



## The Road to Becoming a French Citizen

The French Jilbaab ban has been a topic of discussion for around a month; receiving mixed reactions from the around the world, with anger from Muslims both in and outside of France.

The USA's agency for religious freedom spoke out against French decision.

*"In a misguided effort to promote the French value of laïcité, the government is encroaching on religious freedom...France continues to wield a specific interpretation of secularism to target and intimidate religious groups, particularly Muslims. While no government should use its authority to impose a specific religion on its population, it is equally condemnable to restrict the peaceful practice of individuals' religious beliefs to promote secularism."* [Quote by USCIRF Chair Abraham Cooper]

And while headlines suggested that the UN's human rights representatives did the same, their statement read differently. It didn't support the decision, but it didn't condemn it either – it actually seemed to say that France had a right to do so.

*Although the UN body is not in a position to comment in detail given the absence of information on the French decision and plans for implementation, "it was worth recalling that according to international human rights standards, limitations on manifestations of religion or belief, including choice of clothing, were only permitted in very limited circumstances – including public safety, public order, and public health or morals."* [Statement by OHCHR's Spokesperson Marta Hurtado]

But mixed reviews aside. Should we be surprised by the French decision or should we expect it? Especially when we consider the fact that it was preceded by a niqab ban in 2010, and a headscarf ban which was instituted back in 2004. Or the fact that French law is based on 'laïcité' their idea of secularism, i.e. a separation of religion from state.

### What it means to be French...

*"France shall be an indivisible, secular, democratic and social Republic. It shall ensure the equality of all citizens before the law, without distinction of origin, race or religion. It shall respect all beliefs."* Article 1 of the French Constitution

France does not claim to be a multicultural state. There are people of different ethnicities living with the country, but the government expects them all to assimilate. They are known to push for full cultural assimilation, which is the process in which a minority group or culture comes to resemble a society's majority group or assimilate the values, behaviors, and beliefs of another group whether fully or partially. In this case, the majority group is French and the minority groups are the foreign cultures or groups who live within France. The French expect them all to adopt their identity, and abandon their previous ideas or culture in the process.

*"France does not refer to their citizens based on their race, religion or origin. To us, there is no hyphenated identity."* [French Ambassador's letter to Trevor Noah]

The French strongly believe that living together in a society requires agreement on basic beliefs and values. They adhere to a political philosophy that emphasizes **general** interests and shared values over individual interests and pluralism. And the state constructs institution and policies which teach those who are, or wish to be citizens, what the common values and the behaviors that signify that one has become French. The need for uniformity within society, means that the State has an important role to play.

These common values and ideas are based on the idea of laïcité or secularism. For France, religion is separate from the state and it is confined to private life.

*"In our tradition these liberties are guaranteed through political power, which guarantees a public space that is neutral with respect to religion... We hold strongly to the principle of laïcité. We have to place ourselves in the public space, by abstracting from our individual characteristics, from where we came from, our roots."* [Quote from Blandine Kriegel, in the book entitled Why the French don't like headscarves]

To understand how this idea emerged and developed, we need to look back at French and western history. French secularism is rooted in the 18<sup>th</sup> Century Enlightenment, the French Revolution and the Declaration of the Rights of Man and the Citizen, but the idea was actually signed into law in 1905. The French Law of Separation of Churches and State established state secularism in France. It was based on three principles: the neutrality of the state, the freedom of religious exercise, and public powers related to the church. As such, it establishes religion as a private matter, a relationship between an individual and God, and it also says that the state has to be neutral in terms of religion

*“Organized religion has a cognitively salient template for most French in the institutions of the Catholic Church: a liturgy, performed inside a familiar sacred place once a week, with teachings intended to guide private life. Claims to do other things in the name of religion (sell tracts, ring doorbells, wear headscarves) are outside the template (and outside constitutional protection) and could be prosecuted if they contravened on public order.... Organized religion is supposed to remain just that: organized, bounded, orderly, contained in its buildings and defined by worship practices in those buildings. If it strays into the street, selling tracts or proselytizing, it is out of bounds, and even when it is tolerated it is no longer protected by the French constitution and can easily be quashed in the name of protecting public order.”* [From the book entitled, *Why the French don't like headscarves*]

The French are against public displays or religious symbols being shown in public. And that is why France has enforced a strict ban on religious signs at schools since the 19th Century, including Christian symbols such as large crosses, in an effort to curb any Catholic influence from public education. It has been updating the law over the years to reflect its changing population, which now includes the Muslim headscarf, niqab and Jewish kippah. And now the jilbaab.

There are two reasons why that they have banned religious displays in schools.

1) Is due to the fact that they see schools as being part of the public domain.

*“Public means all that has to do with the state. The public school is part of the public because it is where civic education takes place. And so is public administration. There will never be Sikh civil servants in France!”* [Quote from Blandine Kriegel, in the book entitled *Why the French don't like headscarves*]

2) It is a place where they are educating children, teaching them what it means to be a French citizen and religion has no place in that.

*“The schools are central for both conceptual and historical reasons. Conceptually, they play the role of public socializing agent. Historically, they provided the central mechanism to produce citizens over and against two cleavages: regional and religious. Schoolteachers were the designated agents to make “peasants into Frenchmen,” meaning to increase the capacity of people living within French state boundaries to participate in a national public life, one that was lived in the French language and understood as part of a long-term French history. Teachers also served the Republican state by fighting against the Church's efforts to control the minds of primary school pupils.”* [Why the French don't like Headscarves]

*“When you enter a classroom, you must not be able to identify the students' religion by looking at them.” “Wherever the Republic is tested, we must stand together” ... “Secularism means the freedom to emancipate oneself through school.. the abaya is “a religious gesture, aimed at testing the resistance of the republic toward the secular sanctuary that school must constitute.”* [Quote by Gabriel Attal, Minister of National Education and Youth]

### **While it started with the Christianity, it has now extended to Islam**

The debate over banning the Islamic dress began in the 1980s-1990s. But interestingly the law wasn't actually passed until after 9/11.

*“Such bans came into force after US policymakers declared a global war on terror in the wake of the 9/11 terror attacks, giving rise to suspicions around Muslims due to their attire...The idea that Muslims as a group were the new 'enemy within,' with beliefs and practices reflecting values and norms inferior to those of Europe, acquired legitimacy across the political spectrum,”* [March 2022 report, by the Open Society Justice Initiative]

And while the focus has been on France it wasn't the only country to ban the Islamic dress, though it was the first.

*"Austria, Belgium, Bulgaria, Denmark, Italy (in some localities), the Netherlands (in public places) and Spain (in some parts of Catalonia) followed suit. In July 2021, the European Court of Justice ruled that women could be fired from their jobs for refusing to remove their hijab if they work in a job that deals with the public. Source*

*"In Russia, the Hijab headscarves were banned in public school in the region of Stavropol and in the Republic of Mordovia. The German parliament approved a ban on face veils, including the niqab and burqa, for women who work in the civil service, judiciary, and military. They also prohibited of full-face veils in schools, polling stations, universities, and government offices, instigated by the southern state of Bavaria. German teachers are also banned from wearing headscarves in eight of Germany's 16 states. In Norway, the parliament voted to ban the burqa in schools, nurseries and universities."*

*"In Saudi Arabia, they banned girls from wearing the abaya in exam halls last year." (Source)*

And this year, the Saudi government gave permission to women to forgo wearing the abaya while on Umrah.

*In Egypt, they have recently banned "any form of hair covering that contravenes the condition of the face being visible is not acceptable and the hair covering should be in the colour chosen by the ministry and local education directorate" (Source)*

So, as we can see there is a trend against the Islamic dress across the world, and this shouldn't surprise us. This is because the Capitalist ideology, with its ideas of nation and statehood etc was built on the foundation of secularism – a belief that religion is separate from life/ state matters. So, every state across the world has adopted secular ideas- it's just a matter of how blatant they are in their expression of it.

History shows us that this started in Europe as part of a desire to remove the Church influence and role within politics, but has resulted in them expecting all religions to confine themselves to a very small, personal part of an individual's life. Only to be used by the politicians when it allows them to manipulate the voter.

France is more blatant in their expression of secularism, and their desire to ensure that religion has no place in society. But every state is showing their disrespect for religion in one way or another. There are other examples- the destruction of mosques in India, the desecrations of Muslim homes and cemeteries by the Zionists in 'Israel'. And most blatantly, through State support of LGBT rights to the extent that they are forcing them onto young students in school, despite an outcry from both the Christian and Muslim communities.

When the UN refused to denounce the French action, their statement brought Article 10 of the Declaration of Human and Citizens' Rights to mind. It states, "No one may be persecuted for his opinions, even religious ones, provided that their manifestation does not disturb the public order established by the law." This gives the current nation states a legal justification for their attacks on religion, and it is a law that laid the basis for the current international system.

### **In a world where secularism is dominant, religion will never be respected**

As we mentioned at the start, the French jilbaab ban was met with mixed reviews- even from the Muslim community. Some chose to abide by the French law, others are trying hard to make the jilbaab seem 'acceptable' by saying everyone wears dresses so why is the abaya being targeting? And the rest are using the liberal ideas of freedom of religion to argue that they have a right to wear what they want.

But why should our desire to please Allah (swt) be dependent on our ability to convince a Kafir State that has no respect for Islam, or indeed any religion? Why are we in a situation where we need to fight for our right to wear Islamic dress in the face of constant disrespect and ridicule?

They will say that they respect religion- but respect means it must be in private i.e. hidden. Our religion shouldn't impact the way we think, the way we act, or the way that we dress. If we choose to do something, it should be supported by (or find it's basis in) secular ideas otherwise it's not acceptable.

This is because when we allow religion to impact our thoughts and emotions, it conflicts with their secular beliefs. Especially in the case of Islam, which is not just a religion but an ideology, which has Akham that governs every aspect of our life. So Islam conflicts with the ideas that they expect their citizens or anyone living in their country to adopt.

To stop Islam from being a threat to their way of life, they want to quash our desire to follow our belief in any obvious way. They want us to confine Islam to a few specific acts of worship, to a belief in our hearts. We didn't end up in this reality by accident. The Western nations worked hard to destroy the Khilafah (Caliphate), to ensure that Muslims didn't have a State that upheld Islam and governed by Allah's laws. They stuck us in a secular world, where our religion is under constant attack, where we are forced to limit our adherence to Islam and instead their way of life dominates us.

They gave us ideas such as 'gradualism' and modern Islam, to make it seem like they were our friends, not the enemy, to help us solve our problems, but all this did was push our religion to the sidelines and lead us to champion their ideas.

But as we live in the secular world that they created we are faced with a clear reality. If we want to practice Islam, we cannot live within a nation state. A nation state forces us to sideline our Deen and Muslims put Islam at the center of our lives. Islam is an ideology, with laws that govern every aspect of our public and private life and it is meant to be established as a State. **﴿أَفَغَيْرَ اللَّهِ أَبْتَغِي حَكْمًا وَهُوَ الَّذِي أَنْزَلَ إِلَيْكُمُ الْكِتَابَ مُفَصَّلًا﴾ “Shall I seek other than Allah as a source of law, when He has revealed to you this book which is fully detailed?” [Surah Anam 6:114] ﴿فَلَا وَرَبِّكَ﴾ “But no (I swear) by your Lord! They have no Iman until they make you (O Prophet) judge in all their disputes, and then they find no resentment in their souls regarding your judgment and they utterly submit to it.” [Surah An Nisa 4:65]**

This is not a justification of France's actions but an explanation of their stance. Why should we expect any different from a state that was once an imperial power? Especially when it went out of its way to colonise countries across the Muslim world, and worked alongside Britain and the USA to destroy the Khilafah (Caliphate) State. France, throughout history, has made their hatred towards Islam perfectly clear.

This is a reminder to Muslims everywhere that we need to establish the Khilafah on the Method of the Prophethood if we want to follow Islam without continuous persecution. It is also a reminder that it is a reality that we will face while we live within the nation states that exist today, Muslim or non-Muslim. They will continue to find ways to undermine our attachment to Islam – in ways that are both obvious and hidden. There is a reason why states like UK, USA, and France are targeting children and the education system. It's because they know that if they can indoctrinate the coming generations with the secular ideas, they will be able to eradicate our connection to Islam and stop the very real clash that exists between Islam and the Secular Capitalist Ideology.

In order to protect Islam, and the minds and actions of the future generations we need to establish the Khilafah State. It is only when Islam is established on a State level, that we will be able to enjoy its protection and be able to follow Allah's Deen in every aspect of our lives.

**﴿يَا أَيُّهَا النَّبِيُّ اتَّقِ اللَّهَ وَلَا تُطِعِ الْكَافِرِينَ وَالْمُنَافِقِينَ إِنَّ اللَّهَ كَانَ عَلِيمًا حَكِيمًا﴾**

***“O Prophet, fear Allah and do not obey the disbelievers and the hypocrites. Indeed, Allah is ever Knowing and Wise.” [Al-Ahzab: 1]***

**Written for the Central Media Office of Hizb ut Tahrir by**

**Fatima Musab**

**Member of the Central Media Office of Hizb ut Tahrir**