Families of squatters who had settled in a quiet neighborhood of Paris wished to send their children to the local school. Our ethnohistorical inquiry explores how the mobilization in favor of schooling the children was embedded in other controversies and mobilizations that arose from the squatters’ presence in the occupied building. Many collective social actors (associations, unions, administrations, and politicians) were involved in conflicting mobilizations in an ongoing struggle of competing arguments. The contemporary crisis of the French model of political representation has enabled the emergence of new forms of collective protest: new ways of defining social problems and a new repertory of civil actions, that is, the “mediatization” of social action and the recourse to litigation. Our study suggests some of the possible extensions and limitations of this movement, especially in the context of action taken by teachers’ unions and parents’ associations. [judicialization, mobilization, parents, schooling, social movement]

The right to housing, the right to a peaceful existence and to personal safety, and the right to education were the most outstanding demands made by the mobilizations and controversies that arose from the takeover of an unoccupied building in a residential area of Paris by inadequately housed families who were assisted by a housing rights association. These families wanted to send their children to the school in the vicinity of the building they were occupying. Their occupation of the building and their attempts to enroll their children generated a variety of demonstrations, both in support of and in opposition to the families’ wishes, which our case study tracked historically on a day-to-day basis.

We were particularly interested in studying the fight led by a series of associations and unions to coerce public authorities to recognize and fulfill their educational responsibility. We soon realized that the mobilization that occurred over a child’s right to schooling closely overlapped with other mobilizations and controversies that focused on specific claims regarding housing rights, the legitimacy of a squatter’s home, and the risks and dangers of the occupied building. These controversies were sustained and resolved by legal recourse, in a way that repositions it within the French legal system. The French state has made the regulation of social and political order its own administrative responsibility. Today it is increasingly difficult for the state administration to set universally operative rules, especially regarding schooling and its relationship with the parents of schoolchildren. In the...
context of mobilizations such as the ones involved in our inquiry, legal recourse is correlated with overstepping the rules and limitations imposed by the state and with a corresponding self-government of individuals (Mouchard 2003), both of which underscore the legitimacy of defending the specific rights adherent to these conditions. The claims, mobilizations, and controversies that emerged from our study attest to a radical transformation of social criticism in France in recent decades (Boltanski and Chiapello 1999).

Our study indicates that the school itself will continue to be affected by this evolution. This should not come as a surprise: more and more rarely are social movements strictly sectorial, new causes are more frequently interconnected, joining together narrowly defined causes or objectives that are not strong enough—when approached separately—to attract the attention of public authorities. We propose a renewed way of perceiving and analyzing these evolved forms of group protest. It is critically important that we take into account the plurality of claims, the diversity of modes of collective action, the importance of the media coverage, and the degree of legitimacy of the demands. Although the parents’ movement is unable to establish itself as a unilateral cause in France, and as teachers’ unions experience more and more difficulty in formulating demands that are not corporative in nature, the school and the issue of schooling are the focus of so much attention that they have become the setting where strong protests are formed or crystallized, precisely because they are simultaneously local, multisectorial (involving multiple sectors of public action), and interconnected.

A Case Study as an Ethnohistorical Narrative

In the first stage of our research on the joint mobilization of parents and teachers fighting to preserve a school’s status in an education priority zone that benefited from the politics of affirmative action (Dutercq and Lafaye 2003), we conducted an inquiry retroactively by interviewing the different social actors who were involved in the situation at the school. This approach was limited by the fact that the only accounts we were able to collect after the fact tended to be narrativized bits that incorporated multiple and divergent events into a coherent metanarrative (Ricoeur 1983). To alleviate this restriction and convey a more active sense of the dynamics of the various mobilizations as they unfolded, we developed a plan for observing the situation that involved reading the local Parisian press every day and contacting a network of inside informants made up of teachers and members of student parents’ groups. In June 2001, we were informed of a mobilization under way in favor of schooling the squatters’ children. That summer we conducted a preliminary investigation designed to identify the different social actors on the scene; by the time the school year began in the fall, we had already set up an ethnographical model for tracking and documenting the mobilization. We contacted the main participants involved in the event: activists representing a group for the defense of those with inadequate housing (the housing rights association), the principal of the school that was next door to the occupied building, and student parents who were opposed to the squatters’ presence in their neighborhood. These parents were divided into two different groups: a national conservative association whose activists are centrists or on the Right in the French political spectrum and a conservative group of local parents who insisted on their political independence. We also contacted parents who
mobilized in favor of schooling the squatters’ children, members of a national student parents’ association spearheaded by leftist activists, and teachers’ unions. Our contacts with the squatters themselves—immigrant families from sub-Saharan Africa with a relatively poor knowledge of French—were ultimately disappointing because their communication with us was strictly monitored by the housing rights association. We found that the most fruitful approach to the school itself was to be present during the assemblies of protesters, which the activist groups notified us of, especially activists from the chief national parents’ association led by leftists. During these demonstrations, which usually brought together a small group of people, we were able to either question firsthand or request an appointment with some of the participants, some of whom offered to give us their contact information. This close contact allowed us to keep abreast of the daily developments of the movement.

We observed that the mobilization created a great deal of tension within the school: several parents who were part of the local and national conservative associations were hostile specifically to the idea of schooling the squatters’ children and generally to the occupation of a building in the vicinity of the school. These parents regularly clashed with the squatters’ defenders during the organized demonstrations in front of the school. The teachers at the school were extremely discrete; giving their principal full rein in handling the situation. Our ethnographic tracking of the situation continued until the affair ended in June 2002.

At the same time we began a series of formal interviews we felt would be instrumental in directing our analysis of the events we were tracking. These interviews continued until the end of 2002. We spoke with the activists from the housing rights association who interacted the most with the squatters, contact persons and activists for the parents’ association, teachers at the school, representatives of the teachers’ unions who closely followed the situation, and others. We cite elements of these interviews in the historical-narrative sections of this article.

The structure of our analysis grew from familiar conceptual models, but with the least possible influence of a priori theoretical constructs. Above all, our goal was to respect the concurrent voices, modi operandi, and motivations of the various social actors who competed with each other in these controversies, by reconstituting them as faithfully as possible.

A Bundle of Mobilizations and Controversies: Chronological Data

The issue of schooling that we tracked in our research would become the central question of our case study. However, its significance only emerged gradually from the place where it was embedded in a bundle of other mobilizations and controversies.

The initial event occurred in March 2001 when inadequately housed families, mostly immigrants from sub-Saharan Africa, took over an empty building. These families were unable to find other housing because of prohibitively high rents for private apartments and the restricted number of socially subsidized housing units. The occupation fit into a regime of civic justification (Boltanski and Thévenot 1991) and was supported by a law concerning the requisition of empty housing units. Its impetus was to denounce the social injustice inflicted on the inappropriately housed families with a suitable reaction: the requisition of unoccupied dwellings by families seeking housing was concomitant with the notion that everyone has the right to adequate housing.
The squatters’ building produced a countermobilization that began the day after the place was occupied. This countermobilization was organized by neighbors: inhabitants of the building adjoining the occupied building, residents and shopkeepers in the neighborhood, and parents of schoolchildren, some of whom were members of the national conservative association and some of whom belonged to the local conservative parents’ group. In the weeks following the occupation of the building, these parents excluded the issue of schooling from their contention: “The basic problem is not whether or not to school the children, it’s the fact that there is an occupied building next to the school.” This first mobilization of parents was confined to the immediate neighborhood. The local mayor—that is, the mayor of the arrondissement, a conservative rightist—met with a delegation of parents and assured them of his support. The crux of the mayor’s argument was the unsanitary and hazardous condition of the building: he denounced the presence of asbestos, the risk of fire, and the outmoded security devices in the building. This controversy was couched in terms of technical expertise and juridical language and was relayed by two administrative offices: the Paris mayor’s office and the Préfecture of Paris. If the parents who disagreed with the occupation of the building adopted this argument, its connection with their own concerns would always remain problematic. Complaints from parents and locals regarding the disturbance of the peace in the neighborhood represented by the occupied building were the most difficult to document. Moreover, these complaints were disqualified and lost credibility with the public insofar as they were soon suspected and labeled as xenophobic and racist. In conclusion, the assertion of housing rights was based on a critique of the social injustice inflicted on the inadequately housed families. This critique is associated with representations of fairness and equality (Tassin 2003). It is substantially different from the counterclaim of disturbance of the peace, which is void of any critical support that could be mustered by similar representations of fairness.

In the days and weeks following the occupation of the building, the mayor was beset by the squatters, who wanted to enroll their children in a school that was near their new home. Nonetheless, the local mayor rejected all collective and individual enrollment requests received between March and September 2001, because the building was not secure. The mobilization in favor of educational rights emerged from the local mayor’s repeated refusal to enroll the squatters’ children in the nearby schools. Mailings from the housing rights association (addressed to different authorities), together with a list of names of the children involved went out in June and July 2001.

At the beginning of the new school term in September, the situation appeared to be at a complete standstill. During a back-to-school demonstration in front of the rectorate on the morning of September 7, the representative of a militant teachers’ union circulated among the participants and alerted them to the situation at this school. At that point the leftist parents’ association took charge and orchestrated most of the actions in favor of schooling. The mobilization in favor of schooling tended to overshadow the goals of the other claims.

Another notice refusing enrollment was sent to the families who had just renewed their efforts, triggering more spectacular actions. For example, September brought the organization of an “open-air” class on the sidewalk in front of the occupied building and December brought an attempt to occupy the school. At the same time, legal actions were instituted by the families and the City of Paris that sought to repossess the occupied building. In the first judgment pronounced in October, the judge...
ordered the local mayor to proceed with the enrollment of only two pupils. But in December the administrative court dismissed the three families who had filed suit. It was paradoxically the verdict of the county court, which was upheld by the mayor of Paris to evict the families from the occupied building, that led the way to new justifications for schooling. Whereas the county court’s judgment recognized that the building was illegally occupied, it also gave the families a ten-month extension before their final eviction. The prefect demanded that the local mayor allow the children to attend their local school during this period. This decision brought the case as we had followed it to a close in February 2002.

The problem of the connection or disconnection among the different controversies, issues, and claims that arose over this illegally occupied building is a fundamental aspect of our case study. The sudden presence of inadequately housed families of immigrants in a quiet neighborhood, the social harmony in the vicinity of the occupied building, the physical safety of the structure itself, and the schooling of the squatters’ children are the forces that mobilized the same, individuals (including parents of schoolchildren), local associations, and national constituencies. All these participants interacted alternately over time, revealing different aspects of the same situation. Launched by the local mayor’s refusal to enroll the squatters’ children in school, the mobilization in favor of educational rights ultimately took a central place in the affair, surrounded by a constellation of other issues at stake that polarized different protagonists. Each participant’s position was linked to conflicting arguments whose difference could only be decided and ultimately resolved in court. At that point, the question of whether or not to school these children took on a public dimension that was amplified by media coverage (Barbot 1999). The mobilization in favor of schooling tended to overshadow the goals of the other claims; in fact, it accelerated at an unprecedented rate because of the support of a number of constituencies, recourse to staged events that were geared to media coverage, and a new sense of commitment in the legal arena. The right to be educated was later displaced from the public arena to the judicial court.

Mobilized but Weakened Collectives

The mobilization of the locals in the neighborhood of the occupied building enlisted relatively unimportant collectives but a large number of individuals, in direct contrast with the mobilization supporting educational rights, which included several national constituencies—a housing rights association, a leftist parents’ association, and two teachers’ unions—but very few real individuals not directly connected to the local situation. The commitment of the more militant teacher’s union in support of the housing rights association was closely linked by one of its representatives to its central position among the unions. This particular teachers’ union spoke out “on professional but also on interprofessional grounds, in the broadest sense, including issues of social life, particularly the assertion and demand of respect for basic human rights such as the right to an education, of course, but also the right to good health, to freedom of movement, the right to adequate housing, and the right to personal dignity.” The militant teachers’ union had previously addressed the schooling of children living in the buildings taken over by the housing rights association in Paris and the suburbs. Perhaps because of its long-standing relationship with the association, this teachers’ union seems to have taken the most
active role on a daily basis. During a back-to-school demonstration in front of the rectorate, where some union members and representatives of the schools demanded that a class be opened or protested against the closing of another, the representative of the militant teachers’ union clamied: “This problem began last March. Thirty-six kids are still out of school, although this is contrary to the law. Furthermore, the law states that if a child of school age is found on the street during class time, the child must be taken by the hand and led to the nearest school.” The action of the teachers’ unions was targeted by several critics: they were accused by some parents and locals of trying to bolster their political position, and they were also accused by the representative of the school administrator—who was up in arms against the way the mobilization had been carried out—of not serving the cause of education well. The Parisian teachers’ unions were also suspected of artificially inflating the size of classes in their schools to decrease the number of cancelled classes and, in our case, of giving precedence to their corporate interests over the children’s welfare.

The leftist parents’ association played an active role in the struggle through the involvement of its president and the even more intense involvement of one of its administrators, who, beginning in September 2001, devoted a major portion of her free time to organizing and coordinating the mobilization in favor of schooling. The militant members of the housing rights association insisted on the invaluable importance of the support of the leftist parents’ association, which had not only access to but also deep knowledge of the scope of useful administrative purviews. The personal implication of the two Parisian administrators was valorized: “They came to the site and have seen the parents.” From the beginning of the fall term, the leftist parents’ association orchestrated most of the actions in favor of schooling by means of accompanying families through the enrollment process, draisnats of administrative authorities, press communiqués, calls to public assembly in front of the local mayor’s office, an open-air class organized in front of the occupied building, setting up educational support, an attempt to occupy the school, and legal recourse.

Meanwhile, the leftist parents’ association soon found itself confronted by an adversary where it expected support in its struggle for schooling: the head of the board of the deputy-mayor of Paris’s office in charge of educational affairs was a former president of the association. In fact, the central mayor’s office, which was also the landlord of the occupied space, refused to take responsibility for the children’s enrollment and began a proceeding in the Tribunal de Grande Instance (i.e., the county court) that sought to have the families evicted. The committee in charge of educational affairs was regularly confronted by the federation’s new leaders and taken to task for its weak support. A few weeks later, discouragement gave way to anger: “It is true that [the former president of the leftist parents’ association] thinks that we’re stirring things up too much in this case, but all he has to do is resign from the national association! His position is ludicrous: he’s got his butt between two chairs!” Nor did the contribution of the two administrators of the leftist parents’ association gain unanimous support from the local activists. Although its members wholly agreed with the goals of their national association regarding the imperative of schooling the squatters’ children, they felt the approach was too relaxed: “Without a doubt, they [the children of the families occupying the building] are in the school’s precinct and should have been in school. I have no problem with the action of the national association, as I agreed that action should eventually be taken; the fact of the
matter is that I was not even asked, ‘What do you think of the situation?’” The nature of the actions and involvement of the leftist parents’ association was the object of internal dissension that resonated with all the other participants.

Long-standing collectives, well recognized by the authorities, were engaged in the fight for educational rights. Some, like the teachers’ unions or the leftist parents’ association, represented tens or hundreds of thousands of members. Nevertheless, their capacity to mobilize others into taking concrete actions was diminished. At the assembly in front of the local mayor’s office on September 19, there were fewer than ten people present from each delegation. The leftist parents’ association in particular was represented only by its president, a Parisian administrator, and three separate activists who had come from other schools. No leftist activists from the school bothered to show up. The few who were present deplored the difficulty of mobilizing parents with a vested interest except on the very local level and regretted the near disappearance of any display of solidarity.

**Spinning a Drama for the Media**

The assembly in front of the mayor’s office was proof that this type of action could hardly mobilize large numbers of participants. Consequently, the organizations involved in the struggle for schooling had recourse to more dramatic actions that were more easily adaptable to a media format. In this sense they were also more likely to arouse public opinion. Two such actions—the organization of an open-air class on the sidewalk in front of the occupied building and the attempt to occupy the neighborhood school—attest to the shifting repertoire of collective actions, especially those of parents and students, and to the type of criticism to which these new forms of militant action expose themselves. Recourse to this type of action not only is different from the traditional repertoire of these organizations but also sharply contrasts with the actions of the delegations of parents who approached the local mayor and the inspector of schools with their hostility toward the presence of the squatters’ home in their neighborhood. These parents’ lack of originality in their range of actions was compensated for by their stubbornness: “I know that the parents of the local group went there nearly every day and supported the mayor in whatever he chose to do.”

Neither the organization of an open-air class on the sidewalk outside the school nor the attempted “sit-in” at the school required any sophisticated logistics: some tables and chairs and a few full-time unionized teachers for the former; some seasoned activists for the latter. The dramatic nature of these demonstrations was calculated with an eye toward their spin as media events. Each one required prior contact with specialized journalists who were likely to be interested in covering the event. In both cases, the squatters’ children were solicited to concretize and expose the scandal of the situation, which was then translated into televised images on several channels. A few celebrities came forth and participated in the events, bringing their media presence and ethical concerns to the table. As the camera framed their image, their own words were recorded and broadcast.

This type of dramatic action was simultaneously denounced by parents opposed to the squatters and local members of the leftist parents’ association. The choice of the open-air class on the sidewalk in September instead of an attempt to force the children’s enrollment at the local school emerged from the intention of dealing tactfully with the school’s parents: “We told ourselves that we were not going to get into a
fight with the parents with the kids in the middle.” Moreover, when the attempt to occupy the school took place three months later, the emphasis was placed mainly on the disturbance that such action would have on the students. Several angry parents addressed the activists at the moment they were trying to take over the school with the words, “You’re scaring our children!” That is, the action in favor of schooling the children actually contributed to the disturbance of the peace that the parents hostile to the squatters had complained about.

Although in favor of schooling the children, a former leftist activist upheld a point of view like that of the hostile parents: “Calling the TV stations and holding a demonstration on the sidewalk with the children in the camera’s viewfinder is certainly more impressive and draws more media attention than going to the mayor or principal for a discussion. I was not in favor of it, because I felt it disturbed the children.” She accused a leader of the leftist parents’ association of treating the children like hostages, emphasizing the counterproductive nature of this type of dramatic action: “It produced hysteria in the local parents’ group who stayed at the scene and then relieved other parents. Once the association’s commando unit was in place on the sidewalk, its headquarters could talk about the situation on television, but afterwards they disappeared.” The counterproductivity was measured by its effect within school, and other parents’ associations were accused of seizing on this to devalue the merits of the goals of the leftist association. The counterproductive claim also targeted the effect of the takeover on the teaching staff: “The principal was more or less in favor . . . of the organizational plan of the leftist parents’ association for schooling the children. But she was not at all favorable to the disruption that was created in front of her school.” Besides the criticism that focused on these actions collectively, a grievance arose against the people at headquarters. They were blamed for taking action without the assurance that the activist work following the media exposure would be correctly done, which in this case would have meant being available on a regular basis in front of the school to inform nonparticipating parents of the validity of the activists’ actions and goals. With its brief time span, theatrical spin, necessary staging, and dramatic intensity, the media event was the opposite of the written harassment of the public authorities: “Our leaders at headquarters are convinced that the media presentation was the only effective action, but I remain convinced that the groundwork done by the housing rights association and the mailings to administrators—which caused no disturbance at the school—were as important and effective as the media hits.” The disagreement between this interviewee and the leaders initially focused on the repertoire of actions taken to get the attention of public authorities. Whereas the leaders immediately brought the issue of schooling into the domain of the media, the interviewee was more in favor of action directed toward administrative proceedings from the mayor’s office and rectorship. By opposing the media event to the groundwork, the interviewee also opposed the leftist parents’ association and the housing rights association, as if all their actions had been undertaken separately. The issue of taking the opportunity to stage such dramatic action went so far as to rupture the already present gap between the leaders at the headquarters of the leftist association and the local chapter.

The fight for educating the squatters’ children was brought to the public’s attention through the media from September 2001 to February 2002. One of the primary stakes for those involved in the struggle was respect for the right to education. To accomplish this mission, this right had to be completely separated from any and all
other considerations regarding the conditions of the building itself or the living situations of its inhabitants.

The Debate over the Intersection or Dissociation of Different Claims

The conflict over schooling for the squatters’ children was part of an unprecedented situation: well before the mobilization took on a more public face, the issue of schooling was embedded within the set of controversies that had already arisen over the occupation of the building. The idea of enrolling the children in school tormented the parents and locals opposed to enrolling the squatters’ children, because approval of schooling implied perpetuating the occupation of the building in their neighborhood. However, the local mayor leveraged the children’s schooling in his battle over the already controversial question of the safety of the building. A priori, the connection between enrolling the children in school and the safety of the building was not self-evident. The local mayor, therefore, had to develop a full argument to prove that the two issues were dependent on each other. He justified his refusal to enroll the children because of the danger of fire and compromised hygiene in the building. In response to letters from several families asking him to reconsider his decision, the mayor emphasized that in previous identical situations, he had given his support to similar enrollments. However, as he argued that time, the situation was different because of the security problem. So he favored the security commission and police headquarters’ opinion, which was unfavorable to the continued use of the building because of “serious and immediate safety problems.” He emphasized the potential penal violation that the squatters could incur if they continued to live in the building and used this warning to justify his refusal to enroll the children in school. The mayor’s argumentation assumed a certain validity when taken seriously by other participants. The Préfecture of Paris evaluated in legal terms the extent to which enrolling the children in school was a function of the condition of the building: “It is entirely a question of the conjunction or disjunction of administrative and penal law.”

The mobilization of the locals concerned with preserving the tranquility of their neighborhood and the mayor’s personal fight to evacuate the occupied building relate to each other within the argument but were initially separate. They converged on the presence of the squatter families. This convergence led groups of parents of schoolchildren, who were aware of the risk to prolong their presence, to support the mayor in his refusal to enroll the children. However, one representative of the local conservative parents’ association who felt compassion for the children forced to endure long commutes to reach their former schools at the other end of Paris: “I think it’s so sad for these kids who have I don’t know how long a ride each morning, but it’s also true that for me, and I agree with the mayor here, that if he signs that paper for the school, then the squatters’ home will stay, that’s it, they’ll move in for good. It’s true, that would legalize their home.” In this case, enrollment in school was no longer an innocuous administrative procedure intended only to affect schoolchildren. Instead, it authorized the squatters’ presence over a much longer period of time.

For the supporters of compulsory education (the housing rights association, the leftist parents’ association, the teachers’ unions, and others) the children’s enrollment at the school in their new neighborhood was a basic and unconditional right. “Children of nomads and gypsies must be sent to school, regardless of where their parents live,” declared a teachers’ union representative to his audience at a back-to-school
demonstration in front of the education authority September 2001. The letter sent by the leftist parents’ association to the prefect of Paris asked him “to order the local mayor to respect paragraph 13 of the preamble to the 1946 Constitution: ‘this nation guarantees equal access to education to both children and adults. . . . The organization of public instruction, which is to be free and secular in extent, is the duty of the state.’” The same letter also referred to the European Convention on the Rights of Man that stipulates that “no one may be refused the right to an education.”

At a September protest demonstration in front of the local mayor’s office, the families occupying the building adopted the slogan “School is law,” which was taken up by the participants. This was the only justification needed by the African mothers who were supported by the housing rights association. They sent the message that they would relentlessly uphold their children’s right to schooling: “As long as our children have no school, we will not be worn down.” All those who mobilized in favor of schooling tried to disconnect the issue of enrollment from the question of the status of the occupied building. This disjuncture facilitated the mobilization of members of the leftist parents’ association, because it neatly inscribed the thought and action underpinning it within the scope of parents’ associations’ traditional powers: “The leftist parents’ association dissociated the two problems, and I couldn’t have agreed with them more on that count. The problem of the children’s schooling was the only problem they were concerned with.”

Merely supporting compulsory education may have resulted in a weak commitment from some other supporters of the movement. This ambivalence was shared by one of the deputy mayors of Paris elected from the arrondissement in question, when she upheld the children’s right to education but did not oppose the evacuation of the squatters’ home: “The problem of the occupied building for the housing rights association should not be confused with the issue of mandatory schooling.” The statement was intended to accommodate both the mayor, who had begun eviction proceedings against the families of squatters, and a deputy mayor, who sided unequivocally in favor of compulsory education. In this case, the disjunction seemed excessive to several participants. Some, like the representative of the conservative parents’ association, denounced the apparent contradiction: “She [the deputy mayor] has got to stop, because if the mayor says they have to evacuate, and then she intervenes in favor of . . . They’ve got to agree.” Others, like the administrator of the leftist parents’ association and a representative of the militant teacher’s union, extended the limits of the support of the Paris mayor’s office: “The central mayor’s office insisted that the local mayor enroll the children at the same time as it was preparing to evict the families from the building, and they succeeded.”

The dissociation between the issue of compulsory education and the question of the occupied building was not only the work of the activists who supported the right to be educated. It was also adopted by the representative of the local parents’ group who defended the legalistic position regarding school enrollments: “I imagine that there are those who would have wanted to take a firmer stance, opposing both the presence of the squatters (which had nothing to do with the parents of schoolchildren) and integrating the children into the school. I would say that the majority of our local parents’ group sought to take a legalistic position, in other words, that these children, like all children, should be enrolled in school, but one which respects the rules and conditions of enrollment.” The fact that members or allies of this parents’ association had spoken out against the occupied building was not ignored, but it was devalued
on the grounds that it was not within their competency. Focusing uniquely on educational issues, this interviewee strove to highlight failures to follow administrative rules regarding the enrollment of the squatters’ children. A representative of the conservative parents’ association also made the same allegation: “If you lived in the neighborhood, you were required to present two proofs of residence. If we forgot one, we had to go get it and then come back, and then it was ‘No.’ That seems a little unfair.” Furthermore, the director of the prefect’s office, who was disappointed that the measures taken to enroll the children from the occupied building in school did not initially respect the prescribed administrative procedure, used the same argument.

The connection among enrolling the children in school, prolonging the occupation, and the security of the building (a connection the local mayor insisted on when he refused to enroll the children in school) was not only contested by the activists in favor of the right to education; they also found it to be fallacious. Just as the locals’ complaint of a disturbance of the peace was exposed as being tinged with racism, the local mayor’s refusal to enroll the children in school was attributed to his hostility toward the building’s occupants and the housing rights association’s methods. The activists used their own experience with occupied buildings to interpret the mayor’s attitude and listed the range of measures habitually taken to discourage squatters. The most prevalent was the refusal to reset water or electric meters. They argued that in this case, the water and electricity had not been shut off: “All you had to do was flip the lever to make it run; it had never been turned off.” Because the usual ways of discouraging squatters were not available to him, the mayor drew attention to the presence of asbestos in the building, the basis of his previous warning that the building was uninhabitable. When the housing rights association demanded a countersignature that proved that the occupied floors were not exposed to asbestos fibers, the mayor fell back on the only weapon left at his disposal: the refusal to enroll the children in school. The activists supported their assertions with the reminder that the educational division of the mayor’s office had initially begun to enroll the children, upon acceptance of the proof of residence provided for the families by the housing rights association, before backpedaling on the issue. The publication of several articles in the Figaro presenting the question of school enrollment as “the last measure at the mayor’s disposal” only served to increase suspicion or confirm what was already known. When the administrator of the leftist parents’ association heard that the local mayor was contacting the directors of the kindergarten in the arrondissement and encouraging them to enroll children on their waiting lists, she interpreted this tactic as an effort to fill underenrolled classes to numerically prevent the enrollment of the children living in the occupied building: “This guy is a bastard! It’s pathetic. . . . What do I mean? Children two-and-a-half years old are going to be schooled, but there’s no room for the squatters’ children who are older?”

The controversy over whether or not to school the children of squatters was based on two contrasting perspectives on the issue: either as a responsibility and a right independent of any other commitment or as a multifaceted issue whose nexus articulated with the issue of the safety of the building and its occupants’ ongoing exposure to danger. The impossibility of consensually defining the situation for its participants led many of them to choose recourse to the law, ultimately taking action in court. We shall now examine the nature of this commitment and the effect of the law on these controversies.
Engaging in the Legal Arena

For several months, the organizations that set the pace mobilized in the name of compulsory education and educational rights without discovering an effective way of ensuring the children’s enrollment in their neighborhood schools. They then turned their attention to the court. It was not because their chosen cause was directly formulated in terms of reclaiming certain rights that they were compelled to take judicial action (Agrikoliansky 2003). In the case of our study, such action only intervened when all other forms of action had been exhausted: letters to various public authorities presenting the families’ problems enrolling their children at the mayor’s office in the arrondissement where they lived, meeting with these authorities, demonstrations and “mediatized” dramatic actions staged in hopes of gaining a broader audience for their cause. However, recourse to the law is not always synonymous with juridical or judiciary action. It may consist simply of a mobilization of fundamental documents that state the principle that the organizations are seeking to valorize: in a letter to the prefect of Paris, the leftist parents’ association referred to the preamble to the 1946 Constitution as well as the European Convention on the Rights of Man.

Furthermore, recourse to the law in court was suggested by some participants only as a last resort that would be needed only when other forms of action had failed to resolve the conflict: “Certainly we have to follow procedures, but we also hope that that will not be necessary and that aggressive relations will prevail.” With the sole exception of the Préfecture of Paris, whose representative advised the families to lay the matter before an administrative court, the persistent defaulting of various authorities, who never stopped sending the ball into the other’s court, led these families to enter into legal action, with the assistance of the housing rights association and the leftist parents’ association. In a communiqué announcing the subpoena to chambers of the local mayor and the prefect of Paris, the leftist parents’ association justified instituting legal proceedings on the grounds of “the local mayor’s obstinacy” and the Paris prefect’s “evasion of duty,” both of which were qualified as “derogatory to the efficiency of the institutions of a democratic state.” The failure of public authorities was also severely criticized by the representative of the local parents’ group, who put forth the risks of a judicialization of the political and, in a broader sense, social life: “The judge is not supposed to have to solve all problems. The judge is there to resolve major conflicts when they are present. He is not supposed to organize life on behalf of society.”

To what extent is the law at the disposal of collective action? Daniel Mouchard qualifies having recourse to the law as a dubious resource (2003) and points out that judiciary activism is a characteristic of mobilizations that lack other more effective means (2002). Referring to the League of the Rights of Man, Eric Agrikoliansky (2003) affirms the paradox of having recourse to the law: it tends to privilege assistance to victims rather than declare a general principle. In so doing, it often neglects to politicize grievances when doing so would jeopardize the very individuals it purports to assist. For the activists who mobilized in favor of mandatory schooling, a person’s right to be educated appeared to be sufficiently constituted and firmly set forth: the preamble to the Constitution and the European Convention on the Rights of Man define it as a basic human right. However, the activists neglected to address the preliminary administrative and legal tools they needed, without which this basic human right could not be effectively articulated in a court of law. The judgment pronounced...
on October 5, 2001, indicated that the action brought before the court had been insufficiently prepared. The judge ordered the local mayor to proceed with the enrollment of two pupils, rejecting the mayor’s argument that linked school enrollments to the safety of the building and the legality of its occupancy. But he dismissed the claims of all the other families. The judge based his decision on the evidence of enrollment slips at schools in the district where these families had formerly lived and on the weakness of documents presented by three of them; he rejected other demands on the grounds that they related to secondary school matters, because the primary school level was the only one for which the local mayor was responsible.

The squatters’ layman’s approach, together with a naive certainty of the merits of the action, was denounced by the prefect’s representative: “There is a general problem with the way people sometimes assume that mobilizing exonerates them from administrative formalities.” Moreover, as the prefect indicated to the leftist parents’ association: “The concern of the families and parents’ association was to follow standard procedures in order not to give the local mayor the opportunity to block administrative formalities because they had been incompletely carried out.” All of these elements bear witness to the fact that in the eyes of the prefecture, the precise format of legal action and jurisdiction was addressed with insufficient seriousness by the leftist parents’ association and the families. And this flaw damaged the credibility of their suit.

Having learned from their first judgment that a lawsuit requires more rigorous preparation, the activists who upheld compulsory education were more attentive in preparing future actions they intended to file with the court. First of all, administrative formalities were more closely examined and gradually mastered. Rather than bring a new action involving the same group of families, the leftist parents’ association and the housing rights association planned to submit new proceedings, one by one, to the administrative court, as they gathered further proof of the students’ actual dismissal from their former schools. The collective preparation of the suit, together with gathering and assembling proof, attests to the activists’ obsession with “cogent argument,” “the right argument,” and “not giving in.” In other words, their concern was to bolster a judicial verdict that would recognize, in its own legal context, the validity of the juridical action. Despite the careful preparation of the new claim, on December 5, 2001, the administrative court dismissed the three families who had filed suit, on the grounds that the local mayor had not been informed of the proceeding within the prescribed time limit. It did recognize in its reasoning, however, that the children named in the suit had been deprived of schooling. This judgment led the families to appeal the decision further on.

Although the activists had begun to articulate their claim in favor of compulsory education according to administrative law, it was paradoxically the verdict of the Tribunal de Grande Instance (the county court), which was upheld by the mayor of Paris to evict the families from the occupied building, that led the way to new justifications for schooling. Whereas the county court’s judgment recognized that the building was illegally occupied, it also gave the families a ten-month extension before their final eviction, on the grounds that “the occupants had made serious efforts to improve the safety of the building.” Not only did this judgment bring closure to the controversy over the safety of the building, which a series of appraisals had only served to intensify, but it also provided a way of bringing the controversy over schooling to an end.
The judgment, which provided a legal basis for the families’ presence in the building, authorized the prefect to send the local mayor an injunction to enroll the children at the local school. Thus the enrollment was directly related to the affirmation of residence and the judicial guarantee of the safety of the building. We are left with two ironies: first, the injunction that forced the mayor to enroll the children used the same argument the mayor had adopted to refuse enrollment; second, the schooling, which the activists who supported educational rights demanded, became effective without acknowledging their main argument that categorically dissociated the issue of schooling from any other consideration.

New Forms of Mobilization at School . . . and Elsewhere

Over the past 15 years, the crisis of the French model of political representation, with its customary political and union channels, has allowed new forms of collective protest to emerge. These new forms are characterized by new ways of defining problems and a new repertory of actions.

This renewal of the forms of group protest calls for a renewal of the way we perceive these forms. Schooling and education are no longer marginalized issues but have become the focus of overlapping social and political problems. Consequently, the school is a particularly favorable place for observing these actions.

A major characteristic of these mobilizations is that they allow social conflicts access to public expression. This access requires careful attention to the way social actors engage with an issue and to how they identify and define the problems that confront them to obtain the desired degree of visibility. This approach has already been suggested by Dewey (1980), whose pragmatic conception is aimed at drawing attention to the process and circumstances through which a public comes into being. These criteria progressively lead a community of persons seeking a solution to a problem to create a political community. But the existence of this type of publicly formed group hangs in a delicate balance (Eliasoph 1996). Our study has shown that a community of concerned citizens is not all that is needed to constitute a political community. It is also essential that the common problem that brings this group of people together be publicly acceptable. Boltanski and Thévenot (1991) point to the fact that all identifiable problematic situations do not have equal legitimacy: their acceptability is subtended to a model of public justification that must be recognized by participants in a given situation. For this reason, the locals and parents who were hostile to the squatters’ building could not successfully base their arguments on the perceived threat the squatters posed to the tranquility of the neighborhood and the school. This inability led them to abandon this issue gradually and focus on more socially acceptable problems, like the safety of the building’s occupants and respect for administrative rules regarding school enrollments.

Another characteristic of these mobilizations is to demand recognition for new rights. The plurality of rights claimed in our inquiry constituted a working model that allowed us to analyze different ongoing processes. The controversies were linked by different problems (the impossibility of finding adequate housing, the dilapidated condition of the occupied building, schooling the children) that weighed one social good against another (housing, safety, education). These benefits are not valued because they can be associated with the common good, in the French tradition of detachment from the personal. On the contrary, they are defended by a language of
personal rights that conforms to the liberal model that transforms aspects of the common good, like education and health, into basic personal rights (Thévenot 2006). In France this language is relatively new. The fact that it is borne out by social movements that advance their cause through judicial guerrilla tactics instead of by seeking general acceptance through a more universal political mobilization (Gaiti and Israël 2003) is also a new development.

Our inquiry suggests the possible extensions and limitations of this movement. The mobilization in favor of schooling the squatters’ children, the united effort of the housing rights association and the leftist parents’ association, had more significant recourse to this new language because, as they argued, it could be logically linked to the language of housing rights: depriving someone of a basic right such as housing goes hand-in-hand with the deprivation of other basic rights, like education and health. The failure of the locals’ and parents’ effort to make the tranquility of the neighborhood into a value and a defendable right prohibited the liberal grammar from widening its scope: all values are not equivalent and cannot be equally inscribed in the language of basic rights.

Along with exploiting the role of the media, a third characteristic of these new forms of mobilization for social movements is the growing importance of recourse to litigation in the repertory of their actions. In the case we have studied, the participants sought legal recourse only as a last resort, and they tended to confuse the status of their demand with its procedural level: the right to education and its effective practice. Without the help of cause lawyers (Sarat and Scheingold 1998), the greatest problem the activists for educational rights encountered was making the merits of their cause heard in a court of law. The litigation was long, complicated, and full of surprises. A competent administrative court repeatedly dismissed plaintiffs’ demand that their educational rights be recognized, whereas a different jurisdiction, the county court, opened the way to exercising this right by addressing the squatters’ maintenance of their building. These paradoxes are attributable to the weak voice of the basic personal rights in French law. This new language stems from the European liberal model, but it is a foreign concept to the French state that is built on a different civic framework. In France this new language is not well tooled enough juridically. The enforcement of the law, which requires a transformation of people, things, and aspects of the common good (Stavo-Debauge 2004), is not self-evident. This fine-tuning and transformation have yet to occur for education to be not only a shared value but also a basic personal right.

These factors would inevitably lead to a concomitant evolution of the parents’ movement, which struggles to define itself as a collective cause, because the rights it defends are personal in nature (Dutercq 1998). Because French political and administrative authorities are only mildly disposed to respond to social demands, it is extremely difficult to formulate a claim that would attract their attention on its own merits. To be heard, parents’ associations are required to do significant lobbying and mediatization of their demands, all of which meets with varying degrees of success. The new parents’ movements are based on a model of coordinated efforts and willingly strive to build a network made up of multiple sectors of public action that will increase their visibility. These changes involve shifts within the repertory of collective action, as well as activists’ criticism of teachers’ unions and parents’ associations that are bound to a traditional response based on negotiations with politico-administrative authorities.
Our inquiry underscores the weakness of the teachers’ unions’ involvement, a flaw that favors either an association that is not directly linked to the school or a new type of union that calls for the “desectorization” of activism, breaking away from targeting isolated sectors toward more multilateral action. This distortion bears witness to the difficulty experienced by activist teachers in positioning themselves when they are confronted by new problems that affect their school because of specific pupils and their parents.

However, there is an obvious disagreement on the part of activists representing the parents’ association who have a different sort of appreciation for the actions taken to challenge public authorities. The local representatives of the leftist associations wanted the cause of the squatters’ children to be heard solely on the basis of their recourse to administrators and political authority. They found this form of limited action well suited to the various degrees of appreciation found among the school’s parents. But as we have seen in other areas, grassroots activists representing parents’ associations are not always heard by their leaders, whose watchwords and strategies for taking action correspond to other needs besides concerns with their “turf” (Dutercq and Lafaye 2003). Moreover, these disagreements are often the cause of disaffection on the part of the major traditional associations, a condition that benefits local associations or fosters a pure and simple retreat from activism.

The success of local parents’ groups as well as increasing cases of legal intervention to resolve conflicts between parents and schools may be a harbinger of things to come. It may foretell the disappearance of current structures, whose organization and operation are modeled on the functioning of the French state, for the benefit of actual cause lawyering organizations (Morag-Levine 2001). These more resilient and dynamic organizations would not insist on universal support from those seeking their help.

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