Islam and the Republic

MY TITLE, of course, rests on an indefensible premise. Islam cannot be exclusively French any more than it can be American or Egyptian, because its claims are universal. Although inflected and shaped by national or regional values, Islam, like Catholicism and Judaism, rests on traditions that cross political boundaries.

Let me try another way to understand the question: Can Islam become a generally accepted part of the French social landscape? Of course, it will not have the background status of Catholicism anytime soon—Parisians may not notice a cross or a church; they certainly notice a headscarf or a minaret. But could it become accepted—more or less grudgingly, more or less intuitively—as one among many normal components of the normal social world? Quick off the mark there are signs that suggest yes, perhaps, and others that indicate no, maybe not.

Among the positive signs: A 2006 survey found that French people as a whole think Islam can fit into France. When asked if there is a conflict between being a devout Muslim and living in a modern society, 74 percent of all French people said no, there was not. Only about half as many other Europeans or Americans deny such a conflict. Indeed, French people are more positive about modern Islam than are people in Indonesia, Jordan, or Egypt! This positive answer may be related to an equally hopeful finding of the survey: French Muslims are about as likely to emphasize their national identity over their religious one as are U.S. Christians—and they are much more likely to do so than are other European Muslims.[1] So, at least when talking to pollsters, goodly numbers of French Muslims and non-Muslims seem to think that Islam could be French.

But increasingly, public figures criticize some Muslims as harboring values incompatible with French citizenship, even if they neither break laws nor contravene norms of public behavior. Two incidents from 2008: A court approved a request to annul a marriage on grounds that the wife had lied to the husband about something he judged essential to their marriage. The judgment was in accord with French jurisprudence, but because the "something" was the wife's virginity and the couple was Muslim, public figures denounced Muslims who harbored "archaic" notions about women, and the annulment eventually was overturned. At about the same time, the government successfully kept a married woman with children from obtaining French citizenship because she wore a face covering and

stayed at home, proof that her "radical religion" had prevented her from "assimilating" French values.

And consider what Parisians read. I dropped into the Virgin Megastore in Saint-Denis, tucked in behind the famous cathedral and in a largely Muslim corner of town. Free for the taking was the store's magazine, with a picture of a naked woman on the cover and with "pleasure" as the issue's theme. When I entered the store I saw books on Islam, the Qur'an, and how to pray; we were in the month of Ramadan. But the table holding new, small-format books placed near the cash register featured thirteen titles, ten of which approached Islam and Muslims from quite a different point of view. *Dishonored* and *Mutilated* each concern violence by Muslim men against Muslim women. *Sultana* describes the horrible life of a Saudi princess. Both *The Sold Ones* and *The Fatiha* (referring to the first verse of the Qur'an, recited at a marriage) treat forced marriages. *Muslim But Free* is Irshad Manji's story; *Disfigured* is Rania al-Baz's, each about Muslim misogyny. *Gang-Rape Hell* tells of violence against women in the largely Muslim, poor outer cities of Paris. *Souad, Burned Alive* and *Latya, Her Face Stolen* complete the picture. (I do not count no. 11, a translation of *Reading Lolita in Teheran*, which suggests that without Nabokov, the Persians might have found themselves bereft of literature.)[2]

Things are not that different on the North American side of the Atlantic, from where Irshad Manji comes and where another denouncer of Islam from within, Ayaan Hirsi Ali (*Submission*; *The Caged Virgin*), sometimes lives, and where books on Islam's threat to Europe have taken off: "they're asleep; we're next," we, over here, are warned in *While Europe Slept*, *Eurabia*, and the latest, *They Must Be Stopped*.

Now, in the so-called "public sphere" dominated by such books and their sensationalist televised counterparts (Fox News, *Envoyé Spécial*), very seldom do we hear from Muslims who are *not* in the business of denouncing their own kind—save the well-intentioned but not very effective pleas that "Islam is a religion of peace," as if that were a satisfying response to *Disfigured* and *Submission* and unceasing reports of terrorism training. ("Whom do you believe, me or your own eyes?") Left largely to the side—either out of their own prudence or out of the "public sphere's" decision that their voices are less interesting—is a broad middle group of Muslims who do *not* wish to renounce the possibility of just war (yes, *jihâd*) and *do* wish to remain true to Islam's norms (yes, *sharî'a*), and who *do* tune in to scholarly opinions (yes, *fatwâ*s)—and who, all the while, live ordinary, nonterrorizing lives. They do so at the same time that many of their Catholic fellow citizens subscribe to doctrines of the just war, wish to enter heaven, and listen to what the pope has to say (as do, mutatis mutandis, their Jewish and Baptist and Mormon neighbors).

It is a subset of *these* Muslims to whom I have been listening in France: scholars and educators and public figures who are trying to configure a set of teachings and norms and institutions that will anchor Islam in France, for now but especially for the next generation, and without renouncing the traditions of Islam. Theirs is the question that I intend in this book's title: Can Islam become a workable reality for Muslims who wish to live fulfilling social *and* religious lives in France? This book concerns some of their answers to that question.

In an earlier book, in some ways a companion to this one, I explored the ideas and anxieties of some non-Muslim French men and women about the visible presence of Islam on their soil. I did so largely through one particular lens, the conflicts over the wearing of Islamic scarves in public schools, but I touched on a broader array of issues, from racism (also aimed at non-Muslim people of color) to the shape of the urban built environment.[3] That study posed the question of whether Muslims who wish to publicly practice their religion can make their way in French society without having to pretend to be something other than Muslims. Can they become *citoyens à part entière* rather than *citoyens entièrement à part*, "complete citizens" of France rather than "citizens completely on the sidelines"?[4] Particularly thorny are the issues implied by the phrase "pretend to be something other than Muslims." How far will the French state go in requiring not just obedience to the law and correct public comportment, but assimilation to a particular set of (post-) Christian practices and values?

Although in the final chapter I return to those issues, throughout most of this book I focus on the Islamic side of the same issue: what forms of Islamic ideas and institutions will enable those Muslims wishing to practice their religion to do so fully and freely in France? I explore the development of mosques and of Islamic schools and institutes and, simultaneously, the Islamic reasoning that subtends and suffuses these institutions as it answers such questions as the following: What should an Islamic secondary school look like in a secularist society? How does one teach Islam in a way that remains connected with global deliberations *and also* provides guides for French living? What should mosques do? Should a marriage be conducted in a religious manner or at city hall? May I borrow money at interest from a bank to buy my home?

As in my previous books on France and on Indonesia, I set out to practice an "anthropology of public reasoning." The "anthropology" part of that phrase means that I look whenever possible at ongoing interactions in social life: at how a teacher reasons or an imam persuades or a city official justifies his actions. I bring in written texts when these enter into social life, when they are used in teaching or read widely, but I begin from social interactions in mosques, schools, public meetings, and

Internet exchanges. The "public reasoning" part means that I highlight the ways in which people deliberate and debate in these public settings. It is in these practices of deliberation—justifying one's beliefs and seeking areas of agreement—rather than in a static notion of an achieved consensus that I find hope for pluralistic forms of civic integration.[5]

A critical component of the anthropology of public reasoning is the study of justifications: on what grounds do speakers advance one position rather than another? What kinds of argument do they pursue, and how are these received? In the Islamic context these questions often turn on sources of authority: which past authorities or scriptural texts are cited? Does an argument emphasize the distinctive demands placed on Muslims in France, the universal character of God's call to walk along the straight path, or both? Through these questions I wish to highlight the specific forms taken by Islamic reasoning in these particular French social contexts.

This attention to Islamic justifications should, I believe, extend current social science analyses of how people in different societies justify their positions on policy issues. Some of these analyses have discerned distinct sociomoral conceptions of worth or value that underlie specific acts of justification and that, in weighted combinations, form national (or subnational) "repertoires of evaluation." Parisians and New Yorkers may both recognize that material success, social solidarity, and personal morality are legitimate bases for judging the actions of others, but the two groups will assign different weights to these three values.[6] Repertoires, therefore, can be mapped onto particular territories.

The problem faced in this book is a bit different. Muslims who are engaged in deliberating about Islam in France must navigate between two spatially distinct realms of justification: a transnational one, based on the norms and traditions of Islam, and a national one, based on the civic values of France. The repertoires of evaluation at use in these two realms are not differentially weighted versions of each other but refer to entirely different foundations: God in the one case, the Republic in the other. Each repertoire is a distinct assembly of norms and values that delimits acceptable from unacceptable ways of explaining and justifying actions.

In much of this book, I focus on a handful of individuals, Islamic public actors who find themselves at the intersection of these two realms as they teach and deliberate about how best to create Islamic institutions in France. As *Islamic* actors, they find themselves engaged in exchanges with scholars who live in Syria, Senegal, Turkey, or Egypt, some of whom post articles on Web sites, have their books translated into French (and other languages), and appear in public discussions in Paris, Lyon, or Lille. Each of those scholars commands his own type of authority—the pro-

fessor at an established Islamic university, the scholar who commands an impressive range of scriptural texts, or the inspirational leader of a Sufi order—usually at a level far beyond that of any Islamic public actor living in France. As French Islamic actors formulate their own opinions, they must keep in mind the commentaries and judgments that might be delivered by those transnational authorities—and as we shall see, sometimes those authorities deliver quite negative judgments on certain opinions developed in France.

At the same time, these Islamic actors live in France and must respond to the experiences and exigencies of life in that country. On the one hand, they must craft their opinions to the lives of French Muslims, whose questions concern how to live in a secular society: how to worship, work, or marry in the absence of Islamic institutions. On the other hand, they must try and adapt what they say and do to French norms and understandings about religion and social life, lest they be attacked as insufficiently secularist or as overly communalist.

Now, if those French understandings were clear and unambiguous, this task might not be so difficult, but France contains a tension, if not a contradiction, between its Republican political model and the way religion-minded citizens organize their lives. In the ideal world of Republican France, everyone develops similar values and orientations by participating in public institutions, starting from their education in state schools. This direct, sustained contact between the state and the individual underwrites the dual capacity to live together and to deliberate in rational fashion, because everyone lives and reasons starting from the same first principles. On this view, intermediate institutions such as voluntary associations, private schools, and religious practices are to be discouraged, lest they nourish divergent values and create social divisions. Jean-Jacques Rousseau, perhaps the emblematic figure of this philosophy, affirmed the ultimate identity of citizens' interests in the general will, to be expressed through the state and reproduced through its institutions.

But Rousseau also upheld the rights of citizens to form voluntary associations in order to carry out their diverse interests. When in the first few years of the twentieth century the state got out of the business of subsidizing religions, it intended to turn religious life over to private associations of French citizens, who would then, in turn, leave schooling to the state. The Catholic Church resisted these measures, and a series of compromises led to new laws extending governmental support to religious buildings and permitting religious private schools—even financing them if they taught the national curriculum. These compromises never fully satisfied those who saw religious institutions as compromising Republican unity. Struggles for women's rights during the 1960s and 1970s were waged against a Church unwilling to allow freedom of control over

women's bodies. State support to religious schools continued to excite passions on both sides well into the 1980s.

When, beginning in the 1980s, Muslims sought to follow the example of other religions by forming religious associations, building houses of worship, and seeking state funding for religious schools, they encountered a double source of resistance and suspicion: as one more religious body threatening Republican unity, and as one element in a global movement threatening the West. Were they trying to resist integrating into the rest of French society? Did they harbor values distinct from those held by others in France? To some degree these questions imply a reluctance to acknowledge the degree of religion-based associative life already basic to France, but they also point to the special difficulties faced by Islamic public actors in finding a stable equilibrium between the French rules of the game and a respect for Islamic norms.[7]

Above, I narrowed the book's title question to, What can Muslims can do to create a workable Islamic reality in France? And yet even in this reduced form the question opens up two more specific sets of queries: given the transnational nature of Islamic public reasoning, how far can or should French Muslims adapt the norms and institutions of Islam to local norms and institutions? And how far will they be allowed to follow a Republican path that is itself internally contradictory?

Neither question is limited to France. From Morocco and Nigeria to Pakistan and Indonesia, we find Muslims wrestling with how to adapt Islamic texts and traditions to local, contemporary ways of life. The issue is posed most profoundly for matters of gender equality, religious pluralism, and the right to choose to leave Islam.[8] In Indonesia, for example (where I have worked for many years), some scholars have contrasted what they see as an overly Arabic-cultural and patriarchal bias in Islamic legal teachings to the more gender-equal nature of Indonesian life, and they have drawn on that contrast to develop a new code of Islamic law for Indonesia.

The second question, concerning the "fit" between Islamic traditions, on the one hand, and national norms and values on the other, arises most sharply in Europe and North America only because Muslims are relatively recent immigrants to these lands. The same questions once were asked of Catholics and Jews, and each time they emerge, they bring to the fore contradictions within each national political tradition. In the United States, for example, this contradiction lies between the formal claim to divorce matters of state from matters of faith and the less formal but often more powerful "commonsense" view that the country was based on a Protestant way of life, later expanded to a "Christian" one and (sometimes) today to a "Judeo-Christian" one. The positive challenge to each country is to make more precise the background conditions

of life in a country, so as to make clear what is required of new arrivals and therefore what is also required of people who have lived there longer. What precisely *is* the role of religion in U.S. public life? What precisely *are* "British values?" What *should be* the shared way of life of all who make their home in France? The relatively new presence of Muslim residents could provide an opportunity to revisit and perhaps to expand the meanings of living together in all these countries rather than remain an irritating reminder that such meanings are a bit cloudy.

If, as I suggest, the questions I have posed are by no means limited to one country, why focus on France? I find that in France, the general dilemmas and tensions I discussed above stand in particularly clear relief, because of two distinctive features of the French experience. First, Muslims have had a longer and deeper experience in France than anywhere else in Western Europe.[9] They came to work in France earlier and in greater numbers than did South Asians in Britain (the next deepest Muslim-European presence), and the Algerians among them eventually became citizens of France rather than merely imperial subjects. Most Muslims arriving in France came from countries where large numbers of people spoke French to some degree, a feature that contrasts sharply with the histories of Muslims' arrival in the Netherlands, Germany, or the Scandinavian countries. Not that this familiarity was peaceful: strikes, repression, and the brutal Algerian War characterized the long years of colonial rule, and the riots of late 2005 showed the world how little a part of French society many of the children and grandchildren of those immigrants now feel. But these have been conflicts and struggles occurring within a postcolonial Francophone space with a long history to its name.

Second, to continue the contrast with Britain, if Muslims from northern and western Africa have been in France longer than Muslims from South Asia have been in Britain, they nonetheless had a harder time gaining religious recognition. While their British counterparts formed local associations to promote halâl foods and Islamic curricula in local schools and to build places of worship, French Muslims were encountering strong legal and cultural resistance to these forms of local lobbying. British multiculturalism provided smoother pathways to creating Islamic institutions than did French traditions of secularism, and British localism allowed Muslims to make advances with local school boards and councils, while in France it took the much slower creation of national organizations to advance these agendas—and at that, slowly.[10]

The French specificity thus cuts both ways: a longer familiarity but a sharper set of obstacles in the way of Muslims seeking to create an Islamic way of life. Muslim religious innovators in France have been pushed harder and farther to find ways to simultaneously satisfy Islamic and Western ways of life than have their counterparts in Britain, Germany, Italy, or,

for that matter, the United States. Some of the French Muslim innovators today are looking for patches of convergence, if not explicit agreement: areas where at least some versions of Islamic norms overlap with at least some notions of French (or more broadly European and North American) ones. Some of these overlaps are on matters of legal interpretation—ways to see a civil marriage as already Islamic and to enforce an Islamic marriage contract in civil court. Others are overlaps achieved through tacit accommodations and through nuanced ways of speaking—how an Islamic biology teacher approaches evolution while wearing a headscarf, or how a municipal official finds a way to help build a mosque while proclaiming secularist principles. The results are, I believe, of general interest if they suggest pathways toward accommodation and innovation that do not sacrifice either accountability to secularist principles or faithfulness to the message of Islam.

Much, of course, has been written about Muslims in France, and even more about Muslims in Europe and in the West. Emblematic of work on France is the title of a 1997 publication, "Is Islam Dissolvable in the Republic?" Answers differ, but the question remains a common touchstone for most French students of French Islam: Can Muslims divest themselves of their older identities and habits such that they resemble others in France? Can Muslims coexist with others? Can they integrate, or assimilate? Can Islam become more like (privatized forms of) European Christianity?

Some of the more interesting among these studies, most of them in political science or sociology, construct typologies of Muslims' orientations toward the wider societies: Muslims are Republican, communalistic, or somewhere in between.[11] Others, with more immediate policy issues in mind, phrase the issue in quasi-quantitative terms: How far have Muslims managed to assimilate, or integrate?[12] Some draw insightfully on in-depth interviews to highlight specific questions: How do some Muslim women use their choices of dress to negotiate space for themselves vis-à-vis their families or vis-à-vis the religious traditions out of which they come? How do Muslims experience prison in religious terms?[13]

Still others stress that Muslims inevitably will become more like Europeans as they create privatized and individualistic versions of their religion.[14] Hence the intense interest among some officials, journalists, and academics in estimating *how* religious they (still) are, manifested in polls asking "Muslims" (usually identified by last names) about regularity of worship, mosque attendance, and fasting, in order to sort respondents into categories of practitioners, mere believers, or neither.[15]

My starting point is a different one from that of most of these works: less "how are Muslims fitting in with France" than "in France, what do certain Muslim public actors propose to make of Islam?" My interest is

from *within* the religious tradition, and in particular from the broad set of concerns that we can call "normative" and that stretch from matters of worship and service to God (*ibâdât*) to matters of relations among humans (*muʿâmalât*). But as my object is public reasoning and its social contexts rather than ideas per se, I want to see how some Muslims explain, persuade, and offer opinions to other Muslims, or, to use the analytical terms introduced above, I want to see how they develop and communicate new repertoires of evaluation within the Islamic realm.[16]

I begin by explaining how the historical trajectories of Muslims in France have shaped their strategies of adaptation and innovation. I refer to "Muslims" in the sense of "sociological Muslims," that is, people whose background and traditions form part of the long history of Muslim civilization, regardless of whether they worship regularly or what they believe. It is very important not to ascribe a uniformity of religious observance to Muslims, and most "sociological Muslims" in France do not take active roles in debates about Islam. But most of them consider themselves to be Muslims, and they are seen as such by others around them. I do, for that reason, retain "Muslim" as a socially relevant characteristic applying to a broad category of French residents. But it does not mean that all Muslims always highlight that dimension of their identity in their everyday lives.

In subsequent chapters I narrow my focus to Islam and to what I call Islamic public actors, that is, men and women who engage in public activity with respect to Islamic concerns. In part two, I examine how some of these Muslims have developed mosques, schools, and institutes through which they convey certain ideas about Islamic knowledge and how it should be understood in contemporary France.

I start with a handful of mosques and their social and political environments. I do so because the creation of mosques has been a key concern of Islamic public actors, particularly since the early 1980s, and because some mosques have become centers for broader social activities. Although I discuss all the major Muslim populations in France, including Muslims who came from northern and western Africa, Turkey, and the Comoro Islands, most of what I write in this volume concerns first and foremost scholars and public figures from North Africa (the *Maghreb*)—Tunisia, Algeria, and Morocco. Muslims from the Maghreb make up the great majority of French Muslims, and it is they who have tackled the problems posed above in the most direct and public way. As I describe in detail below, Turkish and West African trajectories have differed from those of North Africa in ways that are relevant to the study of Islamic public reasoning. Turks have focused on creating their own mosques and schools, most of which remain tightly linked to parties and movements in Turkey. West Africans show a more diverse array of patterns, in which Sufi orders

tied to West African teachers predominate. Both populations look toward authorities in their homelands to a greater degree than do North Africans, and therefore have taken a less predominant role in debates about what to make of Islam in France. (They also are relatively more recent immigrants to France.) But if the questions posed by the title of this book have been taken up most enthusiastically by North African Muslims, the answers and institutions that follow from them will sooner or later shape thoughts and actions of all those in France who seek to live by what they see as Islamic norms and values.

Across three chapters, I consider how some Islamic public actors have created Islamic teaching environments in France. I begin with the director of one of France's major Islamic institutes and his response to the challenge of teaching about Islam in a Western European country, then explore the contours of the Islamic educational field in France, and finally look at an early effort to teach the French national school curriculum in an Islamic private school. Here pedagogy is at the fore: do certain ways of teaching suggest certain attitudes toward religious knowledge and toward civic knowledge?

In part three, I turn from spaces to debates and focus on a small set of questions arising from everyday dilemmas facing Muslims living in France (and, with some differences, elsewhere in Europe and North America). In each of two discussions, I analyze the shape of reasoning and debate in specific public spaces, and the constitution of a socially embedded realm of justification. The first considers the issue of whether one should take out interest-bearing bank loans to purchase a home. The debate takes us toward a longstanding question: Should Muslims living in "non-Muslim lands" be exempt from certain rules? These debates have been continuingly transnational, and I consider some of the spheres in which they have occurred, including mosques, schools, and the Internet. The second discussion brings up the question of how to properly marry and divorce. These debates include interrogations among Muslims about the Islamic validity of civil marriages and parallel debates among French jurists about whether to recognize Islamic forms of marriage and divorce. With this discussion, I move toward asking whether it is possible to create a convergence of norms and practices *across* these distinct realms of justification.

These issues, and others not explored here in detail (ensuring halâl quality, carrying out sacrifice, limiting the wearing of religious dress), involve dialectical movements between institutional constraints and normative arguments. They all potentially involve Muslims and non-Muslims—even the debates over bank interest, although currently involving Muslims alone, could very soon involve non-Muslim financial institutions, as they have in Britain and the United States. Although these debates start from concrete issues, they also bring up longstanding issues in Islamic

reasoning: Should norms differ by region, or change over time, and if so, to what extent? How far may scholars move from the specific injunctions given in scripture to general principles that can be inferred from scripture? These last two questions structure much of the debates considered here, as they do in much of the world, as Muslims living in Asia, Africa, the Middle East and lands of more recent settlement in Europe and North America engage in global deliberation, and sometimes sheer confrontation, on how Muslims ought to adapt to new social exigencies.

I examine closely two lines of response to these broad normative questions, each possessing a long Islamic lineage. The first suggests that Islamic norms should be inflected across differing social settings, such that Muslims living in one place would be exempted from rules that otherwise would apply. The second, to which I devote more attention, urges Muslims to evaluate their normative statements over and against what they see as the overall "objectives of God's revelations," the *maqâsid ash-sharî'a*. Those who advocate this "maqâsid approach" draw on a long tradition of thinking about the interest and welfare (*maslaha*) of Muslims.[17] But they also encounter objections from several quarters, both within France and beyond its borders. Some scholars, mainly in centers of Islamic learning, emphasize the importance of remaining within long-standing methods of legal reasoning and accuse those pursuing maqâsid reasoning of departing from those methods. Others, both ordinary Muslims and the scholars to whom they listen (many in Saudi Arabia and the Gulf states), insist on keeping to the letter of the revealed texts. Of course, many who advocate justifications based on maqâsid also pay close attention to the study of scripture and to one or more older legal traditions (the *madhhab*s), and the controversies have to do with priority and emphasis.

The maqâsid approach continues to grow and develop in several directions: toward social engagement in broad, interfaith causes, toward pedagogical refinements, and toward daily advice to Muslims dispensed in mosques and institutes. Its emphasis on adapting norms to broader religious goals makes it particularly useful to Muslims caught in the twin dilemmas of religious accountability and secularist acceptability. In fact, many of the diverse approaches within Islam that are emerging in France, and across Europe, share a tendency to justify both normative innovation and resistance to such innovation on grounds that I call *socially pragmatic*. Whether an Islamic actor advocates reasoning on the basis of one or more legal traditions, or in terms of the objectives of the Qur'an, or in terms of principles derived from scripture, he or she often justifies the choice of style of reasoning in terms of the resulting benefit for Muslims. I examine the major objections to this form of reasoning, as well as its possibilities for adapting Islamic norms to French social conditions.

I end by returning to the question posed by the book's title, but now noting that for many non-Muslims in France, the critical issues may be less matters of secularism and public space than the perception that Muslims represent an undesirable source of value-pluralism. The spaces marked as Islamic provide young Muslims social and moral foundations for civic engagement, but they also produce anxiety among those in France who fear that some Muslims have not adopted, and may not adopt, "French values."

Across these chapters, I trace real and potential pathways of convergence in normative reasoning from the two directions of French social and legal norms and from Islamic ones. But the convergence will depend on the acceptance of a certain measure of social pragmatism from both sides. Islam is more likely to "be French"—that is, to be a fully accepted feature of the French socioreligious landscape—when both Muslims and non-Muslims have developed convincing reasons to accept pragmatic forms of justification, ones that accept the social welfare of all as a good reason to support a policy, and that accept a pluralism of values as perfectly coherent with appropriate understandings of French secularity.