

Country Report

France

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This Country Report offers a detailed assessment of religious diversity and violent religious radicalisation in the above-named state. It is part of a series covering 23 countries (listed below) on four continents. More basic information about religious affiliation and state-religion relations in these states is available in our Country Profiles series. This report was produced by GREASE, an EU-funded research project investigating religious diversity, secularism and religiously inspired radicalisation.

Countries covered in this series:

Albania, Australia, Belgium, Bosnia and Herzegovina, Bulgaria, Egypt, France, Germany, Greece, Italy, Hungary, India, Indonesia, Lebanon, Lithuania, Malaysia, Morocco, Russia, Slovakia, Spain, Tunisia, Turkey and the United Kingdom.

<http://grease.eui.eu>



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The EU-Funded GREASE project looks to Asia for insights on governing religious diversity and preventing radicalisation.

Involving researchers from Europe, North Africa, the Middle East, Asia and Oceania, GREASE is investigating how religious diversity is governed in over 20 countries. Our work focuses on comparing norms, laws and practices that may (or may not) prove useful in preventing religious radicalisation. Our research also sheds light on how different societies cope with the challenge of integrating religious minorities and migrants. The aim is to deepen our understanding of how religious diversity can be governed successfully, with an emphasis on countering radicalisation trends.

While exploring religious governance models in other parts of the world, GREASE also attempts to unravel the European paradox of religious radicalisation despite growing secularisation. We consider the claim that migrant integration in Europe has failed because second generation youth have become marginalised and radicalised, with some turning to jihadist terrorism networks. The researchers aim to deliver innovative academic thinking on secularisation and radicalisation while offering insights for governance of religious diversity.

The project is being coordinated by Professor Anna Triandafyllidou from The European University Institute (EUI) in Italy. Other consortium members include Professor Tariq Modood from The University of Bristol (UK); Dr. H. A. Hellyer from the Royal United Services Institute (RUSI) (UK); Dr. Mila Mancheva from The Centre for the Study of Democracy (Bulgaria); Dr. Egdunas Raciūnas from Vytautas Magnus University (Lithuania); Mr. Terry Martin from the research communications agency SPIA (Germany); Professor Mehdi Lahlou from Mohammed V University of Rabat (Morocco); Professor Haldun Gulalp of The Turkish Economic and Social Studies Foundation (Turkey); Professor Pradana Boy of Universitas Muhammadiyah Malang (Indonesia); Professor Zawawi Ibrahim of The Strategic Information and Research Development Centre (Malaysia); Professor Gurpreet Mahajan of Jawaharlal Nehru University (India); and Professor Michele Grossman of Deakin University (Melbourne, Australia). GREASE is scheduled for completion in 2022.

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GREASE - Radicalisation, Secularism and the Governance of Religion: Bringing Together European and Asian Perspectives

Table of Contents

<u>INTRODUCTION</u>	4
<u>SOCIO-DEMOGRAPHIC OVERVIEW</u>	5
<u>HISTORICAL OVERVIEW</u>	8
<u>CURRENT REGULATORY FRAMEWORK</u>	11
<i>SCHOOLS: SIGNS, SYMBOLS AND LAÏCITÉ</i>	15
<u>VIOLENT RELIGIOUS RADICALISATION CHALLENGES</u>	18
<u>POLICIES AND PRACTICES ADDRESSING / PREVENTING SUCH RADICALISATION</u>	20
<u>CONCLUDING REMARKS</u>	22
<u>REFERENCES</u>	23

Introduction

France's model has not uncommonly been taken as an indicative European model, contrasted with the United States to present two different pictures of separation of church from state (for example, Bhargava, 2009). Yet the French model of institutional separation between church and state is something of an exception in Western Europe in both the extent of its secularization as well as its restrictive policies towards religion. It is in fact, along with Turkey, the only European nation described as secular in its constitution (Franken, 2016: 42). It is, therefore, French exceptionalism rather than French representativeness that makes France a compelling comparative case. This model emphasises social cohesion founded in a civic nationhood, where recognising group 'difference' is seen as antithetical to citizenship and the state is officially colour and ethnic 'blind'. This is based on a form of republican egalitarian individualism, which the granting of group rights is seen to undermine and religious difference is therefore restricted to the private sphere (Meer & Modood, 2012).

Fundamental to understanding the French model, its historical emergence as well as pertinent contemporary debates is the signally important principle of *laïcité*. Commentators have pointed to two different trends and emphases, emerging from an historical 'two Frances', when it comes to understanding *laïcité* and the debates which surround it (Fetzer & Soper, 2005; Kuru, 2009; Jansen, 2013). One is a combative, strict, closed or assertive *laïcité*, which is anti-clerical and republican. Historically, the second France was clerical and monarchist. Today, however, France's second face is characterised by a pluralistic, soft, open or passive *laïcité*. Indeed, it is worth noting that *laïcité* was from its inception a principle supported by people with a variety of metaphysical beliefs and ideas about the proper role of religion in its relation to politics (Fetzer & Soper, 2005: 71). What may perhaps be just as significant are the 'cultural layers of laicism' and a recent hardening of a cultural discourse of *laïcité* with underlaying presuppositions of assimilationism and the disappearance of religion (Jansen, 2013: 198).

France has been one of the countries most affected by Islamic terrorism in Western Europe. Its historical colonial relations, in particular with Algeria mean it has a longer recent history of violent attacks linked with Muslim populations. France has also been the target of some of the most high-profile terror attacks in the last couple of decades with purported links to al-Qaeda and ISIS. These two phases are different in significant ways, yet there are questions over whether there is something that holds them together and has some impact on current perceptions. *Laïcité* is again important in understanding France's response to these threats.

This report is organised in the following way. The first section provides socio-demographic context and an overview of the most pressing challenges regarding religious diversity governance in contemporary France. The second section traces the historical developments of church-state relations, linking these to the current constitutional and institutional framework. In order to bring out various aspects of the debates in which these issues are framed, it develops a discussion of the importance of schools and religious signs or symbols. The third and fourth sections turn to how the threat of violent radicalisation linked to religious claims has emerged, shifted and been addressed.

Socio-demographic overview

According to France's *Institut national de la statistique et des études économiques* (INSEE) (The National Institute of Statistics and Economic Studies), France's current population stands at 66.99 million¹, with a growth rate of 3.7%². In 2004, it was estimated that 85% of the population of Metropolitan France was white or of European origin, with 10% from North Africa, 3.5% Black and 1.5% Asian. Although the cyclical fertility rate is at an historical low and falling, it is the highest in Europe and gradual population increases are largely due to a higher birth than death rate³. France's current ethnic and religious diversity owes much to its colonial history. As a colonial power, France ruled several Muslim territories between the mid-nineteenth and mid-twentieth centuries, notably including Algeria, Tunisia and Morocco.

The net migration rate has been stable over the last few years at 58 000⁴, or 0.8 per 1000, a figure comparatively low for Western European countries⁵. In 2014 the immigrant population was just over 5.8 million and the foreign population was just over 4 million, both having risen steadily over the last few decades⁶. According to 2014 figures 11.6% of France's population were born outside France, 8.9% were immigrants and 6.4% were of a foreign nationality⁷. 2015 figures show that 11% of the population had at least one immigrant parent⁸. Since 2008, for most immigrant nationalities women outnumber men. Men outnumber women, however, for immigrants from Turkey (46%), and Morocco and Tunisia (48%)⁹. The largest group of admissions of migrants are for family reunification at over 50% of the total. Education is second at around 25%, followed by admissions on humanitarian grounds (just over 10%), and for work (just under 8%)¹⁰. Migrants tend to be concentrated in urban areas, more so than the rest of the population.

Ethnic and religious statistics are highly controversial as they are thought to foster racism (Escafre-Dublet & Simon, 2012) and French law forbids distinguishing citizens by their race or faith; such statistics are not gathered in the census as a consequence and what statistics are officially gathered tend to focus on national origin. Accurate statistics on religion-based demographics are thus difficult to come by, although surveys are conducted privately by academics and private companies.

The table below shows figures from a recent study by Pew estimating the religious composition of France¹¹:

¹ <https://www.insee.fr/en/accueil>

² https://www.ined.fr/en/everything_about_population/data/all-countries/?lst_continent=908&lst_pays=926

³ <https://www.insee.fr/en/statistiques/3533493>

⁴ <https://www.insee.fr/en/statistiques/2382601?sommaire=2382613#titre-bloc-1>

⁵ https://www.ined.fr/en/everything_about_population/demographic-facts-sheets/focus-on/demographic-report-2013/

⁶ https://www.ined.fr/en/everything_about_population/data/france/immigrants-foreigners/immigrants-foreigners/

⁷ <https://www.insee.fr/en/statistiques/1304052>

⁸ <https://www.insee.fr/en/statistiques/2856476>

⁹ https://www.ined.fr/en/everything_about_population/demographic-facts-sheets/focus-on/women-france-immigrant-population/

¹⁰ https://www.ined.fr/en/everything_about_population/data/france/immigration-flow/admission-reason/

¹¹ Adapted from <https://www.pewforum.org/2015/04/02/religious-projection-table/2010/number/Europe/>

	2010		2020	
Christian	39 560 000	63%	37 940 000	58.1%
Muslim	4 710 000	7.5%	5 430 000	8.3%
Buddhists	280 000	0.5%	310 000	0.5%
Jews	310 000	0.5%	340 000	0.5%
Folk Religions	220 000	0.3%	250 000	0.4%
Hindu	30 000	<0.1%	40 000	<0.1%
Unaffiliated	17 580 000	28%	20 830 000	31.9%
Other	100 000	0.2%	110 000	0.2%

France's unemployment rate has been declining over the last few years and currently is 8.7%, yet, there is significant disparity between unemployment rates and ethnic origin. In 2009, for example, the unemployment rate among Algerians under thirty with high school diplomas was double the national average with similar qualifications (Kuru, 2009: 121). People of immigrant backgrounds from Algeria, Tunisia, Morocco and Turkey are also far more likely to be concentrated in social housing and low-skilled parts of the labour market, despite high levels of fluency in French (Choudhury, 2009; Religion Monitor, 2017). Furthermore, the percentage of families of foreign origin, especially of Turkish or Moroccan origin, living in poverty is two or three times higher than the national average (Karich, 2009: 65).

There is also labour market discrimination related to religious affiliation. OECD data shows that those with Muslim ancestry in France have significantly lower educational attainment levels than the national average (Cesari, 2010: 19) and are over-represented in low-skilled occupations and unemployment¹². A 2016 report found that the probability of being called to an interview was 30% higher for Catholics than for Jews and twice as likely as for Muslims, with Muslim men especially facing high levels of discrimination¹³.

A Religion Monitor report (Pickel, 2013) found that France had one of the lowest levels of religiosity in Europe and overall patterns and trends of practice show a constant decline (Kastoryano, 2004: 1239), although these vary amongst different religious groups. The numbers of people reporting that religion is 'somewhat important' in their lives has decreased in the last 15 years (from 27% to 18%) and 'not at all important' has increased (from 33% to 42%). Yet those reporting that religion is 'very important' or 'not too important' in their lives have remained fairly steady at around 10-12% and between 23% and 28% respectively (Pew, 2019). According to France's *institut national d'études démographiques* (The National institute for demographic studies) (INED), while 45% of citizens of metropolitan France aged between 18 and 50 say they are agnostic or atheist, approximately 75% of Muslims and Jews say that religion plays an important role in their lives¹⁴. Weekly attendance at a place of worship or frequency of prayer is less than 10 per cent (Kuru, 2009: 104-105; Pickel, 2013), although figures for mosque attendance vary and some suggest that it may be around 30 per cent¹⁵ (Fetzer & Soper, 2005: 77). Yet, overall, religiosity is declining as only a minority of

¹² <https://www.institutmontaigne.org/en/publications/french-islam-possible>

¹³ <https://www.institutmontaigne.org/en/publications/religious-discrimination-access-employment-reality>

¹⁴ https://www.ined.fr/en/everything_about_population/demographic-facts-sheets/focus-on/religiosity-dynamics-immigrants-and-descendants-in-france/

¹⁵ 2016 figures suggest a similar pattern <https://www.institutmontaigne.org/en/publications/french-islam-possible>

even the descendants of immigrants report higher levels of religiosity than their parents, with about 40% saying it is about the same and slightly over half say they are less religious than their parents¹⁶.

When it comes to attitudes towards public religion, a recent survey found that 47% oppose a more important role for religion, the second highest figure in Europe (behind Sweden at 51%), and these figures are higher for younger generations (Pew, 2019). The same survey found that of all the European countries included except Russia, France had the highest proportion of people reporting that religion had become more important in the last couple of decades, and the highest, at 60% reporting that this is a negative thing. Moreover, in a 2009 gallup poll, 40 % of the French public said that being less expressive of one's religion was important for integration. This is compared to half that figure for Muslim respondents. 30% that religions in general tend to be harmful, this being slightly lower than Great Britain but considerably higher than Germany.

France also has particularly negative attitudes towards its Muslims. 35% of French respondents to the same gallup survey expressed reservations about the loyalty to France of French Muslims (Cesari, 2013: 13). A Pew survey found that more than two thirds of people were worried about Islamic extremists in France (*ibid*: 17). A Religion Monitor report (Pickel, 2013) found that 55% of respondents felt Islam was not compatible with the West, a higher figure than both Germany and Great Britain. Polls have also shown that a majority believe that French Muslims are not integrated into society and, moreover that this failure is a result of Muslims refusal to integrate (Cesari, 2013: 19, 2010, 2012).

Muslims in France make up about 7-8% of the population. Islam is reckoned to form the second largest religious group in France (Ajrouch, 2007) and constitute the largest Muslim population in Europe (Amghar, 2009). Muslims live throughout the country, but there are concentrated communities in certain regions making up significant proportions of the population in those areas: the Ile-de-France (35%), Provence-Alpes-Côte d'Azur (20%), Rhône-Alpes (15%), and the Nord-Pas-de-Calais (10%)¹⁷. There are no official statistics on the socio-demographics of the Muslim population in France, but Muslims in France are mainly from North-African countries, primarily from France's former colonies of Algeria, Morocco and Tunisia. The ethnic composition of the Muslim population in the early 2000s broke down something like: Algerians (1,550,000), Moroccans (1,000,000), Tunisians (350,000), Arabs from the Middle East (100,000), Turks (315,000), sub-Saharan Africans (250,000), converts (40,000), applicants for asylum and illegal immigrants (350,000), Asians (100,000), and others (100,000) (Kuru, 2009: 121 fn90). Yet, Islam in France has seen a shift. Until the mid-1990s it was mainly characterised by migrants from France's former North-African colonies, particularly Algeria. From the mid-1990s, however, Saudi Arabia in particular rose in influence (Amghar, 2009). It is the increasing presence of Islam and Muslims that gives rise to the most significant contemporary challenges France faces as a result of religious diversity.

In politics ethnic minorities have been underrepresented in the French Parliament. This has improved in the last few years, although representatives with a Muslim background are few. The Religion Monitor report cited above, however, also found that

¹⁶ See also <https://www.institutmontaigne.org/en/publications/french-islam-possible> for Muslim disaffiliation.

¹⁷ <http://www.euro-islam.info/country-profiles/france/>

the link between political and religious attitudes was weakest in France of all the European countries surveyed. As an example, a 2016 report found that 78% of Muslims, who overall report higher levels of religiosity and are more likely to report that religion is their primary identity, said that they do not vote for Muslim candidates in elections¹⁸.

Historical overview

France is an historically Catholic country, even known as the *fille aînée de l'Eglise* (elder daughter of the Church) during the period of Catholic sociopolitical dominance on Western Europe in the medieval period. So strong was this connection that in 1685 it revoked the toleration of Protestantism in a move to strengthen the confessionalization of the population (Madeley, 2009: 180). Yet, despite this historical Catholic dominance, France developed strong anti-clerical currents which have shaped France's contemporary state-religion relations. The current French Constitution, of 1958, refers to two previous documents and periods in France's history that are highly significant for understanding its current state-religion relations: these are the 1789 Declaration of the Rights of Man and Citizen, of the French Revolution, and the 1905 law on church-state separation, of the Third Republic.

In historical context France's model of governance of religious diversity can be traced back to a long process of "the state's defiant slippage from its traditional Catholic moorings" throughout the early modern period, culminating in the French Revolution of 1789 (Englund, 1992). The Revolution broke Roman Catholic dominance and privilege and brought the Church more firmly under the auspices of the French state than of the Roman papacy (Englund, 1992). In some ways this represented the opening of a form of religious pluralism in France. It has been commented, for example, that the legal toleration of Protestants as part of this loss of privileged political status was, amongst the many reforms the Church was forced to accept, "*the great disappointment swallowed by the Catholic Church of France in the early months of the Revolution*" (Englund, 1992: 329, emphasis in original).

Fundamental to understanding France's approach is *laïcité* and its historical emergence (Bauberot, 1998). Indeed, *laïcité* is so frequently referred to by politicians (and often rather poetically), and held to be so important that it has for some been called a 'state religion'¹⁹ and may at least be considered the Republic's founding principle (Kastoryano, 2006): the first secular French state was declared in 1795 (Kuru, 2009: 40). Bowen further notes the "penchant for genealogy" when French officials explain aspects of contemporary social life (Bowen, 2009: 19). *Laïcité* is often rendered in English as 'secular' or 'secularism', yet it does not translate quite as simply and directly as this. It is important to appreciate that despite its relation to the English term and early meaning of 'secular' (*laïc*) (referring to non-ordained monks), *laïcité* came to connote particular anti-clerical attitude and policies (Gunn, 2004). It is the principle of *laïcité* that forms the oft made contrast with the United States, where France is seen to represent an approach based on freedom *from* religion, with the state's role one of protecting citizens in this regard (Gunn, 2009: 980). It is for these

¹⁸ <https://www.institutmontaigne.org/en/publications/french-islam-possible>

¹⁹ In fact, Jean-Paul Willaime, a prominent French sociologist of religion and secularism has called for a '*laïcisation de la laïcité*', or 'secularization of secularism' (Kuru, 2009: 118). He has also suggested that *laïcité* should be seen as a European and not just a French value (Willaime, 2009).

reasons that French *laïcité* stands out in Western Europe (cf Willaime, 2009) and in this sense that it is thus not neutral with regard to religion (cf Joppke, 2007).

Following the overthrow of the *ancien régime*, the Republic, in theory, represented a form of citizenship that abolished hereditary group status hierarchies, instead founding a system of individual equality. This ideological shift, notwithstanding back and forth swings²⁰ (see Fetzer & Soper, 2005; Kuru, 2009), gradually severed the dominance of a hegemonic Catholic Church and gave way to an assertive form of secularism. This began with the Revolution, which Gunn has referred to as the first phase of *laïcité* (Gunn, 2004), and which abolished the monarchy, breaking the close tie between church and state, and subordinated the Church to the political sphere. Revolutionaries destroyed Church land and property, and appropriated that which it didn't destroy, banned religious services, withdrew state subsidies, and guillotined priests (Kuru, 2009: 39; Gunn, 2004, 2009). Such an extreme anti-clerical position was not to last long, however, and in 1801 Napoleon Bonaparte signed a Concordat with Pope Pius VII, which recognised Catholicism as the religion of France, or more precisely "the religion of the great majority of the French people" (Fetzer & Soper, 2005: 69). It was not an established religion, however, and the Concordat also maintained state authority over the clergy (Kuru, 2009: 141). At this time the Organic Laws, which regulated the state's relations with Protestants (in 1802) and Jews (in 1808) were also issued (*ibid*).

The balance of power shifted again during the period of the Third Republic (1875-1905), when an anti-clerical secularism, with its predecessor in the revolutionary period (1789-1801), emerged as the dominant ideological force (Kuru, 2009: 136-137). During the period of the Third Republic, which Gunn refers to as the second phase of *laïcité* (2004), a number of secularization laws were passed, including the secularization of schools (under the so-called 'Ferry Law') and hospitals, the abolition of prayers in parliamentary sessions, prohibition of religious symbols in public buildings, banning of state funding of religion, appropriation of religious property (at the time some 87 cathedrals and more than 40 000 churches and chapels), and the requirement that all religious associations were authorised by the state (Kuru, 2009: 147-151).

The law that enshrined *laïcité* as a fundamental principle of the Republic was the law of 1905, which formally separated church and state following decades of conflict. Article 1 of the law states "The Republic assures freedom of conscience. It guarantees the free exercise of religious worship, limited only by the exceptions enumerated below in the interest of public order" (Kastoryano, 2006: 61). Furthermore, Article 2 states that "The Republic does not recognize, finance, or subsidize any religious group" (Gunn, 2009: 955). An anomaly emerging from the state's taking ownership of religious property, however, is that it now owns the majority of Catholic churches, around half of protestant churches and a tenth of synagogues, which it also maintains (Kuru, 2009; Gunn 2009).

Whilst the intention of some of the advocates of these laws was to confine religion to the private sphere, the state has in fact remained a significant actor in regulating and funding organised religion and its role grew with time. This includes public schools, which are of particular importance to French Republicanism and *laïcité* both

²⁰ Some of which have been lyrically referred to as "a range of mistresses" on the way to a fuller Republicanism (Englund, 1992: 355).

historically and today; education has “been the main fault line” in debates, tensions and compromises about *laïcité* (Kuru, 2009: 119; also, Bowen, 2009). One of the historically most influential civic organisations has been the *Ligue d’enseignement* (League of Education) (Kuru, 2009: 113). In the 1880s a secular education replaced Catholic dominance in public schools, and religious instruction, organised prayers, and religious signs have been gradually removed. The Catholic Church has also reoriented itself as a result of these shifts. Following the Second World War, it refocussed away from direct political action and toward trying to maintain a public place for religion and a more social role. Moreover, the Catholic Church has had its credibility damaged owing to its political involvement at important junctures, such as its position in the Dreyfus Affair and its later support of the Vichy regime in the 1940s, the latter of which saw the Church briefly return to a prominent public position with links to the state.

Emerging from a history of struggle between secular and Catholic forces, there are a few exceptions to the dominance of state *laïcité*. The region of Alsace-Moselle recognises Catholicism, Lutheranism, Calvinism and Judaism, the state pays the salaries of the clergy of these religions and religious instruction is taught in schools (Gunn, 2009). This exception is a result of the region being part of Germany when the secularization laws were applied, and thus its legal framework is based on the Concordat of 1801 and Organic Laws of 1802-1808 and not the law of 1905 – an agreement reached when the region became a part of France again following the First World War. Furthermore, in 2013 the Constitutional Council ruled and affirmed that this arrangement is not unconstitutional (Troper, 2016: 320). Based on related historical reasoning, six overseas colonies have also not had the secularization laws imposed on them, such as French Polynesia, for example (Gunn, 2009).

France’s historical contact with Muslims and Islam goes back to the 8th century, when a mosque was established at Narbonne by North African soldiers (Fetzer & Soper, 2005). It was during France’s colonial period, however, that, following the conquest of Algeria in 1830, France was to rule over several countries with Muslim majorities in the Mediterranean and Sub-Saharan Africa. Algeria, Tunisian and Morocco are especially important in this historical picture, and Algeria in particular from these three. This is because whereas Tunisia and Morocco were ruled as *protectorates*, and governed from the Ministry of Foreign Affairs, Algeria, comprised three *départements*, which had legal status on a par with metropolitan France and were governed from the Ministry of the Interior (Bowen, 2009). These colonial subjects began migrating to European France in significant numbers beginning from the First World War period. Prior to the 1950s immigration to France was mainly from majority Catholic European countries. Since the 1950s the majority of immigrants have come from Muslim majority countries. In fact, the construction of the Great Mosque in Paris, completed in 1926 to commemorate the Muslim soldiers who fought in the French military in the First World War (Fetzer & Soper, 2005; Kuru, 2009), and the 500 000 francs paid by the French government, represent a further anomaly to the ideological position of separation of church and state (Gunn, 2009), and might be seen as a significant recognition of Islam and Muslims on the part of the state. The French state used the 1901 law, which allows the funding of non-religious associations in order to do this, the funds going through the Muslim Institute, which was recognised as a cultural rather than a religious association (Bowen, 2009: 37), demonstrating a certain form of compromise and flexibility when its seen as expedient to do so.

Since the period following the Second World War, and increasing through the 1960s, the Muslim population of mainland France grew “in earnest” as France became the first European country that actively recruited labour migrants as a matter of policy to fill the labour shortage. These predominantly came from Tunisia, Algeria, and Morocco, the French government signing agreements with the governments of these countries, resulting in over 1 million of such migrants by 1975 (Fetzer & Soper, 2005: 63; Bowen, 2009: 66). Following the oil crisis in the 1970s and resulting recession and higher unemployment, however, the French government successively sought to halt this recruitment of foreign-born labour migrants and reduce immigration overall. The unintended consequence of this was that these migrants who had been seen themselves as ‘temporary’ came to settle in France and bring their families over, making France one of the most multi-ethnic societies in Europe (Fetzer & Soper, 2005).

With the population growth so too has grown the visibility of Islam and Muslims. This has meant that since the 1970s the French government has increasingly had to deal with integrating Muslims into an hitherto more homogenous cultural population. Cesari has in fact argued that it is this Muslim settlement in France that has unsettled the “uneasy peace” that had gradually taken hold between France’s religious communities and *laïcité* since the 1905 law on church-state separation (2002; also Kastoryano, 2004). Kastoryano further suggests that it is “Islam itself” more than immigrants that is the source of the ‘disquiet’ (2004: 235). This visibility and unease can be illustrated with the issue of mosques. The number of mosques has grown: from just 5 in 1965, there were over 1600 by 2004 (Kuru, 2009: 121). There has been great variance of official attitudes towards mosques in different areas of France from different mayors, with at times a supportive and accommodationist stance, and at other times and/or in other regions severe opposition accompanied by a consistent general lack of support among the non-Muslim population (see Fetzer & Soper, 2005; Cesari, 2012, 2013; Bowen, 2010). In fact, minarets are seldom included as, although not illegal, they are strongly discouraged (Cesari, 2012).

Current regulatory framework

The 1905 law is enshrined in the current Constitution (1958), which states “France is an indivisible, secular [laic], democratic and social Republic. It ensures the equality before the law of all its citizens, without distinction as to origin, race, or religion. It respects all beliefs” (Article 2) (Gunn, 2009: 953-954). Gunn comments that the 1905 law, in which *séparation* is included in the title although not the text, has the status of a cultural icon approaching an importance on a level with the Constitution itself in France (Gunn, 2009: 954). Although originally aimed at the Catholic Church as the dominant force at the time, the current law applies to any religious faith or organisation. In fact, it is a result of this antagonistic history of struggle between state and the Catholic Church that French secularism takes the character of a radical secularism that views modernity and religion as largely incompatible and demands the expulsion of religion from the public sphere (Modood, 2010; cf Jansen, 2013). In fact, such is the importance of *laïcité* that most Christians, Jews and Muslims as well secularists justify their positions by appealing to some version of it and can in fact support and defend it as long as basic freedoms of religion, guaranteed by the Constitution, are not violated (Fetzer & Soper, 2005: 69, 76). A 2016 report in fact

reckoned that around two thirds of Muslims believed a secular state allows for freedom of religious expression²¹.

Despite an ‘idealized’ (Bhargava, 2013) vision of *laïcité* as strict separation, there are several ways in which church and state are related. Official affairs to do with religion are the responsibility of Bureau of Religious Affairs (*Bureau des Cultes*), an office within the extremely influential Ministry of the Interior. It is this office that is responsible for deciding, amongst other things, which religious associations are officially recognised as ‘religions’, and receive the benefits of this status, rather than just ‘associations’. Obtaining such a status is difficult and requires the state undertake “a substantive review” of the religion, its purposes and practices (Gunn, 2009: 978). This includes consideration by the State Council of several factors, which include: coming together in formal ceremonies, how long the group has existed, if beliefs contain universal religious principles, and ensuring that the group’s activities do not threaten public order (Bowen, 2009: 18). Moreover, the state maintains a high degree of interference. Before the pope appoints new Bishops, for example, the Minister checks that the values of the nominees are not incompatible with those of the Republic (Troper, 2016: 327). It is also heavily involved in making decisions about employees and the curriculum in religious schools it funds.

A few anomalies where a strict interpretation of *laïcité* does not prevail have already been noted in the section above. In addition to these, and in line with the constitutional provision of religious freedom, the state does undertake certain measures to help support the position of religions in French society. Legal institutional status was granted to representative bodies for Catholics, Protestants and Jews, represented by The Council of Bishops, Protestant Federation, and Central Consistory respectively. This recognition comes with tax exemptions and assistance in access to public spaces and building places of worship. These bodies consult with the state on the management and regulation of religious life, the presence of chaplains in public services and bodies, organisation of holidays and so on. The state pays significant subsidies towards the maintenance of the religious buildings it previously appropriated and now allows the religions to use (which is in fact provided for in the 1905 law (Gunn, 2009: 956)). There are state-paid chaplains who operate in public schools, prisons, hospitals and the military (Kuru, 2009); despite – or perhaps because of – the state suspicion of Islam, discussed below, France has the most Muslim imams/chaplains in a NATO army except Turkey (Michałowski, 2015). Faith-based hospitals and institutions for care can also get state funding in recognition of their ‘*utilité publique*’, providing they meet appropriate criteria (Franken, 2016). In addition, despite the secular bent, historical privilege for a Catholic majority continues. Fish is generally served in schools on Fridays for Catholics but, while non-pork options are usually provided²², no provision is made for halal meat, for instance. Moreover, historical precedence also means that schools’ ‘neutrality’ is more accommodative of Christianity, for instance, through the acceptance of religious holidays and Sundays and Wednesdays²³ as days free from school (Body-Gendrot, 2007). The state also observes Christian calendar holidays such as Easter and Christmas (Gunn, 2009: 960).

²¹ <https://www.institutmontaigne.org/en/publications/french-islam-possible>

²² Although this has not been without its own degree of controversy. In 2018, for example, “In the southern French town of Beaucaire, Mayor Julien Sanchez, a member of the National Front, banned the providing of alternatives to pork for students who cannot eat it for religious reasons” (Hendon & Prather, 2018: 565).

²³ This has been subject to political change, however. Most recently, in 2017 and 2017, many primary schools moved back to a 4 day week (Wednesday being the mid-week free day) from the 4 ½ day week introduced in 2013.

France has been highly restrictive of religious associations, particularly those New Religious Movements (NRMs) that are not officially recognised by the Bureau of Religious Affairs as 'religions'. Beckford in fact suggests that as recognised religions have become more pluralistic, tolerant and compliant with the state, the 'deviant' NRMs have come to stand out further (2004: 33). The French state is often extremely suspicious of NRMs, perceiving them as partaking in psychological manipulation, fraud, exploitation and anti-democratic activities, and has actively pursued their suppression, including through the founding of a series of anti-sect institutions (Beckford, 2004). In 1998 the first such commission was set up, since when over 173 associations have been labelled dangerous (Franken, 2016: 145; Beckford, 2004). On 12th June 2001 the French Parliament passed legislation "aimed at 'preventing and suppressing cult groups that violate human rights and fundamental civil liberties'", the bill receiving a rare degree of consensus in both houses, and despite warnings from the French Human Rights League and recognized religions themselves (Duvert, 2004). Indeed, some note that France is in Europe unusually strict in its pursuance of sects (Luca, 2004; Beckford, 2004). One high profile incident was when the Jehovah's Witnesses, for instance, were ordered to pay millions of dollars in taxes and fined for publishing religious material when it was decided they did not constitute a 'religion'²⁴. Further examples of unrecognised sects are the Baptists and Opus Dei (Gunn, 2009: 983).

Toward the end the 1990s religion and particularly Islam became more prominent in media discourses and in the early 2000s issues about Muslims became more prominent on the French political agenda. In 1958 the *Fonds d'Action sociale* (Social Action Fund) had been created to support North African associations and remains important today. Institutionalised along ethnic rather than religious lines, this also resulted in North Africans emphasizing ethnic rather than religious identification. Yet, as such this was unable to fulfil the increasing need for a Muslim representative body. Stemming from the recognition of the problematic position of Muslims and Islam in France, a desire to reduce the foreign influence over France's Muslim population (through, for example, funding for buildings and foreign born and educated imams), and from demands of Muslims for recognition themselves, attempts to institutionalise Islam in France through establishing a representative body for Muslims that would have similar recognition to those of other faiths have been made. In fact, such attempts had been a feature of successive Interior Ministers' efforts, both on the Left and the Right, since 1990 (Kastoryano, 2004, 2006; see Bowen, 2009).

In 1990 The Council of Reflection on Islam in France (CORIF) was created as a first attempt to institutionalise a representative body for Islam. It comprised representatives from major Islamic associations, under the supervision of the Interior Minister, although this was permanently suspended due to infighting (Cesari, 2002). In April 2003 in order to give constitutional legitimacy to French Muslims the Conseil Français du Culte Musulman (CFCM) was established to be the official consultative body and coordinator with the state on a range of matters, including mosque building, halal meat, cemeteries, Muslim chaplains and training imams. The model for the CFCM was largely based on the *Conseil Représentatif des Institutions Juives de France* (CRIF), a

²⁴ The ECtHR found France in violation of Article 9 of the ECHR over this move in 2011 and other groups also won similar cases at the ECtHR, the first time an original member of the Council of Europe had been found in violation of Article 9 by the Court (Richardson, 2015). Since these cases, in a ruling by the Council of State in 2013 Jehovah's Witnesses have been allowed volunteer chaplains in prisons (*ibid*) and have now been legally recognized (Bowen, 2009: 19).

federation of more than sixty associations, most of them nonreligious, that represents France's Jews (Troper, 2016: 321; see also Bowen, 2009). The CFCM was made up of several Muslim associations representing different national origins of France's Muslim population, including, for example, the Paris mosque (originally sponsored by Morocco but switched to Algeria by the French Foreign Minister in 1957), the Union of Islamic Organisations of France (UIOF), the Federation National of Muslims of France (FNMF), with links to Morocco, and the Turkish Islamic Union for Religious Affairs (DITIB), the European division of Turkey's Diyanet (Kuru, 2009: 123; Caeiro, 2005). The goal was to shift from Islam *in* France to an Islam *of* France, or French Islam²⁵, a point frequently made by Nicolas Sarkozy, who was Minister of the Interior at the time, and which has been reiterated by successive Presidents, most recently by Emmanuel Macron. The special focus on Islam and Muslims here has meant, however, greater state interference; for example, the state has a larger role in appointing its members. As a result of this institutional approach, questions around the legitimacy and representativeness of these bodies have been raised.

Marriage has been an issue to have garnered high levels of attention. French law stipulates that a civil marriage must precede a religious marriage, although this is not always abided by (Cesari, 2010b: 152). While polygamy is in decline, an inter-ministerial research group was created in 2004 to assess the extent of forced marriages amid fears they were increasing (Cesari, 2010b: 151). One interesting event was the granting by a French judge of a divorce to a Muslim man on the grounds that his wife was not a virgin when they married, in an apparent willingness on the part of the judge to make a culturally differentiated interpretation of divorce law. This received heavy criticism from Muslim organisations, feminists, those who argued that the judge was not expert enough to interpret Islamic law, and those who argued that the judge, representing a secular state and law, had no business in interpreting Islamic law (Cesari, 2010a: 15).

Issues around ethnic, racial and religious discrimination have received greater attention in the last couple of decades, with patterns of systematic discrimination against people of North African descent emerging (Meer & Modood, 2012). This is often directed at Muslim women who wear the *hijab*, and who "have [illegally] been prohibited from celebrating marriages in the local municipality, attending naturalization ceremonies, entering public buildings, consulting a doctor, going to a bank agency, participating in outdoor school activities, etc." (Cesari, 2012: 444). There were also large spikes in anti-Muslim incidents, such as hate speech, vandalism and violence against individuals, following the 2015 attacks, France's Interior Ministry reporting they more than tripled in 2015 (Pew, 2017).

Islamophobia in the French imaginary of Islam and Muslims is intimately tied up with the legacy of colonialism (Scott, 2007; Kuru, 2009) and its "continual weight" (Bowen, 2009: 2), from which the Algerian War of independence²⁶ has left particularly "searing effects... on the psyches" of ethnic Europeans, Arabs and Berbers in France (Fetzer & Soper, 2005: 63). And it is in the context and scope of this imaginary, and in a context post-9/11, that it is perhaps necessary to understand, if not to justify, France's '*ordre*

²⁵ For a detailed discussion of how Muslims themselves are refashioning norms, forms of reasoning and institutions also constructing a French Islam see Bowen, 2013.

²⁶ Algeria gained independence in 1962

public' arguments²⁷. France's Muslim immigrants have been viewed by many as 'unassimilable', something attested to by the relative successes of the Front National Party. This, however, runs counter to repeated survey results that show that Muslims want to be able to pursue upward social mobility as part of society (Body-Gendrot, 2007: 302).

Schools: signs, symbols and laïcité

Ferrari speaks of a 'narrative secularism' as well as a 'legal secularism' (2009) and this can be seen in the high profile debates concerning *laïcité* and state schools, the importance of which for French Republicanism has already been mentioned. The particular importance schools are accorded as part of the French national imaginary are well conveyed in Minister Bayrou's declaration in 1994 that "French national identity is inseparable from its schools" (Kastoryano, 2006: 61). Schools, according to the assertive strain of *laïcité* are a place of 'emancipation' and *mise à distance* where community identities and ties are left at the door (Kuru, 2009: 125; Jansen, 2013: 15) and students "become future autonomous citizens (in their minds and their bodies) with the capacity to live together and share common principles within a larger political body" (Body-Gendrot, 2007: 292).

Of particular contemporary prominence for *laïcité* have been *les affaires de foulard* of the last few decades. The issues around the headscarf affairs have led to extensive public and political debates around the principles of the Republic, of *laïcité* and of French national identity. Indeed, Talal Asad has referred to the headscarf law as a "window into *laïcité*" (2006: 514) and Pierre Bourdieu saw the affair as an implicit issue of the place of North African immigrants in metropolitan France (in Bowen, 2009: 246). In this vein the initial *l'affaire de foulard* in 1989 gained a social and political significance disproportionate with the actual presence of the headscarf – becoming "one of the biggest political debates in France since the Dreyfus affair" (Kuru, 2009: 20, citing Kepel, 1994) - it is estimated that fewer than 1500 Muslim female students wore the headscarf in the 2003-2004 school year (Body-Gendrot, 2007; Kuru, 2009: 104) and this number had been steadily declining (Killian, 2007: 308). Underscoring the significance of the principle of *laïcité* is the fact that the headscarf affair created "an unprecedented coalition between Right and Left" (Kuru, 2009: 128; Gunn, 2004).

Yet, it is also important to understand the precise historical moment in 1989. As Bowen points out, Muslim girls had been wearing headscarves to schools without fuss for years, either wearing them throughout the day or removing them for classes as was the general rule. Indeed, the same middle school that triggered the debates in 1989 had an earlier class photo of a girl in a headscarf as a display of the cultural diversity at the school (2009: 83). As with the variance in attitudes to mosques noted above, this further serves to highlight regional and temporal variance in attitudes towards and the application of the principle of *laïcité* when it comes to governing religious minorities, often varying depending on the political stance of the mayor or local authorities, and itself nested within a shifting cultural and discursive emphasis on *laïcité* in its more assertive or accommodationist modes. In 1989, however, political forms of Islam were emerging onto the international scene. The Rushdie affair earlier the same year in the

²⁷ The film *The Battle of Algiers* (1966), about the Algerian War of Independence, is perhaps a good depiction of how "in French cultural memory, an icon of the modern and secular motive of violent political resistance potentially hidden behind the religious sign" (Jansen, 2013: 223).

UK, and the *fatwa* issued by Ayatollah Khomeini calling for his death²⁸, and the birth of the Islamic Salvation Front (FIS) in France's former colony of Algeria, for instance, meant that a perception of a growing and threatening political Islam served to train an acute focus and emphasis on visible forms of Muslim religious identity in France (Bowen, 2009: 83). In this political context and period, what can be seen is a gradual hardening of discourses on *laïcité* shifting toward its assertive form gaining prominence.

Les affaires involve a series of cases brought before the French courts, beginning in 1989 when three schoolgirls were expelled for wearing headscarves in class at their public school in Creil, in the north of Paris. The then Minister of Education, Lionel Jospin, having first stressed dialogue between the schools and students and parents, referred the matter to France's highest administrative court, the State Council (Conseil d'État), following a barrage of criticism of his more open stance. The State Council also adopted an accommodative stance when it ruled that the wearing of the headscarf did not contravene *laïcité*, emphasising the pupils' right to "express and manifest their religious beliefs within public institutions with respect for pluralism" (Kastoryano, 2006: 59). When the headscarf in schools became an issue again in 1994, the (new) Minister of Education issued a directive to public schools forbidding any conspicuous religious signs (Kastoryano, 2006). Between 1992 and 1999 the State Council ruled on 49 cases of similar expulsions on a case by case basis, emphasising pupils' freedom of religion, and overturning 41 of the expulsions (Kuru, 2009: 104, 127; see also Bowen, 2009). Indeed, the League of Education had moved in the mid-1980s from supporting a form of assertive secularism to one of pluralistic secularism (Kuru, 2009: 113). Major religious institutions and associations themselves have generally used a discourse of passive secularism to emphasise religious freedom over more combative anti-religion positions and have used this to be critical of some of the state's policies (Kuru, 2009). The ban on religious signs was opposed, for instance, not just by Muslim associations but by the French Catholic Church and chief rabbi of France also. In fact, the Catholic cardinal of Paris had supported the three school girls in the 1989 affair (Fetzer & Soper, 2005: 78).

Nevertheless, in 2003 the then President, Jacques Chirac, appointed a commission to reassess *laïcité* and consider the issue of religious signs in schools. The Stasi commission, so called after its chair Bernard Stasi, delivered its report the same year and recommended the banning of conspicuous religious signs in public schools, with all but one of the commissioners (Jean Baubérot) voting this way. Following the report, legislation was introduced on 3rd February 2004 and, with a large majority in the French Parliament, passed into law in March (Gunn, 2004; Kuru, 2009: 132). Although the legislation was indiscriminate between religions, Sikh students wearing turbans, the Jewish yarmulke, and Christians wearing 'big' crosses have also been expelled under it, it has disproportionately affected Muslims and commentators both for and against widely agree that the legislation and the mission of the commission itself targeted Muslims and the headscarf (see Gunn, 2009; Cesari, 2012; Bowen, 2009). Other recommendations, that Eid el Kebir and Yom Kippur be designated as school holidays, improving living standards in poor urban areas, and improving education about religion and *laïcité* were ignored (Gunn, 2004; Killian, 2007). The focus on the headscarf was based on it being viewed as a binding into an immigrant culture against

²⁸ For a discussion of the Rushdie Affair and *l'affaire de foulard* being two simultaneous pivotal events in 1988-89, the responses to which were, respectively, illustrative of multiculturalism and radical secularism, see Modood, 2019: chapter 9.

the emancipatory role of the public school, and a tool of female subordination (support for its banning has been high among French feminists (Fetzer & Soper, 2005: 73; Göle & Billaud, 2012a). This rationale, based on the idea of girls facing pressure and coercion to wear the headscarf, was an important aspect of France's 'public order' justification for the ban and its potential infringement of religious freedom (Killian, 2007; Jansen, 2013; Troper, 2016). In fact, numerous instances pertaining to 'public order' were mentioned in the report: refusals by Muslim women of treatment from male doctors, of pupils to participate in sports at school, of the authority of female teachers, of attendance at classes on the holocaust, for example (Jansen, 2013: 226). The French state was, on its understanding therefore, protecting the positive liberty of the girls.

Following this, there was also something stronger going on which it is important to understand: the French state was also positively protecting the girls from themselves, protecting their 'real' liberty and autonomous selves based on a universalist metaphysics going back to the Revolution (Tourkochoriti, 2012: 825-826). As the Debré report, the report of a parliamentary commission that ran parallel to the Stasi commission, stated it, "Students are not simple users of public services but individuals-in-the-making within an institution whose mission is to form them" (in Joppke, 2007: 322). This position undoubtedly had supporters among France's Muslims, as much as 42% according to some polls (Body-Gendrot, 2007; Killian, 2007), but made no attempt to quantify the supposed problem and paid no attention to those who argued that the headscarf may in fact indicate a break with immigrant culture and an assertion of being Muslim and French. Behind the 42% were significant inter-generational differences, with women over 40 more likely to support the ban based on a different historical perspective toward it carried over from the country of origin, and for whom removing the scarf signalled integration. Killian summarises this difference, saying that "where parents see improvements and opportunities, children see discrimination and rejection" (2007: 315). Although positions on the headscarf among Muslims were mixed (Gunn, 2004; Ajrouch, 2007) but it was those in favour of the ban whose voices were heard in public debate. Notably, to reinforce the state's position, Sarkozy, in a betrayal of the supposed French Islam line, travelled to Egypt to obtain a *fatwa* to the effect that headscarves were not obligatory religious attire. One effect of the law was that many Muslim schoolgirls transferred to private Catholic schools, which were not covered by the ban (Gunn, 2009: 962). In the years following the Stasi law, veiled women and girls have been forbidden access from a host of public and semi-public spaces, including universities, swimming pools and public transport (Göle & Billaud, 2012: 126).

In 2010 another ban was introduced, coming into effect in April 2011, this time banning clothing that concealed one's face in public places and spaces, including the street and cars, and which became known as the 'burqa ban' as the targets of law and subject of debates leading up to it were the burqa and niqab (Laborde, 2012; Lægaard, 2015). Women in breach of the ban have been fined, received warnings, and been made to attend citizenship courses (Cesari, 2012). It in fact was to a large extent these cases that meant that France was one of two countries in Europe to have over 200 cases of government force against religious groups in 2014 and 2015 (the other being Russia) (Pew, 2017). In contrast to the headscarf affair, *laïcité* was not explicitly appealed to. Similar to the headscarf affair, however, justifications included positively promoting women's liberty and equality, again stressing the need to positively protect

the liberties of the women, and protecting public order²⁹ (Tourkochoriti, 2012: 804, 825; Troper, 2016). When the case *S.A.S. v France* was brought before the European Court of Human Rights (ECtHR) to challenge the ban, the state's defence was based on such coverings being "incompatible with the fundamental requirements of living together in French society" (quoted in Lægaard, 2015: 204). 'Living together' here has a distinct anti-communitarian emphasis that is suspicious of forms of (postmodern) identity politics. Indeed, Tourkochoriti argues that "For the French, the rights of society are the ones by which the rights of the individual exist and not the other way around"; the state is therefore responsible for its citizens' realisation of their rights (2012: 830; also Troper, 2016; Bowen, 2009). The ECtHR found in favour of the French state, deferring to the margin of appreciation in regard to the conception of religious liberty in a particular state (Tourkochoriti, 2012: 804-805).

Private schools, in contrast to the public schools discussed above, maintain more freedom when it comes to the manifestation of religion and have existed since the mid 19th century. State-funded private schools now account for around 13.5% of schools, around 90% of which are Catholic, and educating around 17% of students (Franken, 2016: 46). These schools receive public funds subsidising the majority of the schools' budgets (Kuru, 2009: 109); the Debré law of 1959, reinforced by the Guermuer Law of 1977, secured state financial support for private schools which sign particular contracts (Kuru, 2009: 154-156). Certain conditions have to be met to be eligible to receive such funds: the school has to have been functioning for 5 years, teachers must be well-qualified, the number of students must be relatively large, school facilities must be clean, pupils from any religious background would need to be admitted, religious instruction would have to be voluntary, it must submit to inspections by the state, and the general curriculum would have to be followed (Fetzer & Soper, 2005: 85; Troper, 2016). It is possible to run a private school not so regulated, but these receive no state funding and are far less numerous. In the early 2000s there was not a single state-funded Muslim school in European France³⁰. The first private Muslim high school under state contract was established in the summer of 2003 (Akan, 2009: 238). Actually, there have been few applications with French Muslims are divided on the desirability of such schools (Fetzer & Soper, 2005). For some, this may be a result of the state intervention that such status would entail (Gunn, 2009: 979). Yet, by 2012, in part a consequence of the ban on headscarves, there were 29 Islamic private schools (Cesari, 2013: 100).

Violent religious radicalisation challenges

France experienced terror attacks associated with Muslims linked to its policies and interventions in the Middle-East as well as in its former colonial territories in North Africa dating back several decades.

In 1985-86 Paris experienced a series of bomb attacks by militants affiliated with Lebanese Hizbullah. Violence in the 1990s emanated from political issues in Algeria

²⁹ Jansen notes that 'public order' justifications for the prohibition of conspicuous religious signs have a longer history in France. In 1937 the crosses worn by scouts and the insignia of the 'Jeunesse étudiante chrétienne' were prohibited on these grounds as they were associated with the far right (Jansen, 2013: 222). How headscarves and burqas represent a protection of the public order in a similar vein, however, is not abundantly clear.

³⁰ There was one private Islamic school with a contract with the state on the French island of Réunion.

and it is from the mid-1990s that France's "growing fear of fundamentalism" started (Cesari, 2005: 5). A series of bomb attacks occurred in Paris throughout 1995 connected to French interference in elections in Algeria and were part of an anti-colonialist rationale. The most serious was in July, when a Paris train was blown up. This attack killed 7 and wounded more than 80 and was led by Khaled Kelkal, a French-born citizen of Algerian origin from Lyon who was affiliated with the Algerian Armed Islamic Group (GIA). In the previous year, the same group made an unsuccessful attempt when they hijacked an Air France flight from Algiers to Paris with the aim of crashing it in the latter city. In 2004 the bombing of the Indonesian Embassy in Paris by the Front Islamique Français Armé (Armed French Islamic Front) demanded the release of two GIA members imprisoned in France. Notably, these attacks also targeted Muslims in France who were also outspoken against the Algerian regime and affiliated with early salafist movements in France made up of ex-militant refugees from Islamic Salvation Front (FIS) in Algeria (see Amghar, 2009). Early forms of Salafism from Algeria, however, characterised by religiosity linked to political issues and a revolutionary vision, gave way in the latter part of the 1990s to quietist forms of Salafism, particularly influenced and financed from the Arabian Peninsula. These focused on running mosques, holding conferences, educating imams and so on (Amghar, 2009). Following 9/11, however, with Salafism again increasingly attached to terrorist activity, the French authorities began to severely restrict these activities (Amghar, 2009: 30).

More recent threats have come from based on a rationale of anti-imperialism - those fighting in the mould of al-Qaeda and increasingly linked to ISIS. It has included attacks in France as part of 'Islamо-nationalist jihadism' linked with activities in other countries, such as against Serbs in Bosnia and on the side of Chechens in Russia, situations in Iraq and Palestine, as well as discrimination in France itself (Amghar, 2009: 43). In the 2010s France has experienced some of the most high-profile attacks in Europe. In Toulouse and Montauban in 2012, Mohamed Merah killed 7 people in the two cities, targeting French soldiers and a Jewish school, and citing the headscarf ban and France's role in Afghanistan and Israel-Palestine. In Paris in January 2015 the offices of the satirical magazine *Charlie Hebdo* were attacked by brothers Saïd and Chérif Kouachi, associated with al-Qaeda, shooting and killing 12 and wounding 8. This attack was following the publication of cartoons of the prophet Muhammad in 2012 and the cartoonist Stéphane Charbonnier being placed on the most wanted list by al-Qaeda in Yemen. In fact, the previous year the offices had been firebombed following a controversial front cover also featuring Muhammad. In November 2015 various bombs were detonated at a football stadium, cafés, restaurants, and one at Bataclan concert hall, killing 89. In Nice in 2016 a truck was driven into crowds celebrating Bastille Day by a man from Tunisia, killing 85 and injuring 201. In April the following year a police vehicle was shot at, killing one officer and wounding two others and a tourist, and in October the same year two women were stabbed at Marseille's main train station (both attacks were claimed by ISIS). In both of these incidents, the attackers were known to French security services.

France is also the country with the highest total for foreign fighters in Europe³¹ (Hellmuth, 2015b: 989). By mid-2015 more than 1200 foreign fighters had left to fight in the wars in Syria and Iraq. Notably, most of the attacks in 2015 were by returnees. In

³¹ France together with the UK, Belgium and Germany, the other Western European countries in this series of reports, comprise the main source countries of foreign fighters leaving from this region (Europol, 2018, 2016).

2017 the Prime Minister issued special instructions on dealing with child returnees (RAN, 2017).

Khosrokhavar (2010) points to two sources of radical Islam in France, one internal and one external. The external source is the mainly Algerian networks discussed above. The internal source results from the 'Islamist effect' that predisposes disaffected (male) youth, particularly those of North African origin, towards radicalism primarily in the *banlieues*. The *banlieues* have been a focal point of France's problems with its minority populations. The *banlieues* represent areas of urban degradation which affect primarily first- and second-generation migrants from the Maghreb, who have come to be concentrated in these areas, resulting in a conflation of poverty, ethnicity and Islam (Cesari, 2005; also Gunn, 2009: 982). This also represents patterns of social immobility, effective segregation into these poorer neighbourhoods, and above average unemployment rates (particularly affecting young people), all combining to create 'zones of exclusion' for those who live outside, both spatially and symbolically, assimilation into the nation-state. Kastoryano argues that Islam has increasingly become a form of identification for France's Muslims in the *banlieues*, a form of 'self-enchantment' that serves to resist their systematic discrimination (Kastoryano, 2006: 66, 2004). Toward the end of 2005 France experienced riots in these urban suburbs. Although itself not a form of religious radicalisation, concerned with economic difficulty and social discrimination, they were linked to increasing securitization in these areas and forms of ethnic solidarity based around 'Muslim' and their poor socio-economic position (Cesari, 2005, 2002). Aside from religious radicalization, this has been coupled with a rising crime rate since the 1990s, which has largely been blamed on people of North African origins.

Policies and practices addressing / preventing such radicalisation

France began undertaking anti-terrorism measures in 1993 and these were expanded in 1995, following the bombings that year, to make arrests easier under a framework from a law on terrorist association (Khosrokhavar, 2010: 234). Early anti-terrorism measures from the early 2000s, such as the 2001 Law on Everyday Security and a 2003 immigration law, expanded police surveillance powers of electronic and postal communication along with financial records, powers to search vehicles and premises, powers to deport individuals convicted of criminal offences and deport or ban individuals or groups that threaten public order (Cesari, 2010a, 2012). Such policy changes have helped create a climate of suspicion of Muslim minorities, which make it worth noting that France has arrested far more Basque nationalists than it has Islamists (Cesari, 2010a: 21)

Dating back to the France's earlier experiences of terror attacks, it set up an anti-terrorist coordination unit (UCLAT) in 1984 within the Interior Ministry (Hellmuth, 2015b). Relevant counter-terrorism measures date back to 1986 when a reform centralised the powers of counter-terrorism investigations into the hands of extremely powerful magistrates closely linked to the Directorate of Territorial Surveillance (DTS), the French domestic intelligence service (Hellmuth, 2015b). This was strengthened in 1996 by legislation that criminalised "conspiracy to commit a terrorist offence" (Hellmuth, 2015b: 980). Further strengthening took place following 9/11 as the state attempted to address discrimination through enforcing antidiscrimination laws and civil rights legislation (Fetzer & Soper, 2005: 68). In the decade that followed French authorities passed five domestic security laws increasing powers of surveillance

(online, CCTV), data collection (internet, phones, bank accounts, tax records), and provisions under the law for stop and search (Hellmuth, 2015b). In 2004 permanent task forces focussed on radical Islam were set up across all the regions of France and new Councils were established, adapted, replaced and merged during this period (see Hellmuth, 2015b: 983). Between 2002 and 2005 a hundred people were jailed as part of the fight against terrorism (Amghar, 2009: 38). From 2006, measures were brought in order to strip hate preachers of their citizenship (Hellmuth, 2015b: 982).

Acts in 2012 and 2014 targeted foreign fighters. The 2012 Security Act increased punishment for the glorification of terrorism (an expansion of an 1881 law), visiting terrorist training camps, and acts of terror abroad, as well as expanding asset-freezing to those engaged in terrorist activity (Hellmuth, 2015a: 22-23, 2015b). The 2014 anti-terrorism law focussed on the prosecution of individuals regardless of association and authorised the confiscation of identity documents, including passports, if there was "serious reason" to suspect potential terrorist involvement (Hellmuth, 2015b: 982). As well as targeting behaviour, the legislation also targeted 'cognitive radicalization': it allowed counterterrorism officials to block websites deemed to incite or glorify terrorism as well as the "searching, attaining, and creating of materials that could be used in terrorist activities" (Hellmuth, 2015b, 2015a: 23). Following the Charlie Hebdo attack in 2015 the state declared a state of emergency (lasting through five extensions to 2017) (Mucha, 2017), and counterterrorism spending, personnel, surveillance powers and the focus on cognitive radicalization were markedly increased.

Additionally, a focus began to look at prisons as sites of radicalisation. Prisoners deemed to be radicalised would be isolated from other prisoners, "highly monitored", and concentrated in separate prison facilities (Hellmuth, 2015b: 989; RAN, 2017). The security forces were tasked with intelligence gathering in prisons, a responsibility removed from the prison authorities (Hellmuth, 2015a: 23). Following the 2015 attacks CVE measures in France were labelled a 'fiasco' by a cross-party senate committee and recommended a complete overhaul (Mucha, 2017: 236).

Foreign fighters, whether aspiring or returnees, have been arrested, placed under surveillance, jailed, or deported, and France has a high conviction rate for terrorism offences (Hellmuth, 2015a). Notably also is that re-conviction rates are also high at nearly 60% (Hellmuth, 2015a: 5). Preventative detention in France is comparatively easy owing to anti-terrorism measures.

Until 2014, France did not seriously consider radicalization an issue that required intervention or rehabilitation initiatives (Hellmuth, 2015a). This is in part because of their counter-terrorism apparatus and in part owing to *laïcité*, both of which have formed significant aspects of the approach of the French state. *Laïcité* makes formal partnerships between religious institutions and counter-terrorism officials difficult with the result that the French state was slow to focus on 'soft' measures (Hellmuth, 2015a). Socio-political and socio-economic conditions and explanations have been ignored in favour of a centralised and security led approach, with tough legal and judicial measures and an emphasis on surveillance and prosecution. This approach has focussed on the idea of a terrorism-crime nexus, which focuses on 'ordinary' crime and its prosecution (Hellmuth, 2015b; Mucha, 2017).

Although, therefore, slow to do so, since 2013, as well as these 'hard' measures, French authorities have also brought in 'soft' measures, spurred by issues around social

integration, foreign influence and home-grown terrorists, and in order to improve its relations with its Muslims (Hellmuth, 2015b). A plan published by the Interior Ministry in 2014 brought in a new focus on addressing the process of radicalization (Hellmuth, 2015b: 988) and the *Centre National d'Assistance et de Prévention de la Radicalisation* (CNAPR) linked to UCLAT was formed. At the centre of the plan was a nationwide hotline that individuals, families or community members could call to seek advice or notify authorities on anything of concern. This would be followed up by localised and tailored assistance programmes (Hellmuth, 2015a: 24). One of these, HATIF, was originally designed as an individual deradicalization programme, but, run by the domestic intelligence services, was considered ill-equipped. Consequently, an alternative service, BAMF, funded by the Federal Office for Migration and Refugee Affairs and working in partnership with local NGOs, which focuses on families of radicalized individuals, has been more successful (Hellmuth, 2015a: 25). Softer measures were also adopted in prisons, where the number of imams, vetted for compatibility with French values, was increased (Hellmuth, 2015a: 9).

This has also involved the more practical approach toward recognizing ethnic and religious differences and developing Islamic institutions, which have increasingly taken on a local, civil shape and mark a shift in or addendum to, French civic nationalism. This shift is also related to the fact that the relationship between and influence over younger generations that leaders at large associations hold greatly varies (Cesari, 2002); the UIOF, for example, had a negligible affect over its attempts to quell rioters in 2005. Moreover, as part of grappling with the governance of Islam in response to terror threats has also seen patterns of collaborating with foreign governments (such as Morocco, Turkey and Algeria), who are able to have an influence on the religions development through their policies towards diasporas (Bruce, 2018). France's approach has thus increasingly taken on more explicit local, national and transnational features.

The practicalities of this approach, however, are still seen within the scope of *laïcité* and the national retains its emphasis – Muslim associations, for instance, are required to sign a declaration of adherence to its principles under the Constitution (Cesari, 2002: 341). In the first half of the 1990s the then interior minister (from 1993), Charles Pasqua, enacted a 'Muslim Charter'. Part of the role of organisations such as the CFCM has been to monitor and domesticate Islam. More recently, these include a series of programmes with increased funding for educational and social services in *Zones à Urbaniser en Priorité* (ZUP); poorer areas with high immigrant populations and schools with high levels of violence (Fetzer & Soper, 2005: 68). In fact, we can see in this vein arguments that an emphasis on the cultural rather than the religious provides a counterweight to religious fundamentalism – debates around public funding for a Grand Mosque in Marseille, for instance, have revolved around it acting as a 'cultural centre' offering classes open to all (Maussen & Talbi, 2017).

Concluding Remarks

France has been one of the most significant countries in Europe in several ways, not least in its exceptionalism within Western Europe with regard to secularism. France, as a result, serves as an important comparative case – an example of what has been called 'radical secularism', captured in the principle of *laïcité*, in contrast to the more moderately secular paths trod by other European countries. Yet it is also easy to mischaracterise France's model in too strict terms. France has increasingly developed

more moderate features in its state-religion relations, and there have been shifts in the assertiveness with which *laïcité* has been understood and applied. Moreover, there is also notable regional variance in how *laïcité*, and resulting restrictions on religious freedoms have been applied. Some regions have adopted a more accommodationist approach, whereas others have been more combatively secular. We have mentioned this in relation to mosque building, the headscarf in schools and meal provision in schools, for instance. There are also the regions where the 1905 law doesn't apply for historical reasons. There is then a simultaneous hardening of a discursive cultural secularism (Jansen, 2013), alongside some (and this shouldn't be overstated) more pragmatic and moderately secular moves.

France's significance also lies in its prominence in relation to violent religious radicalisation. France has a long history of violent attacks where Muslims have been at the forefront stemming from its colonial history and governance of Muslim majority countries in north Africa, most notably Algeria. This history has played an important symbolic as well as demographic role in terms of France's religious diversity and its relation to its Muslim population. Although recent forms of radicalisation have been quite different from these earlier forms in significant ways, and ways that are important for considering specifically religious radicalisation, the two remain linked symbolically. Moreover, France has witnessed some of the most high-profile and debated attacks from individuals connected to violent religious radicalisation. This has led France to develop both 'hard' as well as 'soft' responses, bringing in expanded legislative, criminal and security measures on the one hand, and approaches more focussed on social exclusion on the other. In many ways this has also taken on a security-led character, yet there have also been efforts to address issues of socio-economic deprivation as well as more overtly addressing ethnic and religious differences, which further serves to illustrate its relations between religion and politics.

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