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A French Inquisition: France's Crackdown on Muslim Life in the Name of Public Order

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What are the real reasons the French government is monitoring Muslim charities, mosques, and imams?



(Photo courtesy of INSAMER)

Over the past six months, the French government has gone on a multi-pronged offensive against Muslim collective life. State agencies unilaterally closed a number of mosques and Muslim charities. The government forced the French Collective Against Islamophobia (CCIF), the most prominent civil rights organization that combats anti-Muslim discrimination, to reincorporate outside of France, as they too were targeted for closure. Government officials developed sweeping new laws to regulate Muslim religious life, including a proposal to bar minors from wearing the headscarf. State actors have also been especially

suspicious of links between French Muslims and decolonial thought and anti-racism organizing, calling for the investigation of critical race theory in academic contexts. These moves extend the surveillance of Muslim communities to include political organizing by communities of color more broadly.

In recent months, government agencies have placed the bank accounts of Muslim religious organizations, the schooling practices of Muslim families, and the research agendas of university faculty under more intense scrutiny. This surveillance, according to the French government, aims to identify a perceived Islamic "separatism" from French society that purportedly threatens "public order." Over the past five years, "public order" has become the most prominent watchword for justifying surveillance of Muslims, superseding the legal framework of secularism, or *laïcité*. Anglophone observers often understand the special nature of French secularism as the philosophical reason underlying anti-Muslim policies. But French elected officials increasingly admit that secularism is inadequate to justify the measures they would like to take against the visibility of Islam in France. For example, the 2016 Jouanno Report argued for a new "expansive understanding of public order" to go beyond secularism as a justification for bans on Muslim women's modest dress. The pretense of a uniquely French secularism that justifies specific attitudes towards religion, long threadbare, is now coming apart at the seams.

The centrist government of President Emmanuel Macron has taken the lead on the current wave of policies, anticipating a showdown with the far right in the 2022 presidential elections. The right has critiqued Macron's policies as toothless, while the left has called them ineffectual. However, these critiques have not called into question the basic premise of the administration's crackdown.



(France's President Emmanuel Macron)

French officials have justified their policing of Muslim religious life as a response to recent acts of violence. But the true anxiety at the heart of the anti-Muslim witch hunt is not about fringe violent actors. Instead, it is about Muslim "integration" into French society — the fact that more and more descendants of immigrants are breaking glass ceilings in every domain of professional and cultural life, from elite French universities to journalism to law, while still claiming their Muslim identities and practices. Further, they are drawing on French norms and traditions to critique discrimination and colonial relationships of power. As sociologist Hichem Benaïssa put it, "Islam has progressively become a problem to the extent that it has become French." It is precisely the increasing "integration" of Muslim immigrants and their descendants in France, and the way they claim republican values of liberty, equality, and fraternity on their own terms, that has provoked widespread concern from French elected officials and their supporters.

The recent wave of state action against "separatism" was prompted by a murder that horrified France. In October 2020, schoolteacher Samuel Paty was decapitated by Abdoullah Anzorov, an 18-year-old Russian who had come to France at the age of 6 as a refugee. Anzorov's violence came in response to Paty's decision to show caricatures of the Prophet Muhammad in a class on freedom of speech, recalling the violent attacks in 2015 at the offices of satirical newsweekly *Charlie Hebdo*, which had initially published the caricatures. Anzorov's trajectory reveals an increasingly isolated individual. He sought online

connections with fighters in Syria, but was not part of any network or organization. His family and peers reported that he had become reclusive in the months leading up to the murder. When an online campaign was started against Paty by a student's father, who incorrectly believed that Paty had asked Muslim students to leave class while he showed the caricatures, Anzorov latched onto the incident.

In stark contrast to the isolation of Anzorov and other violent actors, the government's measures have deliberately targeted spaces of Muslim collective life as well as Muslim ideals of community and solidarity. As the government itself admitted, there is no relationship between the circumstances of the perpetrators of violence and the settings, people, or ideas that have become targets of state sanction. In the words of Interior Minister Gérald Darmanin, the targeted communities and organizations were not necessarily linked with any act of violence, but were those "to whom we wanted to send a message." Minister of Education Jean-Michel Blanquer spoke of so-called "Islamo-leftists" as "intellectually complicit" in Paty's murder, arguing that scholars and activists should be targets of state intervention alongside perpetrators of violence.

At the same time, the state has insisted that any expressions of anti-Muslim racism, discrimination, or violence are exclusively the work of individuals, and therefore no one should interpret these acts collectively in terms of structural racism or "state racism." To do so, they suggest in the new "Charter of Principles for French Imams," would be, "like all victimizing postures," an act of "defamation against France" — that is, a punishable crime. Racists can only be lone actors, and therefore anti-racist organizing and critical race theory is framed as a "victimizing posture," creating divisions and threatening the very foundations of the Republic.

The perceived threat of *fraternité*

As with every other episode in France's long history of constructing and managing racial and religious difference, the current measures are animated by a paranoia over "communalist" identity politics and "separatism" from the national body. Most often associated with ethnic enclaves or identity politics, "communalism" and "separatism" increasingly apply to all ethnically and religiously specific organizations, and to patterns of socialization within ethnic and religious groups. However, these terms never apply to the exclusive enclaves of the white or wealthy. This is in spite of the fact that research by demographer Patrick Simon has shown that on the whole, immigrants and their descendants are considerably *more* likely than the white French population to have close relationships with people of other races and ethnicities — it is the white French

who are most likely to socialize exclusively with members of their own race. Communalism and separatism are terms of moral panic that serve to stigmatize and criminalize any space of gathering or shared consciousness among France's non-white populations, Muslims in particular.

The idea of "communalism" presupposes a coherent "Muslim community" in France that competes with the national community for loyalty. As sociologists Marwan Mohamed and Julien Talpin put it, "Elected officials and state institutions bring 'communities' into existence in order to better control them." Politicians constantly invoke the idea of a coherent "Muslim community" as a social problem in order to justify policies that aim to repress solidarity among Muslims and other communities of color.

The state does not, of course, have a monopoly on the idea of Muslim community. Many Muslims seek to build robust communities on their own terms. These collectives, including charities and consciousness-raising organizations as well as mosques, draw on the moral inheritance of fraternity and solidarity that is prominent in both republican and Islamic ethical traditions. The state perceives them as a threat precisely because they offer dynamic and visible alternatives to the state's construction of "the Muslim community" as a homogenous and closed separatist movement. Community organizations like Lallab and Front de Mères highlight the intersection of gendered Islamophobia with other forms of discrimination, and they lead grassroots resistance efforts against the surveillance of Muslim, Arab, and Black people in France.

The civil society organizations that have been shut down over the past six months consistently articulated their work in terms of republican values: liberty, equality, and fraternity. For example, the French Collective Against Islamophobia (CCIF) gave free legal support to Muslims who were victims of violence and discrimination, defending civil liberties and equality before the law. The charity BarakaCity expressed the French value of fraternity through service to unhoused populations, refugees, and people in poverty around the world. Both were broad, multi-ethnic organizations that served populations in need regardless of their religious affiliation. The state perceived these organizations as threats to "republican principles" even though the organizations were motivated by these very principles. It was their success and their grassroots legitimacy, rather than any particular feature of their activities, that put CCIF and BarakaCity at the top of the list of places to which the state wanted to "send a message." While the CCIF is working to reestablish itself in Europe, its operations in France are severely curtailed.

On February 16, 2021, the National Assembly passed a law "against separatism and for Republican principles," currently being amended by the Senate. The law is the centerpiece of the state's response to the murder of Samuel Paty. This impending law, widely known as the "separatism law," targets Muslims in the name of rooting out "withdrawal into one's community." The "separatism law" tightens the web of penalization around mosques, Islamic schools, charities, and community centers that are made up of or serve largely Muslim populations — the very institutions that enact the values of fraternity and solidarity on the local level.

The most publicized provisions of the law include those regulating homeschooling, banning "virginity tests," and the amendment added by the Senate that would disallow minors from wearing the headscarf, although this particular measure is unlikely to pass the National Assembly. These provisions invoke longstanding fears about Muslim families that animate the law, implying that children in "separatist" Muslim contexts are miseducated at home, that Muslim parents overly police young girls' sexuality, and that Muslim girls are forced to wear the headscarf against their will.

The more technical provisions of the law have received less media attention, and yet this is where the law may have its greatest impact, revising the laws of 1901 and 1905 that regulate cultural and religious associations, under the heading of "Reinforcing the preservation of public order." These associations will be required to submit to a government review of their bank accounts, and must declare all donations from non-French individuals or organizations for government approval. Religious and cultural organizations can be closed, temporarily or permanently, if they are deemed to host "discourse, ideas, theories, or activities that provoke hate or violence, or justify or encourage hate or violence." The bill does not name the breadth of what might fall under "ideas or theories that provoke, justify, or encourage hate." People who gather together in spite of of such closures face a 7500 euro fine and 6 months in prison.

A "pact" for "public order"

On January 18, 2021, the French Council for the Muslim Religion (CFCM) presented a "Charter of Principles for French Islam" to President Macron. This charter, solicited by the state, is intended by Macron to be the foundational document for the planned National Council of Imams, a state-run certification body for religious professionals. The CFCM is itself the product of an earlier wave of efforts at state management of Muslim populations. Founded by then-Interior Minister Nicolas Sarkozy in 2003, the CFCM is the outcome of the French government's desire to have an "official" Muslim interlocutor as a means of

regulating religious practices and defining an authorized "French Islam." This project dates back at least to the 1980s, and continues the colonial management of North African populations through religion. The CFCM has little to no legitimacy among the majority of Muslims in France, whatever their relationship to religion. Most see it as an organ of the state, a bureaucratic arm for France's "Muslim policies."

The "Charter of Principles for French Islam" is organized through a fundamental division between the "national community" and the "Muslims of France." It claims that "from a religious and ethical point of view, Muslims, whether citizens or foreign residents, are linked to France by a pact. This pact obliges them to respect national cohesion, public order, and the laws of the Republic." The "pact" entails specific obligations on Muslims, and on Muslim clergy in particular, who are called to enter into this relationship with the state precisely "from a religious point of view," in flagrant violation of the principle of secularism. The charter binds its signatories to "commit not to use, nor to allow others to use, Islam or the concept of *umma* (community of believers) with a political lens, whether local, national, or in the interests of a political agenda dictated by a foreign power."

Both the charter of principles itself and its language of a "pact" to "respect national cohesion and public order" echo the famous Clerical Oath of Revolutionary France. In 1790, the government decreed that all members of the Catholic clergy swear a public loyalty oath to the Republic, establishing the primacy of their allegiance to the state before their religious convictions. This idea of a hierarchy of commitments, with one's role as citizen always paramount, has been a hallmark of the French approach to religion since the Revolutionary era — long before the elaboration of state secularism at the dawn of the twentieth century. It has also been a persistent theme in France's management of Islam and Muslims. The Charter of Principles for French Islam, as a prelude to Macron's planned "Council of Imams," is a clerical oath for the 21st century, demanding that religious officials *as religious officials* publicly avow their loyalty to public order, which their vocation is presumed to threaten. In response, a few prominent French imams are stepping down from their positions in protest.

From "Islamo-fascism" to "Islamo-leftism"

Some French intellectuals, though not all, have challenged the government's anti-Muslim measures. A range of academics and journalists, with and without personal ties to Islam and immigration, have drawn on the long tradition of francophone decolonial critique and anti-racist thought to historicize what Jean Beaman has called the "racial project of France." Those on the left with the temerity to argue that anti-Muslim discrimination is a violation of the egalitarian

principles of the Republic, or that France's violent colonial past shapes its present, or that the nationalist myth of a colorblind society is just that — a myth — have found themselves targeted with a new epithet: "Islamo-leftists."

French Minister of Higher Education Dominique Vidal recently elicited a furor when she called for an investigation into so-called "radical or activist Islamo-leftist ideas," which she described as a "gangrene on society," in order to "distinguish proper academic research from activism and opinion." The response from France's academic community was swift and overwhelmingly negative: the National Center for Scientific Research issued a statement flatly declaring that "Islamo-leftism does not correspond to any social-scientific reality," and over 600 university faculty called for Vidal's resignation.



(A march to protest Islamophobia in France)

And yet, Vidal is far from alone in advancing this rhetoric. President Macron asserted that "the academic world has been guilty. It has encouraged the ethnicization of social issues," citing intersectionality in particular as a theory that threatened to "divide the Republic in two." The U.S. has become emblematic in French political discourse of the flourishing of identity politics, anti-racism, and decolonial thought, all understood as posing a fundamental threat to the universalist republican model. This invocation of the trans-Atlantic threat links foreign ideas with foreign bodies, in a mirror image of American political anxieties over the cultural threat posed by "French theory."

Minister of Education Jean-Michel Blanquer warned: "There's a battle to be waged against an intellectual framework coming from American universities, intersectional theses that want to essentialize communities and identities . . . It is the breeding ground for a fragmentation of societies that converges with the Islamic model." Elected officials feel particularly threatened by forms of social analysis that center any form of identity other than citizenship.

The French paranoia about Islam is in continuity with the long history of European and American anti-Jewish and anti-Muslim sentiment. As historian Muriem Haleh Davis has observed, "Islamo-leftist" is eerily reminiscent of "Judeo-Bolshevism," invoking earlier antisemitic ideas about a global leftist Jewish conspiracy. In this case, the foreign ties of Islamo-leftism are not to Russia, as they were with "Judeo-Bolshevism," but to the United States. The government's insistence on statements of loyalty to national cohesion, obsession with forms of collectivism that stand outside the nation, and claims that some groups possess an immutable genealogical inheritability of difference, all resonate with the racializing ideology of antisemitism. In *Anti-Judaism: The Western Tradition*, David Nirenberg notes the operation of "judaizing" — the ascription of Jewishness to all sorts of unrelated and even opposing things and people — as part of a conspiracy theory that waxes and wanes throughout Western modernity, and certainly in France. A parallel "Islamizing" logic underpins the rhetoric of "Islamo-leftism." This rhetoric simultaneously construes Muslims as part of a left-wing conspiracy for cultural power, on the one hand, and attempts to taint leftist critique with the taboo of Muslimness, on the other.

In the face of this rampant stigmatization and surveillance, Muslim and decolonial activists are responding forcefully, with Muslim women at the forefront. The authoritarian measures being taken by the current administration have dire consequences for French communities of color. They betray the very republican values of liberty, equality, and fraternity that they claim to defend, and they expose how political claims of universalism so often depend on the rejection of ideals and practices of community and collective belonging. The question that remains is whether a broad enough coalition will join those who are resisting the surveillance of Muslims to shift the direction of policy and public discourse in France.

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