the teaching of LGBT content.

² See Fader & Avishai (2022) for a conceptualization of 'Jewish orthodoxies'.

³ From 2011, there was a requirement for schools to 'respect' British values, which formed part of the government response to the 'Trojan Horse Affair' (Holmwood & O'Toole 2018).

⁴ Historically, values education in Jewish schools was instrumental in integrating the children of émigré Jews during the period of mass immigration from Central and Eastern Europe to England during the nineteenth and twentieth centuries. Jews in England had only gradually become established at this time, and feared that their own precarious positionality would be dislodged by the arrival of typically pious, poor, and Yiddish-speaking émigrés – who were reviled for their difference. Anglicized Jews fielded assimilatory strategies, including in Jewish schools, to 'iron out the ghetto bend' and re-shape Jewish children into model British citizens according to prevailing definitions (Tananbaum 2004).

⁵ The majority of Haredi schools in England are independent and fee-paying (though there are state-aided Haredi schools, which have to manage autonomy over curricula).

⁶ Relationships education is compulsory in primary school and secondary school, but parents can withdraw children from the sex education component at secondary school level.

⁷ Taking sexual orientation as an example, it can be explained that LGBT people have legal rights under UK law and that 'LGBT people must be respected' (Department for Education 2019).

⁸ Ashkenazi Jews trace their origins to Eastern and Central Europe, Sephardim to the Iberian Peninsula, and Mizrahim to the Middle East. Hassidish and Litvish Jews are both Haredi, but are characterized by historically situated philosophical differences in the essence of Judaism.

⁹ Irshai (2017) does not specify what 'regular' prohibitions involve, but can be interpreted as not keeping the laws of *kashrut* or the Sabbath.

¹⁰ A further illustration of emerging sympathy to LGBT inclusion in modern Orthodox Judaism is how the Chief Rabbi of the UK and Commonwealth co-developed a guide on the wellbeing and welfare of LGBT students in Orthodox Jewish schools (Office of the Chief Rabbi 2018). The Chief Rabbi heads the largest and most established denomination of Orthodoxy in Britain ('United Synagogue'). However, his authority is contested by Haredi Jews (who have their own rabbinic bodies) and does not extend to Haredi schools (state-aided or independent).

¹¹ See Kasstan (2019) for reflections on author positionality.

¹² My research approach shifted to virtual methods during COVID-19 pandemic restrictions. Many Haredi parents had regular access to – although selectively used – the internet, which enabled conversations to take place over Zoom or by telephone, and in person when restrictions were lifted. All interviews were recorded, when permission was granted. All names have been replaced with pseudonyms. Fifty semi-structured

interviews were conducted with Jews from Orthodox and Haredi backgrounds between 2021 and 2022. They regarded themselves as *frum* (Yiddish, pious), meaning they were raised in, or had become observant of, *halachic* law. Scholars note that people who leave Haredi Judaism often do so because of incongruity with sexuality (Davidman 2014). I felt it was important to include the voices of same-sex-attracted Jews who were raised Haredi but had left Haredi Judaism, as I consider them to hold stakes in the dramatic competition between 'protected characteristics' that has emerged in Britain.

¹³ I conducted discursive analysis of RSE statutory guidance issued by the Department for Education (2019) to examine state expectations of how equality should and must be taught. Based on the tendency for rabbinic elites to commission and institute public relations agencies to handle fallout with state authorities, I analysed key media material pertaining to relations between state actors and communal leaders, notably (i) a podcast featuring Amanda Spielman (Ofsted) and Eli Spitzer (Haredi educator); and (ii) outputs involving PR groups who represent Haredi educators, such as the Torah Educational Committee, in their contests over equality education.

¹⁴ See Rocker (2018), which notes the role of Shimon Cohen in representing Haredi rabbinic authorities in tensions over education in the UK state.

REFERENCES

- AGRAMA, H.A. 2012. *Questioning secularism: Islam, sovereignty, and the rule of law in modern Egypt*. Chicago: University Press.
- ASAD, T. 2003. *Formations of the secular: Christianity, Islam, modernity*. Stanford: University Press.
- AVISHAI, O. 2020. Religious queer people beyond identity conflict: lessons from Orthodox LGBT Jews in Israel. *Journal for the Scientific Study of Religion* 59, 360-78.
- BJORK-JAMES, S. 2021. *The divine institution: white evangelicalism's politics of the family*. New Brunswick: Rutgers University Press.
- BOELLSTORFF, T. 2005. Between religion and desire: being Muslim and gay in Indonesia. *American Anthropologist* 107, 575-85.
- BRINK-DANAN, M. 2012. *Jewish life in 21st-century Turkey: the other side of tolerance*. Bloomington: Indiana University Press.
- BROWN, W. 2006. *Regulating aversion: tolerance in the age of identity and empire*. Princeton: University Press.
- COHEN, S. 2018. British values have become a fundamentalist doctrine. *Jewish News*, 2 July (available online: <https://blogs.timesofisrael.com/british-values-have-become-a-fundamentalist-doctrine/>, accessed 7 February 2023).
- DAVIDMAN, L. 2014. *Becoming un-orthodox: stories of ex-Hasidic Jews*. Oxford: University Press.
- DEPARTMENT FOR EDUCATION 2019. Relationships and sex education (RSE) and health education. UK Government, 25 June (available online: <https://www.gov.uk/government/publications/relationships-education-relationships-and-sex-education-rse-and-health-education>, accessed 7 February 2023).
- DUNNE, P. 2018. In the matter of M (children): a collision between two unconnecting worlds? *Journal of Social Welfare and Family Law* 40, 234-7.
- ELI SPITZER PODCAST 2020. In conversation with HMCI Amanda Spielman. 18 October. (available online: <https://www.youtube.com/watch?v=eGzYPgo63ZI>, accessed 7 February 2023).
- ENGELSK, M. 2013. *God's agents: biblical publicity in contemporary England*. Berkeley: University of California Press.
- FADER, A. 2009. *Mitzvah girls: bringing up the next generation of Hasidic Jews in Brooklyn*. Princeton: University Press.
- 2020. *Hidden heretics: Jewish doubt in the digital age*. Princeton: University Press.
- & O. AVISHAI 2022. Introduction to the theme. *AJS Review* 46, 1-11.
- FERNANDO, M. 2014. *The republic unsettled: Muslim French and the contradictions of secularism*. Durham, N.C.: Duke University Press.
- 2019. State sovereignty and the politics of indifference. *Public Culture* 31, 261-73.
- HAMODIA 2020. Chinuch UK's rabbanim reiterate their position. 18 February (available online: <https://hamodia.com/2020/02/18/chinuch-uks-rabbanim-reiterate-position/>, accessed 7 February 2023).
- HOLMWOOD, J. & T. O'TOOLE 2018. *Countering extremism in British schools? The truth about the Birmingham Trojan Horse Affair*. Bristol: Policy Press.
- IRSHAI, R. 2017. Homosexual identity and masculinity in contemporary ultra-orthodox Jewish law (Halakhah). In *Oltre l'individualismo: relazioni e relazionalita per ripensare l'identita* (eds) L. Congiunti, F. Giambattista & N. Ardian, 399-418. Rome: Urbaniana University Press.

- JOHNSON, P. & S. FALCETTA 2021. The inclusion of sexual orientation and gender identity in relationships education: faith-based objections and the European Convention on Human Rights. *European Convention on Human Rights Law Review* 3, 90-133.
- KASSTAN, B. 2019. *Making bodies kosher: the politics of reproduction among Haredi Jews in England*. Oxford: Berghahn Books.
- KATZIR, S. & L. PERRY-HAZAN 2023. Discourse, legitimacy, and bottom-to-bottom change: Haredi activism to promote secular education in New York Hasidic schools. *Journal of Education Policy* 38, 141-65.
- KHAN, A. 2021. In defence of an unalienated politic: a critical appraisal of the 'no outsiders' protests. *Feminist Review* 128, 132-47.
- KRAVEL-TOVI, M. 2017. *When the state winks: the performance of Jewish conversion in Israel*. New York: Columbia University Press.
- 2020a. The spectre of dwindling numbers: population quantity and Jewish biopolitics in the United States. *Comparative Studies in Society and History* 61, 35-67.
- 2020b. 'They must join us, there is no other way': Haredi activism, the battle against sexual violence, and the reworking of rabbinic accountability. *Nashim* 37, 66-86.
- LEHMANN, D. & B. SIEBZEHNER 2009. Power, boundaries and institutions: marriage in ultra-orthodox Judaism. *European Journal of Sociology* 50, 273-308.
- MCIVOR, M. 2020. *Representing God: Christian legal activism in contemporary England*. Princeton: University Press.
- MAHMOOD, S. 2015. *Religious difference in a secular age: a minority report*. Princeton: University Press.
- MYERHOFF, B. 1978. *Number our days: a triumph of continuity among Jewish old people in an urban ghetto*. New York: Touchstone.
- OFFICE OF THE CHIEF RABBI 2018. *The wellbeing of LGBT+ pupils: a guide for Orthodox Jewish schools* (available online: <https://chiefrabbi.org/wp-content/uploads/2018/09/The-Wellbeing-of-LGBT-Pupils-A-Guide-for-Orthodox-Jewish-Schools.pdf>, accessed 7 February 2023).
- OFSTED 2014. *School report: Beis Yaakov High School* (available online: <https://files.ofsted.gov.uk/v1/file/2427777>, accessed 7 February 2023).
- 2019. *Inspection of Beis Yaakov High School* (available online: <https://files.ofsted.gov.uk/v1/file/50144339>, accessed 7 February 2023).
- PRIME MINISTER'S OFFICE 2012. Speech at annual dinner of United Jewish Israel Appeal. UK Government, 15 October (available online: <https://www.gov.uk/government/news/speech-at-annual-dinner-of-united-jewish-israel-appeal>, accessed 7 February 2023).
- RAUCHER, M. 2020. *Conceiving agency: reproductive authority among Haredi women*. Bloomington: Indiana University Press.
- ROCKER, S. 2018. Prayers to counter threat to schools. *Jewish Chronicle*, 22 June (available online: <https://www.thejc.com/education/education/features/charedi-groups-step-up-action-to-counter-threat-to-their-schools-1.465962>, accessed 7 February 2023).
- RODGER, T., P.A. WILLIAMSON & M. GRIMLEY 2020. *The Church of England and British politics since 1900*. Martlesham, Suffolk: Boydell & Brewer.
- SCOTT, J. 2009. *The art of not being governed: an anarchist history of Upland Southeast Asia*. New Haven: Yale University Press.
- SHELDON, R. 2021. A new normal? The inordinate ordinary of COVID times. *Journal of Psychosocial Studies* 4, 173-86.
- STADLER, N. 2009. *Yeshivah fundamentalism: piety, gender, and resistance in the ultra-orthodox world*. New York: University Press.
- STAETSKY, L.D. & J. BOYD 2015. *Strictly Orthodox rising: what the demography of British Jews tells us about the future of the community*. Institute for Jewish Policy Research (available online: <https://archive.jpr.org.uk/object-uk285>, accessed 9 February 2023).
- STRHAN, A. 2012. Latour, prepositions and the instauration of secularism. *Political Theology* 13, 200-16.
- TANANBAUM, S.L. 2004. Ironing out the ghetto bend: sports, character and acculturation among Jewish immigrants in Britain. *Journal of Sport History* 31, 53-75.
- TARAGIN-ZELLER, L. 2021. A rabbi of one's own? Navigating religious authority and ethical freedom in everyday Judaism. *American Anthropologist* 123, 833-45.
- & B. KASSTAN 2020. 'I didn't know how to be with my husband': state-religion struggles over sex education in Israel and England. *Anthropology & Education Quarterly* 52, 5-20.
- TAYLOR, C. 1994. The politics of recognition. In *Multiculturalism* (ed.) A. Gutmann, 25-73. Princeton: University Press.

- TEMAN, E., T. IVRY & H. GOREN 2016. Obligatory effort [hishtadlut] as an explanatory model: a critique of reproductive choice and control. *Culture, Medicine and Psychiatry* **40**, 268-88.
- UK GOVERNMENT 2011. PM's speech at Munich security conference. 5 February (available online: <https://www.gov.uk/government/speeches/pms-speech-at-munich-security-conference#:~:text=We%20have%20got%20to%20get,must%20distinguish%20it%20from%20Islam>, accessed 7 February 2023).
- 2018. Amanda Spielman's speech at the Church of England Foundation for Educational Leadership. 1 February (available online: <https://www.gov.uk/government/speeches/amanda-spielman-s-speech-at-the-church-of-england-foundation-for-education-leadership>, accessed 7 February 2023).
- VINCENT, C. 2019. *Tea and the Queen? Fundamental British values, education and citizenship*. Bristol: Policy Press.
- WOODHEAD, L. 2017. The rise of 'no religion': towards an explanation. *Sociology of Religion: A Quarterly Review* **78**, 247-62.
- YOUNIS, T. & S. JADHAV 2019. Keeping our mouths shut: the fear and racialized self-censorship of British healthcare professionals in PREVENT training. *Culture, Medicine and Psychiatry* **43**, 404-24.

Des différences aporétiques? Droits à l'égalité, écoles religieuses et contours de la protection

Résumé

En réponse à l'obligation faite aux écoles anglaises de mettre en place une éducation à l'égalité, des minorités religieuses conservatrices ont attiré l'attention sur un conflit entre les caractéristiques des religions protégées par la loi et l'orientation sexuelle. Sur la base d'une enquête ethnographique au long cours parmi des communautés juives orthodoxes en Angleterre, l'auteur formule une critique de ces différences apparemment aporétiques en retraçant les grammaires de la protection employées par les gardiens de la gouvernance étatique et du conservatisme religieux dans les controverses publiques et en montrant comment certaines de ces grammaires en viennent prévaloir sur d'autres. La mise en scène de grammaires autoritaires de la protection par l'État et les conservateurs religieux empêche de comprendre les positions de sujet qui manœuvrent aux marges pour intégrer diverses façons d'être et protéger un espace de différence. En les approchant comme un bras de fer, l'article critique les négociations sur les réformes des politiques et des lois telles qu'elles sont perçues dans les univers sociaux et explore la façon dont les acteurs de l'État et du conservatisme religieux évoluent au sein des conventions de gouvernance libérale séculière de façon à imposer leur autorité et leurs enjeux face à ce qui pourrait menacer leur continuité.

Ben Kasstan (MSc, Ph.D.) is Assistant Professor in the Department of Global Health & Development, London School of Hygiene & Tropical Medicine. He is the author of *Making bodies kosher* (Berghahn Books, 2019), and he has published in *Social Science & Medicine* and *Medical Anthropology Quarterly*.

Department of Global Health & Development, London School of Hygiene & Tropical Medicine, 15-17 Tavistock Place, London WC1H 9SH, UK. Ben.kasstan@lshtm.ac.uk