

IIICAGE

Witness | Empower | Justice

**"WE ARE BEGINNING
TO SPREAD TERROR":**

THE STATE-SPONSORED PERSECUTION
OF MUSLIMS IN FRANCE

IIICAGE

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CAGE is an independent advocacy organisation working to empower communities impacted by the War on Terror policies worldwide. The organisation highlights and campaigns against such policies in hope to achieve a world free from oppression and injustice.

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FOREWORD

France's present tensions with Muslims find their roots in three historical areas.

The first and most banal historical area is that of a classic rivalry between two dogmas. It is this long-lasting rivalry - barely interspersed here and there, notably in Andalusia, by fragile bridges of recognition - that has fuelled a long and passionate antagonism since the Crusades. With the revolution in a French society that tended, decade after decade, to be more de-Christianised than Christian, the confrontation between the Cross and the Crescent slowly gave way to a new paradigm.

More explicit nowadays - even if it is far from being the most significant - is the defence of a very specific French-style of secularism. This highly exclusionary secularism, unique in Europe and even in the world, is the direct descendant of the decision taken by the 1789's revolutionaries to exclude from the political arena the powerful instrument of monarchic power that the Catholic Church had become. A century later, in 1905, this founding rejection was certainly clarified and adjusted, in terms of coexistence, by the law of separation of the Churches and the State. But if Muslims today are no longer targeted - at least primarily - as defenders of a dogma that competes with the "national" dogma, they are officially targeted as followers of a religion that dares to encroach on a public space from which any ostentatious affirmation of belief would have been banned.

However, behind the banner of this 'defence of secularism', a third matrix of conflict is increasingly being hidden, and more and more poorly. It is undoubtedly this matrix that can be considered - in my view - as the real source of the Islamophobic upsurge that is ploughing through French society today. The sources of this propensity to stigmatise a large majority of citizens of the Muslim faith by a large majority

of the French political class and society are therefore not linked to the religious history of the 'eldest daughter of the Church' nor to the particularities of its revolutionary history. It is rooted in its colonial history. More precisely than to the colonial dynamic itself, the traumas linked to the end of this conquering dynamic that obviously contributed to digging a new gap. Why did this happen? Because, for the most part, decolonisation - and the migratory flows it generated - had the effect of repatriating to the territory this long face-to-face confrontation, which had not posed any existential problems for France when it was in a position of colonial hegemony over part of the Muslim world - was to become a national issue. On the other hand, the colonial retreat made this face-off, which had long been on the agenda of the Ministry of Foreign Affairs alone, into a very national societal and even security issue, this time with a pervasive centrality. Over the last few years, it is the affirmation, on French soil, of the religion of these colonised people who had long been, in addition, in their distant lands, so many docile partners of France, which seems to have generated, more than any other paradigm, the irrational tension of its almost entire political class. With the eruption, from Charlie Hebdo to the Bataclan, of a "terrorist" violence - in the literal sense of the term - which proved to be particularly "effective", the anti-Muslim pruritus, already deeply anchored, and for a long time, but managed within the framework of a debate that remained pluralist, became purely passionate. On the major news channels, the "debates" on Islam have today irresistibly given way to a simple criminalizing one-upmanship. And the mere mention of Samuel Paty's name is enough to discredit - from Edwy Plenel to human rights associations - all attempts to keep the discussions within the bounds of rationality.

Within French society, this Islamophobic divide has thus recently acquired a worrying centrality. And an even more worrying banality: less than 'the sound of boots', it is now what the ironic expression designates as 'the silence of the slippers' (i.e. of so many consciences that were once more reactive) that can nourish a very legitimate concern about the health of the political body and its institutions.

**François Burgat, Emeritus
Research Director at the
National Center for Scientific
Research (CNRS)**

TIMELINE

2017

December 2017: President Emmanuel Macron requests then-Minister of the Interior, Gérard Collomb, to direct his attention to the regions from where some French Muslims departed to join Syria and Iraq during the Arab Spring¹.

2019

28 November 2019: Former Minister of the Interior Christophe Castaner unveils the existence of the anti-radicalisation policy, as well its outcomes and mechanics, in an address to the Prefects.

First two years of this policy results in 1030 controls of public establishments believed to be run by "Islamists".

Castaner also announces that the policy was now to be implemented on the entire territory of France. In order to facilitate such an implementation, the French State creates the "Departmental cells fighting against Islamism and communitarian withdrawal", whose task is to help the implementation of the policy.

2018

February 2018: Secret plan - later known as the "Plan to fight radicalisation"- an Islamophobic policy targeting mosques, Islamic schools or any Muslim run businesses - is implemented in 15 unknown areas of the country. No official statement or document was published announcing it.

2020

12 February 2020: Castaner describes the method behind the policy as "Systematic Obstruction."²

2 October 2020: Emmanuel Macron delivers a speech in which he announces the future adoption of the 'Anti-Separatism Law', whose aim is to tackle "Islamist separatism"³.

16 October 2020: School teacher Samuel Paty is murdered and beheaded in Paris by Abdoullakh Anzorov. Emmanuel Macron declares in front of his counsellors that

*"Fear must change sides. I want Islamists to feel in danger at any time of the day or night."*⁴

The dissolution procedures under the Systematic Obstruction policy begin.

1 <https://www.leparisien.fr/politique/separatisme-l-histoire-tourmentee-d-un-projet-de-loi-brulant-19-11-2020-8409223.ph>

2 https://www.assemblee-nationale.fr/dyn/15/comptes-rendus/cion_lois/l15cion_lois1920045_compte-rendu

3 <https://www.elysee.fr/en/emmanuel-macron/2020/10/02/fight-against-separatism-the-republic-in-action-speech-by-emmanuel-macron-president-of-the-republic-on-the-fight-against-separatism>

4 From Le Canard Enchaîné, 21 October 2020.

October 2020: As a result of the Samuel Paty's murder the Collectif Cheikh Yassine, a pro-Palestinian NGO, is dissolved by the government.

Marlène Schiappa, the Minister Delegate for Citizenship, announces the future creation of the Republican Counter Discourse Unit.

2021

18 January 2021: Global coalition of civil society organisations - including CAGE - submit complaint to UN Human Rights Council (UNHRC) against France, requesting a formal infringement procedure against the government for systematically entrenching Islamophobia and discrimination against Muslims.

24 June 2021: Public circular issued by Prime Minister Jean Castex :

"This obstruction policy will soon be strengthened by the [provisions of the Anti-Separatism Bill] to reinforce respect for Republican principles"⁵

28 October 2020: BarakaCity, a one of the biggest French Muslim Charity, is dissolved by the government.

2 December 2020: The CCIF (Collectif contre l'islamophobie en France/Collective Against Islamophobia in France), a Muslim Human Rights NGO, is dissolved by the government.

9 December 2020: The Anti-Separatism Bill tabled in Parliament.

February 2021: 101 cells for fighting 'Islamism and communitarian withdrawal' are established in every department of France.

8 March 2021 : A global coalition of 25 civil society organisations and NGOs spanning 11 countries - including CAGE - have submitted a detailed letter of complaint to Ms. Ursula von der Leyen, the President of the European Commission. The letter urges immediate action against France for its state sponsored Islamophobia, and for imposing the discriminatory and human rights-violating Imam's Charter.

23 July 2021 : CAGE publishes on its website a fact-sheet unveiling the functioning and the data of the Systematic Obstruction.

24 August 2021: Anti-Separatism Bill enacted into Law.

27 August 2021: Laïcité (secularism) campaign trying to eradicate religious beliefs is launched in public primary and secondary schools.

20 October 2021: The Coordination against Racism and Islamophobia is dissolved by the government.

28 October 2021: Vienna Forum on Countering Segregation and Extremism in the Context of Integration. Marlène Schiappa - French Minister Delegate in charge of Citizenship - participates alongside Austrian Interior Minister Susan Raab. .

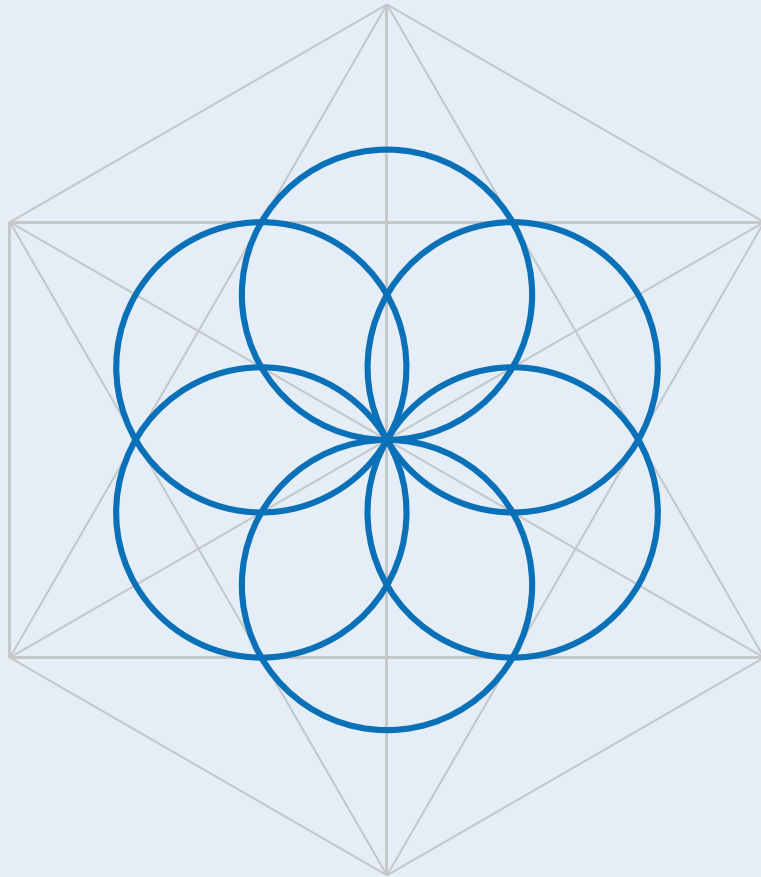
28 September 2021: French Minister of the Interior announces the future dissolution of 10 organisations as part of the fight against 'separatism' and declares that "We are starting to spread Terror."

29 September 2021: French Islamic publishing house NAWA and the African Defense League are dissolved by the government.

2022

5 January 2022 : Two Muslim organisations, managing a mosque and an Qur'an school, are dissolved by the government.

*UNDER THE SYSTEMATIC OBSTRUCTION
POLICY, MUSLIM ORGANISATIONS AND
BUSINESSES HAVE BEEN PLACED ON A
SECRET BLACKLIST, HUNDREDS OF
ESTABLISHMENTS, INCLUDING MOSQUES
AND MUSLIM SCHOOLS HAVE BEEN IN
CLOSED AND - IN WHAT CAN ONLY BE
REGARDED AS STATE-SPONSORED
EXTORTION - MILLIONS OF EUROS HAVE
BEEN SEIZED.*



INTRODUCTION

In late 2020, the French government's decision to dissolve two of the most prominent and respected Muslims NGOs in the country, Baraka City and the CCIF (Collective Against Islamophobia in France) by decree, shocked French and European Muslims.

This decision was to be the opening salvo for a draconian crackdown on Muslims and Muslim civil society in France. Inevitably the situation will deteriorate in the run up to the 2022 Presidential election - which is viewed as 'open season on Muslims in France'⁶. The French state has embarked on a systematic programme to silence Muslim and Islam-centred civic activism, as well as to humiliate Muslims in France.

Whilst rarely attracting the same level of scrutiny as the so-called 'illiberal democracies' such as Hungary, under the leadership of Emmanuel Macron, France has amassed unprecedented powers of repression, censorship and policing - under the pretence of combatting 'Islamism' and preserving 'Republican values'.

Life for Muslims in France over the last 5 years has been a series of burning injustices and bitter indignities. The list is long - from the dissolution of renowned Muslim organisations, a series of laws targetting Muslims, an hijab ban, a political discourse simmering with contempt for Muslims, and a government making frequent, aggressive interventions in the international space to impose its virulent Islamophobia beyond its borders⁷.

At the centre of this power grab is the secretive so-called 'Systematic Obstruction' policy, a form of maximum pressure policing whereby overwhelmingly Muslim institutions are monitored, surveilled, investigated for minor infractions and sanctioned - up to the point of dissolution by order of government ministers.

Under the Systematic Obstruction policy, Muslim organisations and businesses are placed on a secret blacklist and strict monitoring. Prominent Muslim advocacy organisations have been dissolved by order of the government. Hundreds of establishments, including mosques and Muslim schools have been closed and - in what can only be regarded as state-sponsored extortion - millions of Euros have been seized. In order to implement the policy, cells have been established across the country, creating a full-blown harassment apparatus monitoring and targeting Muslim institutions.

The French approach has extended far beyond police repression alone, and amounts to a calculated attack on the social life of Muslims.

What happens in France is unlikely to remain confined to its borders.

The 'Muslim question' has emerged as central in the 2022 Presidential campaign, with every one of the current frontrunner contenders seeking to outbid one another to prove their distaste for French Muslims.

As but one illustration of this, a February 2021 televised debate bore witness to the extraordinary spectacle of the current Minister of the Interior Gerald Darmanin accusing far-right Presidential candidate Marine Le Pen - who has in large part built her profile out of unbridled xenophobia and Islamophobia - of 'going soft' on Islam⁸.

Meanwhile as part of its bid to secure more of a leadership position within the European Union, the Macron government has sought to promote and export parts of its growing suite of powers to neighbouring countries.

Left unchecked, governments across the continent will copy the lessons from Macron's

6 <https://www.theguardian.com/world/commentisfree/2022/jan/03/europes-muslims-braced-frances-eu-presidency>.

7 <https://www.enar-eu.org/France-s-Islamophobic-Witch-Hunt-31-organisations-call-on-EU-Leaders-to-take-a>

8 <https://www.youtube.com/watch?v=Q8Gkg4jWAmU>

France, and seek to use the Muslim minority as a means to acquire centralised power to quash dissent and liquidate political foes.

The President hailed as the saving grace for moderate liberalism upon his election in 2017 has overseen France's stark lurch to the right, and into uncharted depths of repression.

For the very first time, this report provides an overview of the history of the Systematic Obstruction policy, the institutions established to implement it and the impact on Muslims in France facing this quiet assault on their dignity and community.

Through an analysis of the current French legal and executive framework, and information gathered from the French Muslim community itself, we demonstrate how Muslims in France are being subject to state-led persecution on an industrial scale.

Far from exclusively focusing on organisations or public personalities involved in the anti-Islamophobic activism, it will be the state itself that is targeting the entire Muslim community. From their businesses to their schools and their mosques, no sector is immune.

We will dissect the functioning of the State's response, demonstrating how it meets the description of persecution. We will adopt the international law definition that persecution is "committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack"⁹ and "means the intentional and severe deprivation of fundamental rights contrary to international law by reason of the identity of the group or collectivity"¹⁰.

However, in contrast to international treaties but in line with customary international law, we do not believe the crime of persecution needs to be connected to other crimes against humanity in order to be identified¹¹. In other words, persecution does not necessarily equate to mass violence.

We will illustrate how the French government and its administration are deliberately targeting its Muslim minority through a "systematic spirit" - to use Emmanuel Macron's own expression¹² - which results in the intentional and severe deprivation of the minority's freedom of religion, of opinion, of association and right to property.

This report illustrates how the French State is trying to forcefully silence Islam-centred dissent through an attempted pacification of the Muslim civil society. The policy currently implemented is aimed and targets the Muslim community, however the very same powers are likely to be used against other forms of dissent.

We hope this report gives individuals and organisations, across the European continent and beyond, the tools to understand and intervene in a mass persecution in the making, and offer much-needed solidarity to Muslims in France.

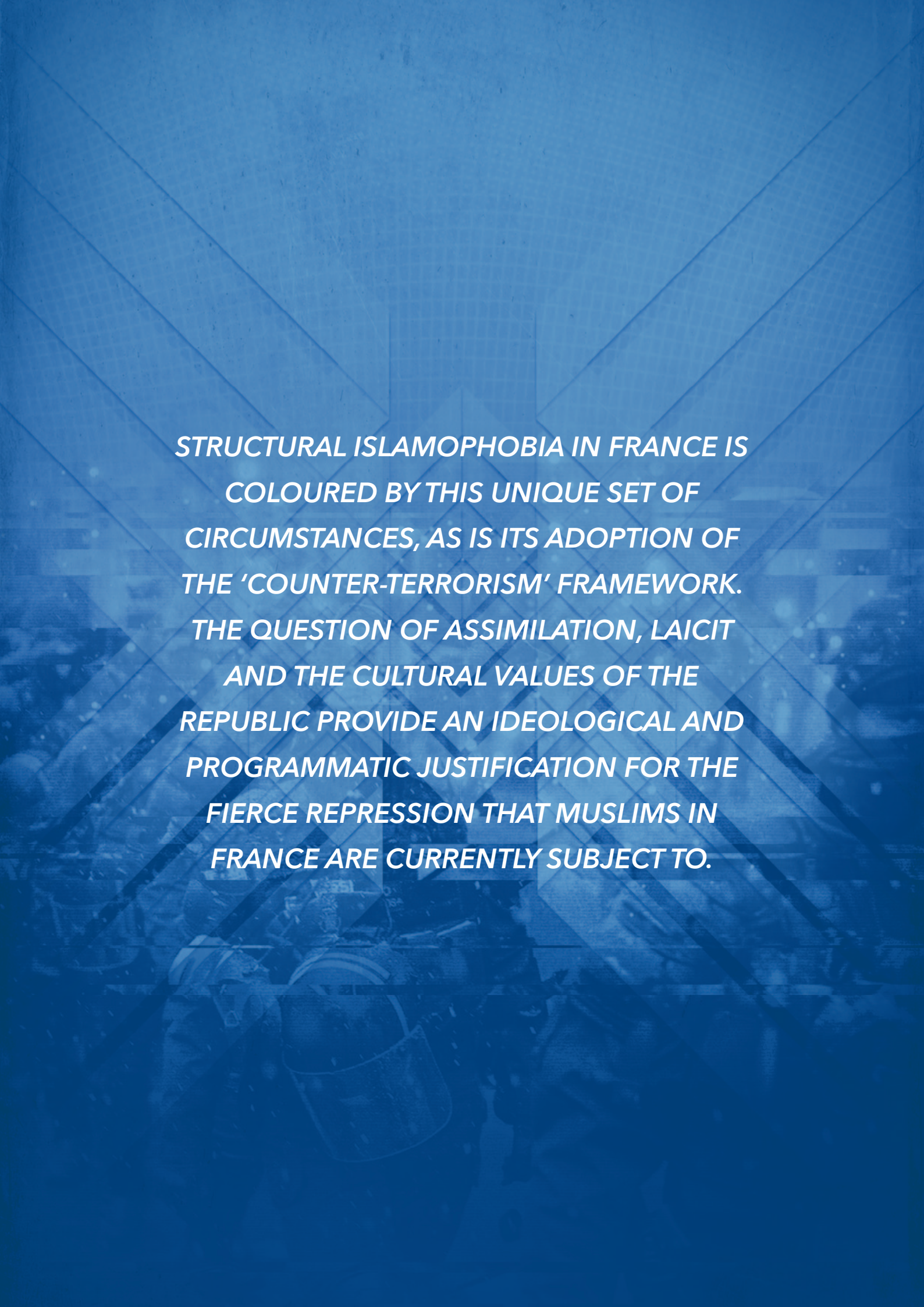
- Thus we identify a fundamental feature of France's deeply repressive approach: the government seeks to coerce Muslims into accepting its ideological framework - in other words, to choke off Muslim dissent and Islamically orthodox behaviours.

9 Rome Statute of the International Criminal Court, article 7, (1).

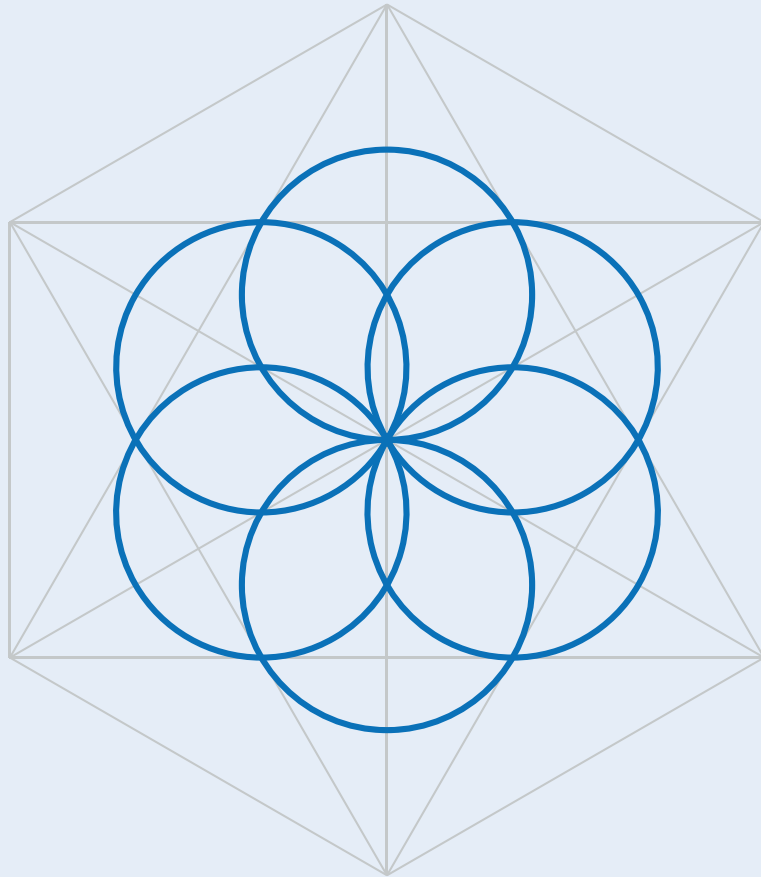
10 Rome Statute of the International Criminal Court, article 7, (2).

11 This same definition was used by the International Criminal Tribunal for the former Yugoslavia and the International Criminal Tribunal for Rwanda. Amnesty International holds the same view. See : International Law Commission : The problematic Formulation of Persecution under the Draft Convention on Crimes against Humanity.

12 Emmanuel Macron speech at Les Mureaux, 2 October 2020. <https://www.elysee.fr/en/emmanuel-macron/2020/10/02/fight-against-separatism-the-republic-in-action-speech-by-emmanuel-macron-president-of-the-republic-on-the-fight-against-separatism>



STRUCTURAL ISLAMOPHOBIA IN FRANCE IS
COLOURED BY THIS UNIQUE SET OF
CIRCUMSTANCES, AS IS ITS ADOPTION OF
THE 'COUNTER-TERRORISM' FRAMEWORK.
THE QUESTION OF ASSIMILATION, LAICIT
AND THE CULTURAL VALUES OF THE
REPUBLIC PROVIDE AN IDEOLOGICAL AND
PROGRAMMATIC JUSTIFICATION FOR THE
FIERCE REPRESSION THAT MUSLIMS IN
FRANCE ARE CURRENTLY SUBJECT TO.



ISLAMOPHOBIA AND ASSIMILATION IN FRANCE

Over the past twenty-one years since the launch of the 'War on Terror', governments the world over have been instituting repressive policies on a scale once thought inconceivable, in the name of countering 'terrorism' and 'extremism'.

While many of these governments deploy familiar language of Muslim 'terrorists' and latent 'extremists', states have often tapped into their own specific cultural histories and vocabulary to help cement and normalise their policies.

Therefore to understand how such breathtakingly draconian powers have become commonplace, we must also take into consideration the specific cultural values, histories, and dominant ideologies of the respective nation in which such policies are rooted.

On the Republic, universalism and laïcité : ending misconceptions

The French political system is a Republic. The first article of the current Constitution states that:

"France shall be an indivisible, secular, democratic and social Republic."

In France, the particular entanglement of secularism and Republicanism is pivotal, and stems from the roots of the French political system in Enlightenment philosophy .

This is expressed in the concept of laïcité - usually taken as interchangeable with secularism - and the French state's dogma on the separation of religion and state.

According to the version of history adopted by the French state, the Enlightenment brought forth Universalism, according to which a new

set of European beliefs were to be implemented universally. Accordingly, anything contrary to the European construct of Enlightenment was to be regarded as mere superstition and error.

This granted Republicanism a universal "mission" - to end erroneous beliefs, i.e. any religion or ideology not conforming with the Republican one in France or abroad.

Due to this, the French secular Republic cannot simply be regarded as a 'neutral' form of government and laïcité cannot be regarded as a simple division between religion and the state: it is primed for the ideological policing of any set of beliefs or ideals deemed contrary to it.

As Aissam Ait Yahya - author for a publishing house dissolved by the Systematic Obstruction policy in 2021 explains it

*"Laïcité seeks to control and erase any religious influence from the public sphere (...) Officially, it seeks to protect the Republic and Democracy (...) Unofficially however, there is a willingness to reduce and, for some, to abolish traditional religion (Catholicism at first), to favour a certain form of atheism"*¹³

In his work, *De l'idéologie Islamique Française*, Yahya explains how

"It is laïcité that will act as a civil religion for the Republic and its citizens, obligatory and binding, even if the constitutional and legal texts never proclaim it in this explicit form."

Meanwhile Renée Viviani, a French prominent politician during the country's Third Republic period clearly stated that

*"We have never had any other aim than to make an anti-religious university [...] in an active, militant, bellicose way... We have committed ourselves to a work of irreligion, we have torn the human conscience away from belief."*¹⁴

These concepts have been questioned and

¹³ "On Laïcité", article published on the CCIF website in 2020.

¹⁴ Speech given to the National Assembly on the 8th of november 1906.

discussed countless times, particularly over the past thirty years. In 1905, when Republicanism faced no serious political opposition from the Church, laïcité had no need to legally prohibit any religious behaviour.

From the 1990s onwards, however, a new perceived ideological threat arose from a minority of French citizens: Muslims in France, whose expression of normative Islamic behaviours, such as the adoption of the hijab, spread - thereby spurring an updated legal framework for the country, restricting the ability to practice such a religion.

As the Council of State - legal adviser of the executive branch and of the supreme court for administrative justice - itself stated in 2018 annual study on citizenship :

*"The rise of radical Islam raises specific questions, which were obviously not addressed in the 1905 law [on the Separation of the Churches and State]."*¹⁵

On minorities and assimilation

The growing focus on a minority community overlaps with another significant yet little-known aspect of French governance: that the state does not recognise the political and legal existence of minorities on its soil.

Most liberal democracies used the terminology of national "minorities" when addressing communities with linguistic, cultural, ethnic or religious specificities amongst their nations. This recognition has a positive and normative effect: it gives special legal protection to these minorities, and is intended to serve as a bulwark against majoritarian tyranny.

The necessity of this protection is historically established and almost universally agreed upon - except in France, which favours an assimilatory approach as opposed to one based on the preservation of cultural diversity. This approach is a natural outgrowth of France's colonial past, which - in distinction to

the approach of say the British empire - requested its colonial subjects to be "Francized", in other words to abandon their identity so as to blend into the French community.

Based on the stance that minorities as a legal category are not to be recognised on its soil - a position in conflict with established international law norms - France refused to sign the Framework Convention for the Protection of National Minorities. It refuses to apply article 27 of the International Covenant on Civil and Political Rights (whilst having signed and ratified the overall Covenant itself), which states that:

"In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language."

It also refuses to apply article 30 of the Convention on the Rights of the Child (which it also signed and ratified), which states that:

"In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language."

France does not believe that its refusal to do so implies a denial of its own cultural diversity, despite the fact that United Nations Committees have frequently asked for a reform of France's position.¹⁶ In the eyes of the French state, diversity exists but does not need a tailored normative protection. Hence, France refuses to grant these minorities the required specific legal protection (apart from the general principle of equality and non-discrimination) they need as a theoretical guarantee of their survival.

¹⁵ <https://www.conseil-etat.fr/ressources/etudes-publications/rapports-etudes/etudes-annuelles/etude-annuelle-2018-la-citoyennete-et-un-citoyen-aujourd-hui>.

¹⁶ See, for example, the Concluding Observations on the fifth periodic report of France by the Human Rights Committee (point 6) or the Concluding Observations on the fourth periodic report of France by the Committee on Economic, Social and Cultural Rights (points 14 and 15).

Paradoxically, France actually recognises the existence of minorities abroad, going as far as proposing an Action Charter for the minorities in the Middle East to the UN Security Council back in 2015.¹⁷

This unique legal outlook naturally shapes France's social approach to minoritised communities, such as migrant communities and Muslims. It has allowed the State to prohibit "religious signs" from public school in 2004 and the niqab in 2010.

On language: from "radicalisation" to "separatism"

Alongside military interventions across Muslim-majority nations, the War on Terror came packaged as a set of policy prescription directed in large part towards Islam and Muslims at home. This became mainstreamed alongside a new language which framed Islamic beliefs and Muslims who refused the political status quo as enemies to be vigorously opposed.

"Islamism", "Political Islam", "extremism", "radical Islam", "radicalisation" all serve as linguistic diversion attempts - a cloak for the fact that when operationalised in policy, they effectively target widespread, normative Muslim beliefs.

France has also adopted this linguistic strategy, and successive governments have used such language to justify their actions, whether Islamophobic policies, wars or laws. Tellingly, ex Minister of the Interior Christophe Castaner has designated growing a beard, praying or increasing one's religiosity during the month of Ramadan as "weak signals" (i.e. early signs) of "radicalisation"¹⁸, hence every basic form of Muslim identity is being criminalised under these terms.

'Counter-terror' policies have regularly

whipped up and validated Islamophobia. They have, also tapped into the historic practices of racism, Islamophobia and Orientalism latent within societies.

French culture was shaped by Islamophobia well before Emmanuel Macron's explicitly Islamophobia government. France's historical relationship with Islam has been moulded both by its colonial history as well as through contemporary French intellectuals with Orientalist perspectives, such as Michel Houellebecq, Eric Zemmour, Michel Onfray, Elizabeth Badinter or Gilles Kepel.

Consequently, French society, politics and culture have developed an obsession with Islam and Muslims. This obsession has ushered in an Islamophobic consensus across French society: according to it, Islam and Muslims are to be securitised so as to protect the nation's safety - rather than granted protections as a minority.

It is worth noting that according to a 2019 poll, 61% of the French population believe Islam to be incompatible with the values of the Republic, and 80% believe secularism (laïcité) to be threatened. It also creates the perfect ground for legitimising the state's direct intervention. Moreover three of the key contenders of the presidential race - namely Valérie Pécresse, Eric Zemmour and Marine Le Pen - want to completely ban the wearing of hijab revealing the wider willingness to further curtain Islamic practises.

Structural Islamophobia in France is coloured by this unique set of circumstances, as is its adoption of the 'counter-terrorism' framework. The question of assimilation, laïcité and the cultural values of the Republic provide an ideological and programmatic justification for the fierce repression that Muslims in France are currently subject to, including by the Systematic Obstruction policy.

These measures are designed as a 'corrective' to an ideologically suspect community.

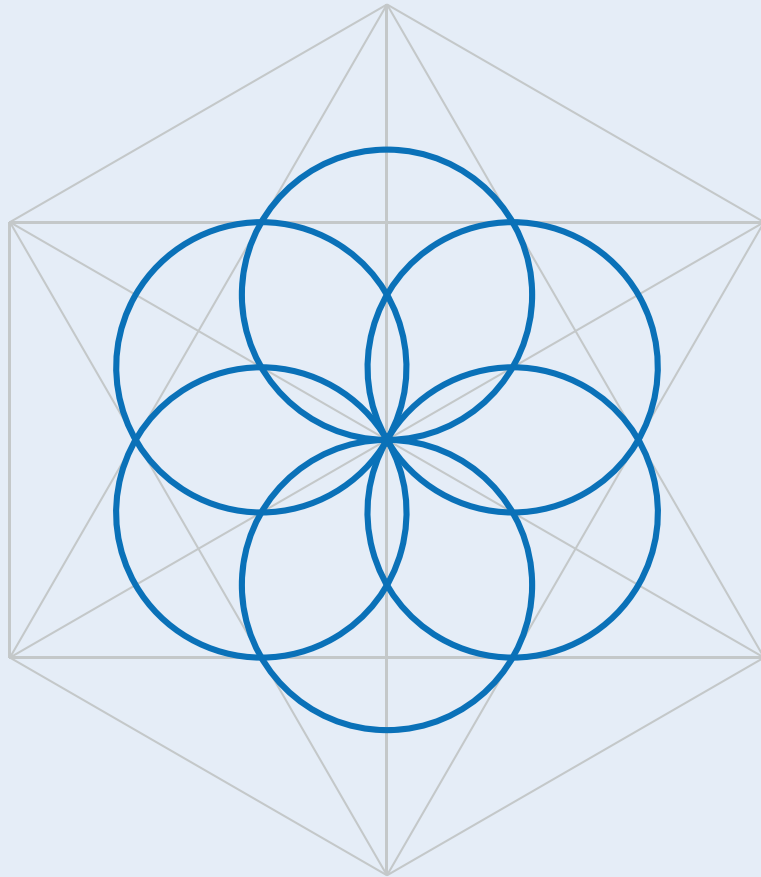
¹⁸ See Christophe Castaner hearing at the Law Commission, 8th october 2019.

http://videos.assemblee-nationale.fr/vod.php?media=8204226_5d9ca9d57c415&name=%22Commission+des+lois+%3A+M.+Christophe+Castaner%2C+ministre+de+l'Intérieur%22+du+8+octobre+2019

¹⁹ <https://www.europe1.fr/societe/selon-un-sondage-ifop-pour-le-journal-du-dimanche-78-des-francais-jugent-la-laicité-menacee-3927717>.

SYSTEMATIC OBSTRUCTIONS OPERATE ON
THE BASIS OF 'AL CAPONE'-STYLE POLICING,
WHERE INSTITUTIONS CAN BE SUBJECT TO
'CONTROLS' - INSPECTION ON
BUREAUCRATIC GROUNDS - AND
WHERE MINOR INFRACTIONS OF HEALTH
AND SAFETY OR SECURITY POLICIES CAN BE
USED TO LEGITIMISE SANCTIONS - STATE
INTERVENTION AND FORCEFUL
CRACKDOWNS ON INSTITUTIONS.





**ASSIMILATE OR ELIMINATE:
THE IDEOLOGICAL ROOTS
OF THE SYSTEMATIC
OBSTRUCTION POLICY**

This societal consensus on the 'Muslim question' has served as fertile ground for the production of biased knowledge through government and 3rd party reports, which give a veneer of 'expertise' to Islamophobic ideas and policies pumped out by the government.

The Institut Montaigne

The Institut Montaigne is a French private think tank established in 2000.

It is very close to the government and the state. It supported Macron's successful candidacy in 2017, and during his tenure it has invited at least 7 ministers or ex-ministers (current Minister of Finance Bruno Le Marie, current Minister of Labour Elisabeth Borne, former Prime Minister Manuel Valls and Edouard Philippe, and former ministers Nicole Belloubet, Agnès Buzyn, Hervé Gaymard). It has also invited 4 current and former members of the present administration (Alexis Kohler, former head of the National Centre for Counter Terrorism Pierre de Bousquet and former head of the General Directorate for Internal Security Patrick Calvar, former Chief of the Defense Staff François Lecointre), as well as featuring former Director General of British MI5²⁰.

It also co-organised the European Summit on Islamist Radicalisation and the Terrorist Threat²¹ which featured former ministers Bernard Cazeneuve and Manuel Valls, current ministers Marlène Schiappa and Jean-Michel Blanquer, as well as the former Director of Military Intelligence and Chief of Special Forces and Director of Military Intelligence Général

Christophe Gomart. The former head of the General Directorate for Internal Security is a special counsellor of the Institut²².

The Institut drafted two reports in 2016 and 2018 which would go on to influence the Macron government's approach towards 'Islamist separatism', entitled "A French Islam is possible" (2016) and "The Islamist Factory" (2018).

The first of these reports, published before Macron's election, is a call to rearrange the organisational structure of French Muslims and the Islamic orthodox theology in order to establish a "French Islam which represents the world in a manner compatible with that of the French Republic."²³ According to the presentation of report, "This French Islam, supported by French funding, must produce and disseminate religious awareness, and be able to rely on new women and men emerging from the silent majority of French Muslims."²⁴

Here, the clear objective is to create a new religious and organisational framework entirely subordinate to and controlled by the French State as well as a colonised understanding of Islam.

The second of these reports is presented as a piece of academic research. It frames what it names "Islamism" as "an interpretation of the world, a vision of the organization of society, including the secular world, and a role given to religion in the exercise of power" with a specific aim: "to create a global project with religion as the life framework and the project for the individual and society."²⁵

20 See : <https://www.institutmontaigne.org/evenements/echanges-avec-edouard-philippe> ;
<https://www.institutmontaigne.org/evenements/echanges-avec-agnes-buzyn> ;
<https://www.institutmontaigne.org/evenements/echanges-avec-eliza-manningham-buller-et-patrick-calvar> ;
<https://www.institutmontaigne.org/evenements/quels-avenirs-pour-lagriculture-francaise> ;
<https://www.institutmontaigne.org/evenements/echanges-avec-bruno-le-maire> ;
<https://www.institutmontaigne.org/evenements/echanges-avec-nicole-belloubet> ;
<https://www.institutmontaigne.org/evenements/echanges-avec-francois-lecointre> ;
<https://www.institutmontaigne.org/evenements/echanges-avec-elisabeth-borne> ;
<https://www.institutmontaigne.org/evenements/cloture-des-sommets-europeens-sur-la-radicalisation-islamiste-et-la-menace-terroriste>

21 <https://www.fondapol.org/evenement/sommet-europeen-sur-la-radicalisation-islamiste-et-la-menace-terroriste/>

22 Ibid.

23 A French Islam is possible

24 <https://www.institutmontaigne.org/en/publications/french-islam-possible> "French Islam : a fragmented and complex organisation"

According to the Institut, "Islamism" takes different forms, but is mainly represented by the "Muslim Brothers" [Muslim Brotherhood] and "Wahhabism", and that

*"both groups seek to turn Islam into a way of life and a program for the individual and society, aiming to preserve an Islamic civilization and to establish a universalist and proselyte vision of Islam"*²⁶.

Even more interestingly, the report goes as far as identifying such vague and intimate factors as "gender relations, dietary norms, economic principles, dress codes, behavioural standards and norms governing relationships"²⁷ with others as integral parts of "Islamism".

The Institut Montaigne reports evince a distinct concern that Muslims in France represent a danger to French civilizational and cultural codes, and exist as something of a foreign body in France. Its solution is to pacify and fragment the Islam of Muslims in France, such that "normative Islam" becomes entirely devoid of any practical behaviour, and instead become limited to the sphere of emotions or personal "spirituality".

To quote Hakim el Karoui - author of these reports - when addressing Muslims:

*"Leave your specificities and you will become French."*²⁸

The 2020 Senate Report : "Islamist radicalisation" and "separatism"

On 14th November 2019 a senatorial committee was established to lead an enquiry on the state's answers to "Islamist radicalisation". The enquiry lasted for 8 months where "experts" were questioned and a report was produced on

7th July 2020. Again, the committee tried to define the expression "Islamist radicalisation" by linking it to "Islamism" and described its presumed social consequences :

*"Islamist radicalism is driven by a political project whose existence has been established at least since the 1970s known as 'Islamism'"*²⁹.

The report outlines a theoretical approach to countering 'Islamism' that in large part echoes the prevailing wisdom of the 'Countering Violent Extremism' industry in the UK and elsewhere, through a studious focus on social behaviour and ideology rather than violence or criminality.

According to the report's summary "Islamist radicalism" is not exclusively connected to terrorism: it can also be non violent and seeks "to make a supposedly religious norm prevail over the laws of the Republic in certain parts of the territory".³⁰

*"Today, Islamism is not only the work of these groups, but also of individuals or small groups that are part of the rise of a rigorous religiosity that has affected Muslims around the world since the 2000s. They seek to influence the daily lives and relationships of French Muslims and foreign Muslims living in France, imposing on them an orthopraxis, clothing, food and ritual practices, but above all a standard of behaviour in order to separate them from the rest of the French population."*³¹

*This preaching machine then tends to produce, in some parts of the territory, real closed Islamist ecosystems that give credence to the dynamics of separatism."*³² (emphasis added)

According to the committee, a direct link exists between "Islamism" and "dynamics of separatism" which describe the very normal and classical feature of any community: the desire to live according to its principles and among peers who share these principles. In the

25 <https://www.institutmontaigne.org/en/publications/islamist-factory>

26 Ibid.

27 Ibid.

28 https://www.liberation.fr/france/2018/03/08/hakim-el-karoui-l-islam-a-la-carte_1634752/

29 "Islamist radicalisation, facing and fighting it together", summary of report by Mme. Jacqueline Eustache - Brio for the senatorial committee. Page 1. Available here : <http://www.senat.fr/rap/r19-595-1/r19-595-1-syn.pdf>

30 Ibid.

31 Ibid..

32 Ibid, page 2.

case of Muslims in France, this standard social behaviour is recast as a pathology; a threat to the very ideology of the state which in turn requires an official response. The committee clearly adheres and promotes the narrative according to which "Islamists" are to be counterposed to "Muslims": the latter being the 'good', politically submissive and silenced version of the 'bad' former.

This, alongside official pronouncements from the government, has served to create an atmosphere of fear and anxiety which facilitates deep Islamophobic resentment amongst the population.

For a number of years, therefore, the stage has been set to consolidate and mobilise the deeply entrenched Islamophobia in French society into an organised political response, which draws upon France's particular emphasis on preserving laïcité and republican values.

Following a series of attacks carried out by Muslims during 2015/16 - including the tragic Bataclan attack and Bastille day attack - as well as the election of Emmanuel Macron, policies to suppress Islam and Muslim expression under the banner of countering terrorism and 'radicalisation' were accelerated.

After the Bataclan attacks in November 2015, France entered a two-year long state of emergency - and emerged from it with an expanded arsenal of policing powers for the government. President Macron's speech marked another turning point, whereby he explicitly identified "Islamist separatism" as the enemy to tackle.

As part of this offensive by the French state, an Islamophobic narrative framing Muslims as threats in the making because of their adherence to Islam was accompanied by the ratcheting up of police and state power - including unprecedented power for the executive branch to exercise force by fiat.

Psychological warfare: whose Terror?

After the murder and beheading of schoolteacher Samuel Paty in Paris by Abdoullakh Anzorov in October 2020, Emmanuel Macron held a meeting with some of his advisors and is alleged to have stated that:

"Fear must change sides. I want Islamists to feel in danger at any time of the day or night."³³

In an interview given to French newspaper Le Figaro on the 28th of September 2021, the Minister of the Interior echoed his words and explained very explicitly the overarching spirit of the State policies regarding Muslims:

"We are beginning to spread terror among those who wanted to impose it on us."³⁴

The war-like nature of their language indicates the nature of their policies. Here, Macron clearly indicated the path to follow: adopting a hardline approach towards Islam and Muslims³⁵.

On the 2nd October 2020, President Macron gave a speech in Les Mureaux where he identified the phenomenon he wanted to tackle through what would become the future Anti-Separatism Law (discussed later in this report):

"What we must tackle is Islamist separatism. A conscious, theorized, political-religious project is materializing through repeated deviations from the Republic's values, which is often reflected by the formation of a counter-society as shown by children being taken out of school, the development of separate community, sporting and cultural activities serving as a pretext for teaching principles which aren't in accordance with the Republic's laws."

It's indoctrination and, through this, the negation of our principles, gender equality and human dignity."³⁶

For the very first time the head of state used

33 From Le Canard Enchaîné, 21 October 2020.

34 <https://www.lefigaro.fr/actualite-france/gerald-darmanin-et-marlene-schiappa-nous-n-avons-jamais-autant-fait-contre-l-islamisme-politique-20210928>

35 As we will see, the persecution was already raging when Macron made these statements : however, he paved the way for the start of the dissolutions.

36 <https://www.elysee.fr/en/emmanuel-macron/2020/10/02/fight-against-separatism-the-republic-in-action-speech-by-emmanuel-macron-president-of-the-republic-on-the-fight-against-separatism>

the expression "Islamist separatism" and defined it by drawing inspiration from the aforementioned reports and its definitions of "Islamism" and "Islamist radicalisation". Hence "Islamist separatism" just like "Islamism" is a "project". Even more, it is identified as an "indoctrination" and a "negation" of the Republican values of gender equality, dignity, and needs to be regarded as the fundamental issue that the state must "tackle".

At the end of the speech, Macron affirmed the overarching principle which is supposed to solve the "separatist" issue, which is to be understood as an ideological imperative, namely that the "adherence to the Republic's universal principles is what we have to defend."

Thus we identify a fundamental feature of France's deeply repressive approach: the government seeks to coerce Muslims into accepting its ideological framework - in other words, to choke off Muslim dissent and Islamically orthodox behaviours.

Shortly thereafter the government decided to dissolve the pro-Palestinian organisation Collectif Cheikh Yassine headed by activist Abdelhakim Sefrioui. Prior to Paty's murder, Sefrioui had issued a call to peacefully protest Paty's depiction of blasphemous pictures in his school class.

The two Institut Montaigne reports helped in shaping a new language and a new approach. It introduced a new concept - "Islamist separatism" - and framed this as a political "project" challenging the supremacy of the Republic; indeed trying to completely overthrow it.

Hence the natural solution identified is to protect and "defend" "adherence" to the Republic. It is essential to understand here the grounds on which the state decided to intervene: since "Islamism" is at first an ideological approach identified as laying the groundwork for "separatism" - a social behaviour.

The French state has therefore decided to tackle "Islamist separatism" through :

- 1 Outlawing** a worldview it doesn't tolerate, "Islamism", and forcefully replacing it with the ideology of the state
- 2 Obstructing** a social behaviour inspired by "Islamism", "Islamist separatism"

Therefore this now official strategy intervenes on two separate grounds : the arena of ideas and beliefs first, and then consequently the arena of non-violent behaviours.

It is patently clear that "Islamism" in the hands of the French state effectively only describes Islamic orthodoxy,.

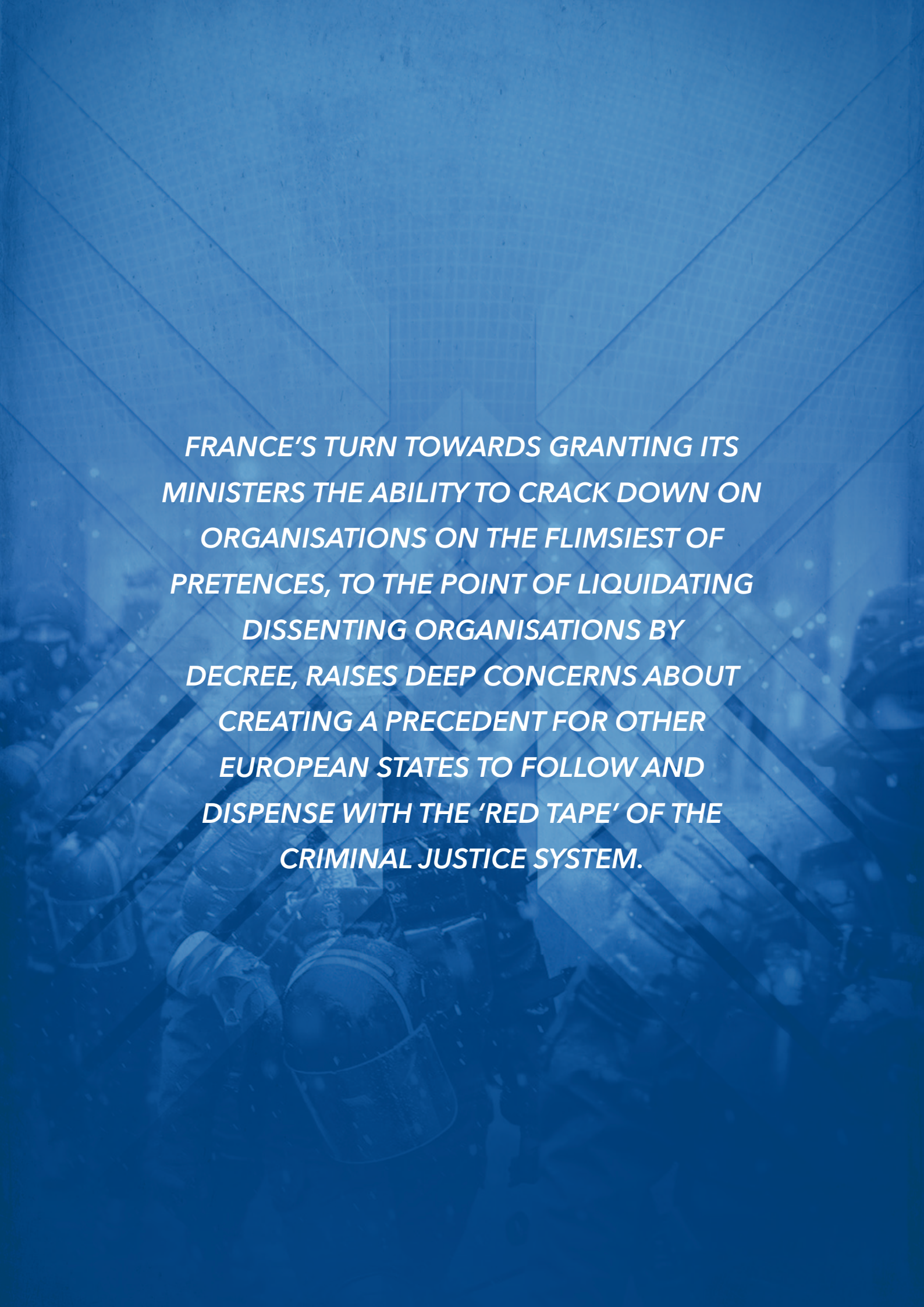
As a consequence the French state is targeting Islamic beliefs - i.e. Islam as a religion and hence the entire Muslim community - by framing them as the seed of a social threat, even if such a threat is not necessarily violent.

And secondly that the French state will engage in an effort to erase or reform these beliefs and replace them with its own religious and ideological worldview.

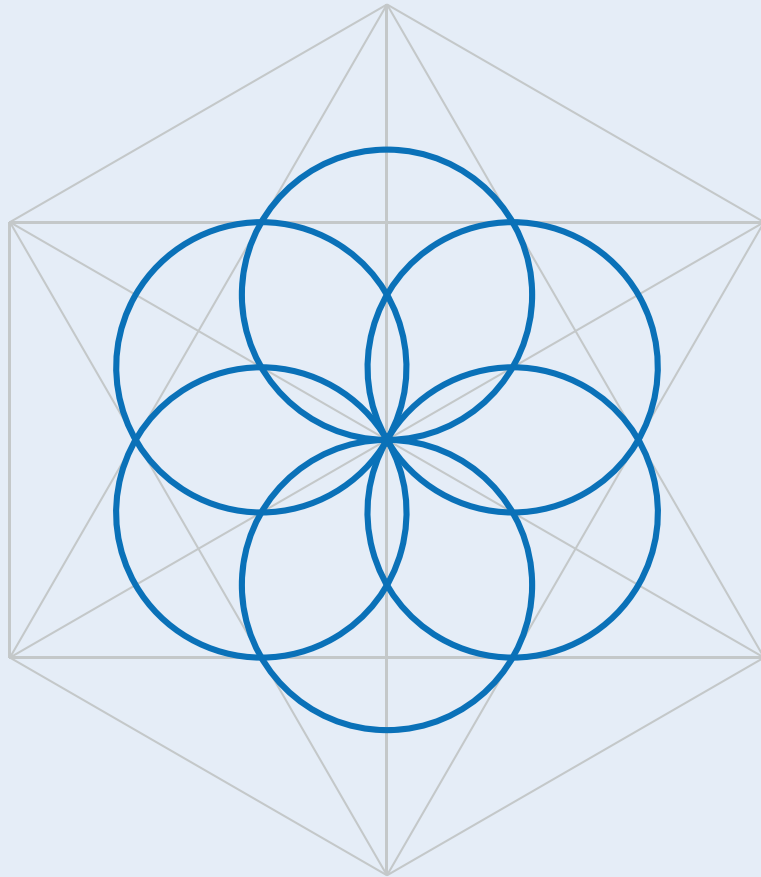
Importantly, this approach cannot be described as simply a matter of 'discrimination'. French Muslims are certainly treated differently because of their religion, but more fundamentally reflects a form of social control which asserts a monopoly of truth by the state. In other words, a different ideological framework is tolerated as long as it regards the state's creed as the ultimate truth, and sheds itself of its capacity to dissent.

The measures being levied against Islam and Muslims in France say much more about the insecurity of the French state than it does about Islam or Muslims themselves.

- A February 2021 televised debate bore witness to the grim spectacle of current Minister of the Interior Gerald Darmanin accusing far-right Presidential candidate Marine Le Pen of 'going soft' on Islam

The background of the image is a blue-tinted photograph of riot police. The police are wearing helmets with visors and carrying shields, standing in a formation. The image is overlaid with a grid pattern and diagonal lines, creating a technical or architectural feel.

*FRANCE'S TURN TOWARDS GRANTING ITS
MINISTERS THE ABILITY TO CRACK DOWN ON
ORGANISATIONS ON THE FLIMSIEST OF
PRETENCES, TO THE POINT OF LIQUIDATING
DISSENTING ORGANISATIONS BY
DECREE, RAISES DEEP CONCERNS ABOUT
CREATING A PRECEDENT FOR OTHER
EUROPEAN STATES TO FOLLOW AND
DISPENSE WITH THE 'RED TAPE' OF THE
CRIMINAL JUSTICE SYSTEM.*



MAXIMUM PRESSURE: THE SYSTEMATIC OBSTRUCTION POLICY

Treating Muslim organisations like organised criminals

In December 2017, Emmanuel Macron requested his Interior Minister, Gérard Collomb, to direct his attention to the regions from where French foreign fighters departed to fight in Syria and Iraq³⁷. A first secret plan - initially known as the "Plan to fight radicalisation", then rebranded as fighting against "Islamism and community withdrawal" - was implemented in 15 unknown areas across the country as of February 2018.

Its secrecy - no official statement or document was published announcing it - was later acknowledged by a counsellor of state, who mentioned that "the instruction at the beginning was clear: do it quietly. Voluntarily don't communicate anything to see if it works."³⁸

This consolidated itself into the draconian 'Systematic Obstruction' policy, which grants the French state vast powers to monitor and close institutions, unilaterally dissolve organisations and seize money under the pretence of preserving Republican values and combatting 'Islamism' and 'separatism'.

Systematic Obstructions operate on the basis of 'Al Capone'-style policing, where institutions can be subject to 'controls', inspections on bureaucratic grounds, and where minor infractions of health and safety or security policies can be used to legitimise sanctions - state intervention and forceful crackdowns on institutions.

This means that Muslim institutions at large are kept permanently on edge - while politically vocal ones are forced into silence. As some of the cases below indicate, the 'controls and sanctions' applied to institutions can be wildly

disproportionate, and well as calculated to humiliate Muslims in France.

On 28th November 2019, the former Minister of the Interior Christophe Castaner unveiled the existence of the government's strategy, and outlined the results and mechanics of the 'Systematic Obstruction' policy in an address to the Prefects.

*"As soon as there are doubts about a place or an association, I ask you not to hesitate to carry out inspections and controls. And if breaches are established, I ask you to order administrative closures without hesitation."*³⁹

These "inspections and controls" are conducted by administrative controllers who scrutinise every piece of legislation applicable to the public establishments in order to find a reason to intervene. The first two years of the policy had resulted in 1030 controls of public establishments (mosques, schools, cultural or sporting establishments or public houses) believed to be run by "Islamists"⁴⁰.

As Castaner also stated in his address

*"This may involve the control of regulations concerning establishments open to the public or hygiene, the control of regulations concerning sports activities, the control of regulations concerning the reception of minors or the fight against fraud. All options are open to you and I am counting on you to carry out these operations."*⁴¹
(emphasis added)

The overall message is clear: those charged with implementing the Systematic Obstruction policy are being encouraged to use any piece of legislation - without relying necessarily on the pretext of counter-terrorism - and maximise its effectiveness, alongside a highly punitive approach against breaches.

While this method is inherently disproportionate in its targeting of Muslims, it is also a systematic one which follows an

37 <https://www.leparisien.fr/politique/separatisme-l-histoire-tourmentee-d-un-projet-de-loi-brulant-19-11-2020-8409223.php>

38 Ibid.

39 <https://www.interieur.gouv.fr/Archives/Archives-ministres-de-l-Interieur/Archives-Christophe-Castaner/Interventions/Discours-d-ouverture-de-M.-Christophe-Castaner-lors-du-seminaire-des-prefets-consacre-a-la-lutte-contre-l-Islamisme-et-le-repli-communautaire>

40 Ibid.

41 Ibid.

organised plan - as proven by the guidelines shared by the former Interior Minister. That is to say, the policy is draconian by design and the targeting of Muslims is by intent, not accident. It amounts to a 'maximum pressure' strategy, which has sought to terrorise and suppress the foundations of an independent and Muslim civil society in France.

Macron himself has made clear the zeal with which his government is pursuing this offensive against the Muslim community of France. In his Les Mureaux speech announcing what would become the Anti-Separatism Law, he states that

*"We'll continue implementing this coordinated, resolute plan. We've never refused to face up to reality or been naive. These actions have never been carried out with such a systematic spirit and such an approach. So today we must not only continue them but broaden them."*⁴²

As of statistics released by the French government in January 2022⁴³:

- 24,887 Systematic Order controls have been carried out
- 718 Muslim organisations have been closed down or dissolved by the State (including schools, mosques and businesses)
- 46,000,000 has been seized
- On average, this amounts to:
- 24 investigations a day
- 15 closures a month
- 10m seized a year

The closures of businesses indicates the stringent restriction of Muslims' right to property. It is necessary to recall here that - in the case of a restaurant - the EU court recognised the "interests connected with the running of [the restaurant] were 'possessions'

for the purposes of Article 1 of the Protocol"⁴⁴ - meaning the unjustified prejudice to these interests is an unjustified breach of the right to property.

Likewise the unjustified closure of Muslim organisations is to be understood as a direct and unjustified restriction of Muslims' freedom of association.

The architecture of the Systematic Obstruction policy

The "Systematic Obstruction" is implemented by the Executive branch of the state, whose task is to enforce the Law and establish public policies. This branch is represented in France by:

- The President of the Republic (currently Emmanuel Macron); and
- The government.

At the **departmental**⁴⁵ level, the **Prefects**⁴⁶ represent the State and are in charge of the local implementation of any public policy, including the Systematic Obstruction.

To support them and ease their task, the government created "departmental cells"⁴⁷, described as 'a multidisciplinary team, placed under the authority of the departmental perfect, that aims to coordinate the action of all actors likely to contribute to the fight against Islamism and community withdrawal.'⁴⁸

They are composed of :

- The prefectoral body
- The departmental directorate of national education services
- The departmental directorate of social cohesion

42 Emmanuel Macron speech at Les Mureaux, 2 october 2020. <https://www.elysee.fr/en/emmanuel-macron/2020/10/02/fight-against-separatism-the-republic-in-action-speech-by-emmanuel-macron-president-of-the-republic-on-the-fight-against-separatism>

43 <https://www.elysee.fr/emmanuel-macron/2022/01/12/compte-rendu-du-conseil-des-ministres-du-mercredi-12-janvier-2022>

44 Tre Traktor Aktielobag v Sweden, ECHR 7 July 1989

45 Administrative division

46 State representative at the Department level

47 The CIPDR also supports the prefects by collecting the results of their actions.

48 <https://www.cipdr.gouv.fr/islamisme-et-separatisme-clir/>

- The departmental directorate of population protection
- The departmental directorate of public finance
- The unit of the regional directorates of business, competition, labour and employment
- The internal security forces (national gendarmerie, police, intelligence services) as well as referents within the CAF, URSSAF or Pôle Emploi⁴⁹
- The judicial authorities and local elected representatives are also "essential partners".⁵⁰

Every section of the public sector is involved.

The official tasks of these cells are for:

- 1 Diagnosing the state of 'Islamism' and communitarianism in the department, and enabling an integrated approach and analysis.
- 2 The centralisation and sharing of confidential information on Islamism and communitarianism.
- 3 Undertaking Systematic Obstruction checks on the basis of the information gathered, under the authority of the justice system and within the framework of general or special administrative police powers.
- 4 Follow-up on the infractions observed during checks.
- 5 Proposing action in conjunction with elected representatives, local authorities and partner associations, including 'support strategies' or controls⁵¹.

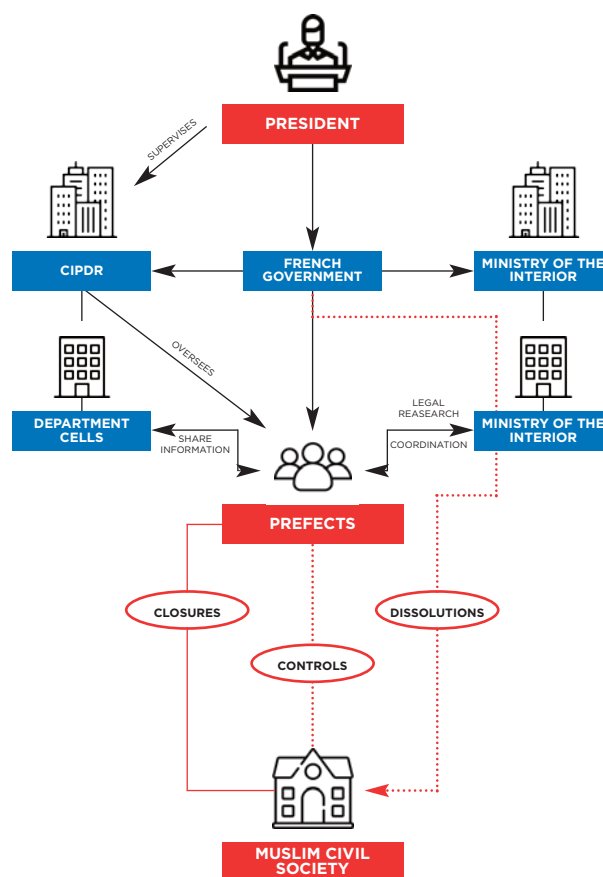
- 1 and 2 are about collecting intelligence and sharing it with the Prefect.
- 3 highlights the basic instrument used to control the suspects, namely Administrative Checks.
- 4 is about maintaining steady pressure on institutions even after the checks occurred.
- 5 relates to the matter of ideological policing; the ideological suspects need to be 'cured' by returning to republican

values and principles.

This amounts to a localised architecture of surveillance and pressure on predominantly Muslim communities and institutions; these cells and the prefects they support should be seen as a specific and local anti-Muslim intelligence and ideological police.

The sweeping Anti Separatism Law, described later in this report, has also expanded the scope of the Systematic Obstruction policy whilst also augmenting the capacity of the French state to carry out its laïcité offensive.

As of February 2021, each department was provided with its operative cell. Over the course of 2021, the rate of Systematic Obstruction controls - as well as, the dissolution of Muslim organisations - ramped up markedly.



49 CAF - National Office for Family Allocations; URSSAF - Organizations for the Collection of Social Security and Family Benefit Contributions; Pôle Emploi - Employment Centre

50 <https://www.cipdr.gouv.fr/Islamisme-et-separatisme-clir/>

51 <https://www.cipdr.gouv.fr/islamisme-et-separatisme-clir/>

The future of the Systematic Obstruction policy

It bears reminding that this suite of powers that the French state has granted itself is not for the purpose of tackling violence or 'crime' in the conventional sense: the "offence" in question is ideological.

While 'pre-crime' counter-extremism policies such as Prevent/CVE have long been criticised as intrusive, repressive and for having a chilling effect on dissent, the Systematic Obstruction policy goes much further.

It marries the ideological policing of Prevent with the maximum pressure tactics usually seen in the course of combating organised crime. In no uncertain terms, the Systematic Obstruction policy is operating to keep Muslims in France under a state of siege.

The Systematic Obstruction policy is an example of a deeply troubling trend towards the use of what CAGE terms 'civil sanction' policies - executive powers which operate outside of the boundaries of criminal law and often beyond the scope of formal accountability.

Recent coverage⁵² of 'Citizenship Deprivation' powers⁵³ in Britain has finally subjected one of these powers to some measure of scrutiny, but the British government's arsenal of civil sanctions is extensive and fits in with the project of Priti Patel's more punitive Home Office approach to 'undesirables'.

France's turn towards granting its ministers the ability to crack down on organisations on the flimsiest of pretences, indeed to the point of liquidating dissenting organisations by decree, raises deep concerns about creating a precedent for other European states to follow and dispense with the 'red tape' of the criminal justice system.

Thus far, the abusive checks and administrative closures aspects of the policy have been used overwhelmingly to target the Muslim civil society. The powers to dissolve organisations by decree, however, have extended beyond Muslim organisations.

An anti-racist organisation and a leftwing local media outfit have been targeted⁵⁴, for example. And mirroring the approach of the UK government to match anti-Muslim powers with similar measures for the far-right in the name of 'balance', numerous far-right movements have been dissolved during Macron's term also, and the Interministerial Committee for the Prevention of Crime and Radicalisation has started to indicate "far-right separatism" as one of the types of 'separatism' to be opposed.⁵⁵

These shifts indicate that the Systematic Obstruction policy will be used in the future to target other ideologies. The specific institutional pattern created to coerce Muslim civil society into submitting their entire way of life to the Republican values could become a generic scheme used to silence any kind of ideological dissent.

This centralisation of arbitrary power should be opposed irrespective of the ideological content of such groups.

The operation of the power is also being consolidated with the creation of a new office placed under the authority of the Ministry of the Interior, comprised of two sections:

The first section

*"guides and instructs the work prior to the pronouncement of administrative police measures in conjunction with the competent services, produces analysis notes, prepares measures for the closure of places of worship and the dissolution of associations and monitors their implementation"*⁵⁶.

The second one is used

52 <https://www.newstatesman.com/politics/uk-politics/2022/01/exclusive-nationality-and-borders-bill-is-unconstitutional-says-top-law-firm>

53 <https://www.cage.ngo/citizenship-deprivations-what-you-need-to-know>

54 The Black African Defense League was dissolved on the 29th of September 2021. See the decree here : <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000044125949>

55 Nantes Révoltée dissolution process started the 26th of January 2022 : <https://www.nantes-revoltee.com/engage-la-dissolution-de-nantes-revoltee/>

56 See SG-CIPDR official video : https://www.youtube.com/watch?v=nYfyTbr_MS4&t=1s
<https://www.parisjob.com/emplois/dlpaj-prefiguration-redacteur-juridique-au-bureau-de-l-instruction-et-de-l-action-administratives-h-f-13645797.html>

"for counter-terrorism measures, which prepares individual administrative control and surveillance measures, asset freezes and exit bans. The two sections are intended to work closely together".

This office is likely to engage closely with the French Intelligence services, which has seen a steep increase in personnel under Macron's presidency⁵⁷

The creation of - the Office of Instruction and Administrative Action (Bureau de l'instruction et de l'action administrative)- should be understood as an important evolution

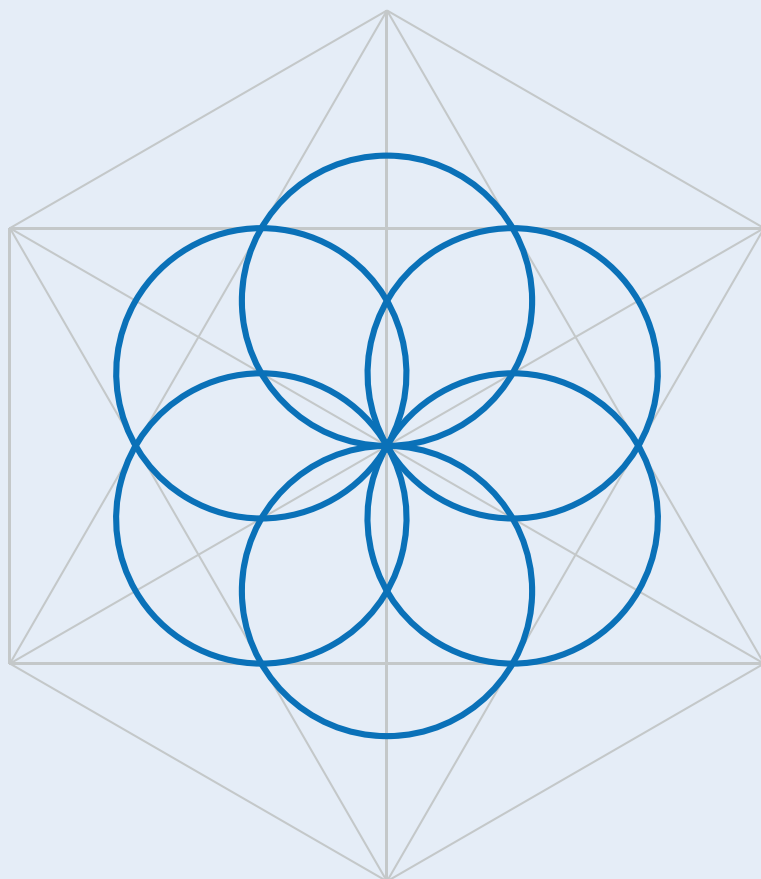
Thus far the Systematic Obstruction has mostly targeted organisations, mosques or businesses but did not individuals through the use of "individual administrative control and surveillance measures". With the creation of this office we believe that Muslim activists - outside of their affiliated organisations - may become victims of police force, including raids and house arrests.

The institutionalisation of the policy - which uses legislation and the entire executive branch of power as its backbone - indicates that the Systematic Obstruction is set to remain a feature of the policing landscape in France for years to come. It is clear that the challenge ahead goes beyond simply challenging individual policies or

laws, but must include the abolition of those institutions created to implement this Islamophobic persecution as well.

- According to a 2019 poll, 61% of the French population believe Islam to be incompatible with the values of the Republic, and 80% believe secularism (laïcité) to be threatened, creating the perfect ground for legitimising the state's direct intervention.

57 <https://twitter.com/GDarmanin/status/1485668299623047172>



CASES

Closing a Muslim high school in Paris and replacing it with a Jewish one

A private school run by Muslims in Paris was closed down in December 2020 after an intrusive inspection, led by almost 40 administrative controllers, took place in November 2020.

According to the authorities, the security standards of the building were not respected. The school was located in a building where other institutions welcome children, yet those institutions - which are not run by Muslims - were not targeted by the authorities⁵⁸ nor shut down.

No rehabilitation works were carried out, and the premises has been taken over by a Jewish school and a synagogue.

Forced to display the poster of the 'Marianne' in his shop

In 2021, a Muslim butcher in the South of France was harassed by authorities and subject to numerous controls regarding hygiene and security norms.

During the last of these controls, authorities forced him to display a poster of a statue of Marianne, the personification of the French republic. The poster was created to promote the 2010 Niqab ban, and is usually displayed in public institutions.

Displaying the poster represents a mark which carries a heavy political message: a Muslim under surveillance works here.

Terrorising Muslim children

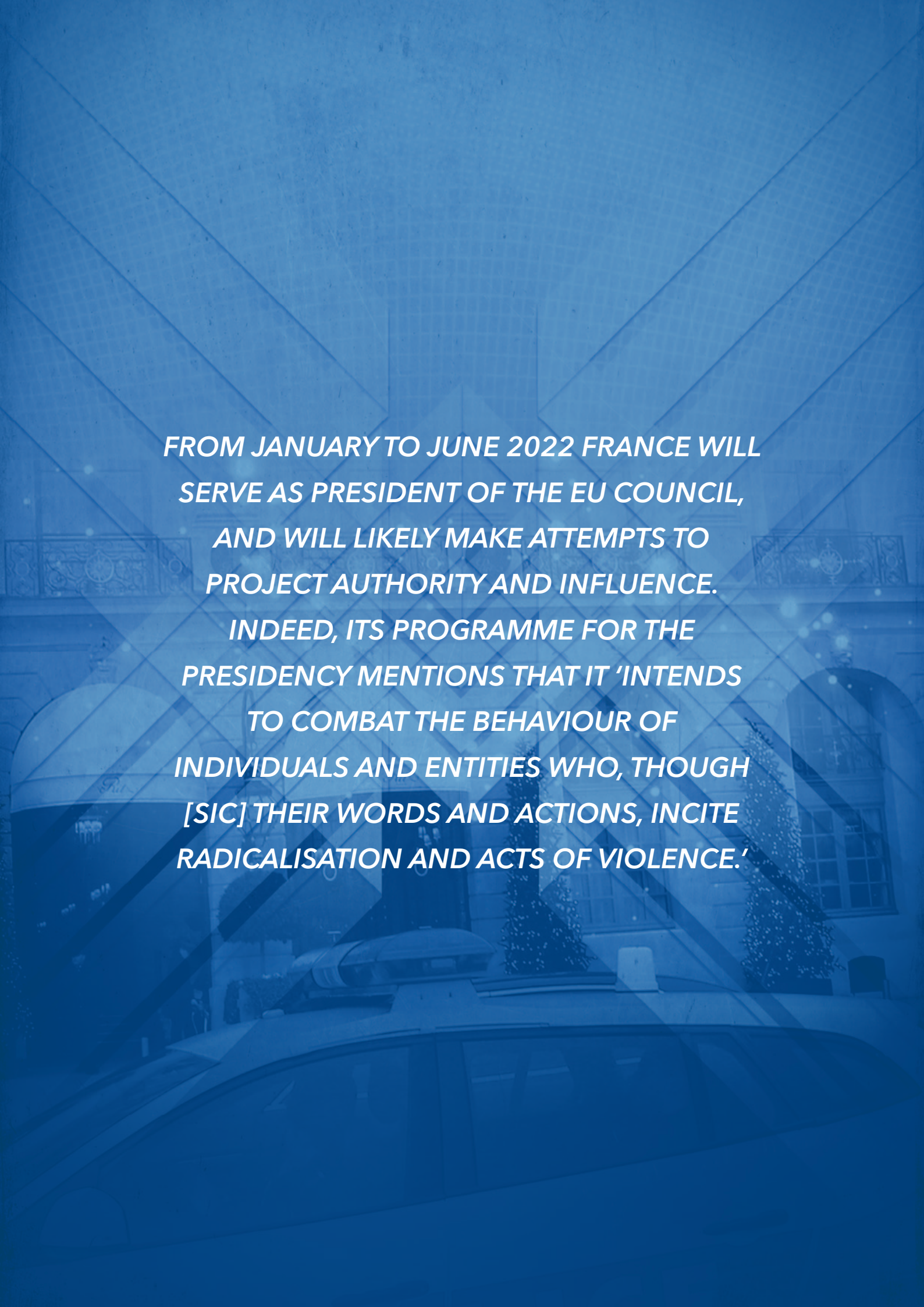
In the Parisian suburbs, two Islamic private schools were subject to controls by authorities.

In the first case, the school was raided by police officers during a school day: they forced their way into the classes carrying weapons, traumatising the children.

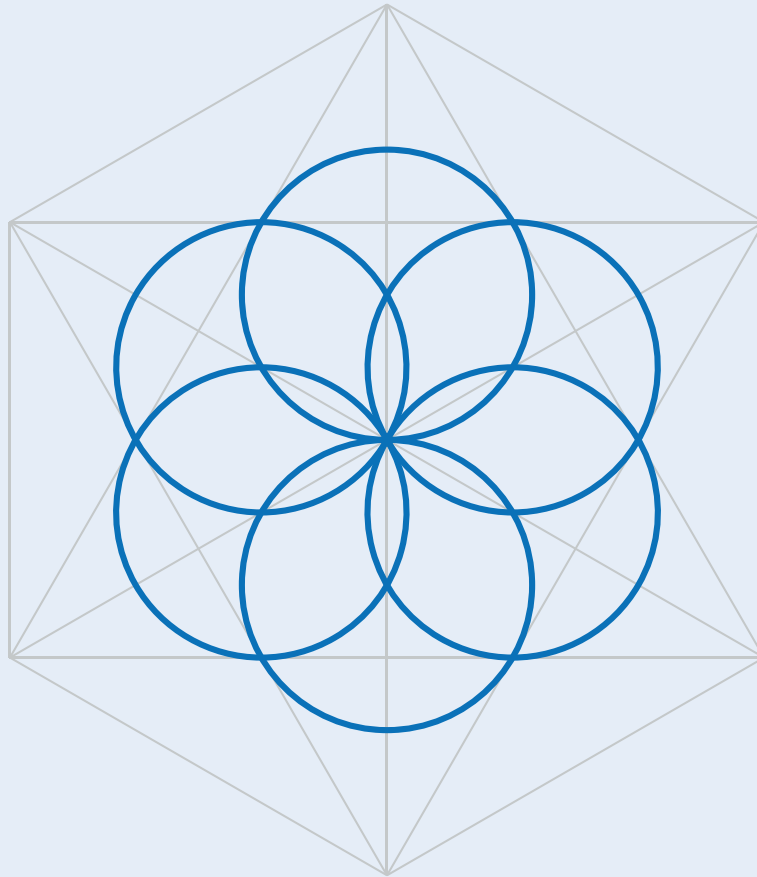
In the second case, a group of administrative controllers checked protocols regarding hygiene, security and education for an entire day - implementing the classic method of the Systematic Obstruction - so as to find a justification to close the school down.



58 https://twitter.com/mhs_paris/status/1336326432536989699



FROM JANUARY TO JUNE 2022 FRANCE WILL
SERVE AS PRESIDENT OF THE EU COUNCIL,
AND WILL LIKELY MAKE ATTEMPTS TO
PROJECT AUTHORITY AND INFLUENCE.
INDEED, ITS PROGRAMME FOR THE
PRESIDENCY MENTIONS THAT IT 'INTENDS
TO COMBAT THE BEHAVIOUR OF
INDIVIDUALS AND ENTITIES WHO, THOUGH
[SIC] THEIR WORDS AND ACTIONS, INCITE
RADICALISATION AND ACTS OF VIOLENCE.'



A MODERN PROPAGANDA MINISTRY: HOW MUSLIMS' FREEDOM OF RELIGION AND OPINION ARE RESTRICTED AND REDEFINED

As part of the French state's emphasis on preserving and policing ideology, it has also established a number of bodies and committees towards this purpose as part of its overall efforts to tackle 'Islamist separatism'.

The Interministerial Committee on Secularism (CIL) : reclaiming laïcité

After dissolving the previous Observatory for laïcité because of the perception of it being 'too tolerant'⁵⁹, the Interministerial Committee on Secularism (CIL) was created on 4th June 2021, with the French Prime Minister stating that

"On 15 July 2021, with the establishment of the Interministerial Committee on Secularism (CIL), which I have the honour of chairing, the Government is taking steps to protect the balance of our secular model, which is almost unique in the world, and which reconciles the exercise of individual freedoms with the need for republican cohesion."

*"We are thus restoring all their strength to the great principles inherited from 1905, by adapting them to the challenges of our contemporary society."*⁶⁰

The CIL took 17 decisions, which are all part of a 5 section plan⁶¹:

- 1 Guaranteeing respect for the principle of secularism in all public services
- 2 Training all public employees in secularism
- 3 Disseminating a culture of secularism in all public services
- 4 Promoting our model of secularism with civil society
- 5 Coordinating interministerial work on secularism

The fourth section of the plan, Promoting our model of secularism with civil society,

warrants closer observation. It includes 6 points :

- Ensuring that organisations/associations respect the values of the Republic
- Supporting companies in managing religious issues
- Producing and disseminating knowledge on the principle of secularism by engaging the Ministry of National Education, Youth and Sports.
- Celebrating laïcité at a national level
- Promoting secularism through an academic award and on the ground actions
- Mobilising the diplomatic and consular network for a diplomacy of influence in favour of the French model of secularism

This amounts to a forceful use of French ideological apparatus to define the boundaries of French political culture, and shut off the space for alternative or dissenting ideologies outside of it. In this context, 'promoting secularism' is the soft arm of policing civil society.

The Interministerial Committee for the Prevention of Crime and Radicalisation (CIPDR) and its Republican Counter Discourse Unit

The CIPDR's function was initially to implement and execute governmental policies in matters of crime and 'radicalisation'. Since Macron's speech at Les Mureaux, this organ is now in charge of the struggle against separatism, as can be evidenced in the official description of its functions entitled "From preventing radicalisation... to combating separatism"⁶²:

59 https://www.lexpress.fr/actualite/politique/pourquoi-l-observatoire-de-la-laicite-cristallise-les-tensions_2136890.html

60 https://www.fonction-publique.gouv.fr/files/files/statut_et_remunerations/laicite/CIL/20210715_dp_17_decisions-laicite.pdf

61 Ibid.

"Until now, the public response has focused on violent radicalisation, to prevent people from acting out (...) radicalisation and terrorism are the most serious symptoms of a deeper evil, Islamism and communitarianism⁶³ (...) The issue is not Islam, but political Islam, which is a political doctrine that aims to establish control over society with a restriction of freedoms and which aims to install Sharia law above the laws of the Republic."

This specific organ is composed of a variety of sub-sections⁶⁴. We will focus here on the "Republican Counter Discourse Unit" - what can only be described as a full-time propaganda unit - and the Twitter account of the central secretariat of the CIPDR. According to Marlène Schiappa, the Minister Delegate for Citizenship, its role is to counter "cyber-Islamism".⁶⁵

More precisely, it must counter "Islamist discourses on the web" and "defend [Republican] values" through a "war of influence"⁶⁶. According to Minister of the Interior Darmanin, its task is to "monitor social networks, flush out the influencers of the "jihadosphere" and prevent their lies and threats from spreading".

The Unit is composed of 17 analysts who :

- Monitor "Islamist" discourses on social networks
- Identify "Islamist preachers" on social networks
- Promote content praising Republican values and/or deconstructing "Islamist discourses"

This again begs the question as to what constitutes "Islamist discourse". The ideological framework is naturally inspired by the literature we mentioned earlier. This connection has been acknowledged by a member of the Minister of the Interior who considers that the majority of the content related to Islamic practice on social

networks in France is primarily "connected to the Salafist sphere and is part of Islamism far from the spiritual sphere."⁶⁷

Indeed, applying the reasoning according to which any Islamic inspired dissent is a dangerous form of "separatism", the unit has identified more than 20 individuals who are believed to be "preachers of hate" and has tried to counter the accusations of a State-sponsored Islamophobia. The Unit spreads content on its Twitter page which consistently frames such accusations as "lies" or "fake news"⁶⁸, whitewashing France's Islamophobic policies.

The Unit also promotes the State-sponsored narrative according to which any visible Islamic behaviour is part of the Islamist project - and hence a "separatism" facilitator. This is done through "educational" content based on the works of, for example, notorious French academic Gilles Kepel whose works describe the threat of an "atmospheric jihadism"⁶⁹ - analogous to the British government's concept of 'non-violent extremism' which 'can create an atmosphere conducive to terrorism and can popularise views which terrorists then exploit'⁷⁰.

Furthermore, the SG CIPDR launched a call for proposals in April 2021 titled the "Marianne" funds, offering 2.5 million Euros to be granted as an award to civil society organisations who will submit a project that :

"Counter separatist propaganda and conspiracy theories online, especially on social networks";

- "Defend the republican values of freedom, conscience and expression, equality, between all men and women, fraternity and secularism (laïcité) which are the cement of national concord and cohesion"⁷¹.

Similar to programmes such as Prevent or the now defunct Building a Stronger Britain Together fund, the Marianne funds are an

62 <https://www.cipdr.gouv.fr/strategie-gouvernementale/>

63 i.e. Separatism practised by groups within the country isolating or breaking away from the rest of society

64 https://www.cipdr.gouv.fr/wp-content/uploads/2021/07/Juillet-2021_Organigramme_SG_CIPDR_totalement_anonymise-1.pdf

65 <https://www.nouvelobs.com/terrorisme/20201023.OBS35123/info-obs-marlene-schiappa-annonce-la-creation-d-une-unite-de-contre-discours-republicain-sur-les-reseaux-sociaux.html>

66 <https://www.fondapol.org/dans-les-medias/dans-les-coulisses-de-la-lutte-contre-les-influenceurs-islamistes/>

67 <https://www.lemondedelasecurite.fr/publication/4440-c-est-quoi-l-unite-de-contre-discours-republicain.html>

68 https://twitter.com/sg_cipdr/status/1387104212996272131?lang=en

https://twitter.com/sg_cipdr/status/1376215511562878986?lang=en

69 <https://www.cipdr.gouv.fr/nouvelle-menace-le-jihadisme-datmosphere/>

attempt to recruit and co-opt civil society to promote the government line against its designated enemies.

It works in tandem with the Systematic Obstruction policy - the carrot and the stick to either reward compliance or punish dissidence among civil society.

Having their narrative adopted by supposedly independent civil society organisations, the propaganda narrative can then hide behind the banner of “free speech” and dismiss accusations of the state wielding undue sway over civil society.

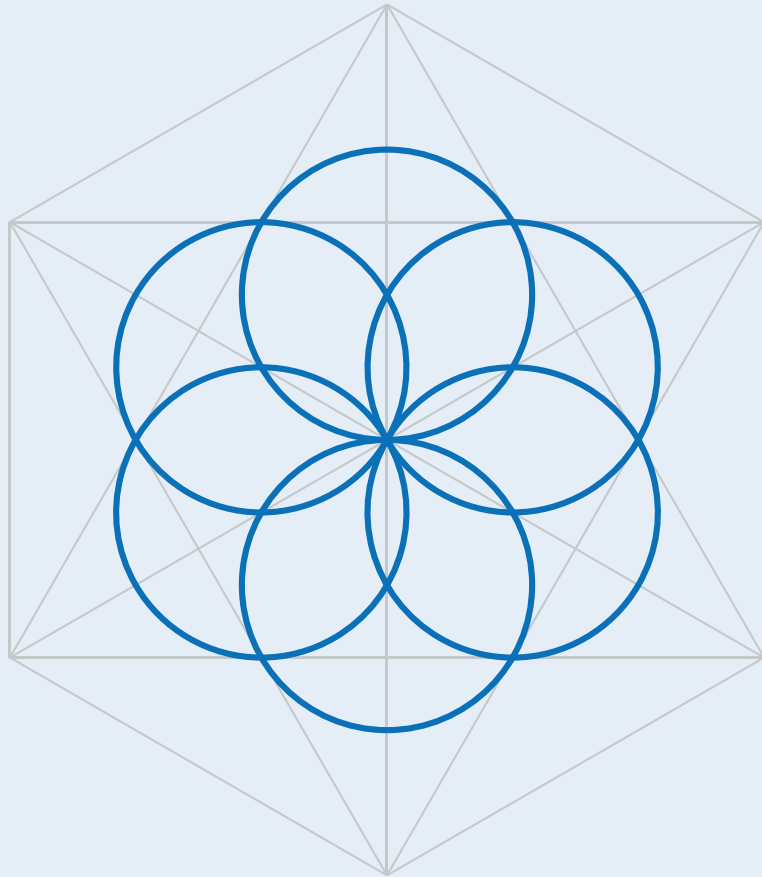
- The Departmental cells amount to a localised architecture of surveillance and pressure on predominantly Muslim communities and institutions; these cells and the prefects they support should be seen as a specific and local anti-Muslim intelligence and ideological police.

70 <https://www.gov.uk/government/publications/prevent-duty-guidance/revised-prevent-duty-guidance-for-england-and-wales>

71 <https://www.cipdr.gouv.fr/appele-a-projets-national-2021-fonds-marianne/>

*THE INSECURITY OF THE FRENCH STATE IS
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AS AN OPPORTUNITY FOR MACRON TO
CONSOLIDATE HIS POLITICAL POSITION.*

POLICE



THE LEGISLATIVE ASSAULT EXPANDS

The assault on Muslims and Muslim civil society has stemmed from a two-pronged approach of recasting expressions of Islam or Muslim civic activity as an ideological threat, and a legislative agenda that has amassed unprecedented power to the state, and particularly the executive branch.

While the Systematic Obstruction policy is central to the French government's approach to 'Islamist separatism', it has also introduced a spate of policies since 2020 to extend the scope of its powers and reach into French society.

Anti Separatism Law

In January 2021 the French government introduced to the French Parliament the 'Anti-Separatism bill', which would become law in August of that year - passing through the lower house of the Parliament with 70% of votes in favour.

The Bill was motivated by the same concern about laïcité and 'separatism' that shapes the Systematic Obstruction policy, as evidenced by the official notice on the Bill published on the 9th of December 2020 by the Council of State:

"The measures in the bill are intended to provide a response to these acts, which reflect the desire of their perpetrators to organise their lives according to rules that are not compatible with the laws of the Republic, and which may even lead some to support the ideas and actions of terrorist groups."

According to the Government, these acts affect almost the entire field of social life, which explains the variety of areas covered by the bill (...)

These phenomena weaken the cohesion of the nation."⁷² (emphasis added)

Even more worryingly, the Council implicitly validated the necessity of the 'Systematic Obstruction' policy as well as a 'whole society' approach to the issue of separatism, indicating that legislative measures were nearly not

enough when addressing such "acts" :

"But it believes that, however useful preventive and repressive instruments of the kind provided for in the bill may be, the response requires, beyond legislative measures, the mobilisation of all communities and all public policies."⁷³ (emphasis added)

In the footsteps of the Supreme Court, Prime Minister Jean Castex issued a public circular⁷⁴ on the 24th of June 2021, explicitly identifying the higher aim of Bill as being entangled with the Systematic Obstruction policy -

"This obstruction policy will soon be strengthened by the [provisions] of the [Anti-Separatism Bill]".

The sweeping law contains 101 provisions, with some of the most significant elements including that:

- It dramatically expands governmental powers to dissolve an organisation, by enabling them to bypass the court process;
- Places of worship can be shut down temporarily to stop the work of 'hate preachers'
- Cultural associations will be subject to tighter fiscal and administrative control;
- Organisations seeking public funds will have to sign a "Republican Contract" and abide by its conditions;
- The strengthening of laïcité, requiring political, philosophical and religious neutrality for any civil servant - including banning the wearing of religious symbols . This legal requirement has now been extended to non-civil servants employees of public or private bodies involved in a public service mission like train drivers, health care workers, cleaners and much more.
- Referents on laïcité will ensure that laïcité and republican values are observed in the public sector. They will draft annual reports where they will highlight the transgressions they witnessed⁷⁵.
- The law targets Islamic private education

⁷² <https://www.conseil-etat.fr/ressources/avis-aux-pouvoirs-publics/derniers-avis-publies/avis-sur-un-projet-de-loi-confortant-le-respect-par-tous-des-principes-de-la-republique>

⁷³ Ibid.

and home schooling by introducing new executive tools facilitating the suspension or closure of Islamic private schools, and greater monitoring of homeschooling.

Through the reforms ushered in by the law, the legal system as a whole has been transformed from a potential guarantor of protection for Muslims' fundamental rights into a set of tools to enact the state's persecution of them. In other words, it has been weaponised in order to severely restrain Muslims' ability to freely practise their religion and express their dissent. Hence, the boundaries of their freedom of religion, of opinion and of association are here clearly tightened.

The Anti Separatism bolsters the Systematic Obstruction policy and the powers available to those implementing it. When an inspection takes place under the Systematic Obstruction policy, there are an increased number of legal provisions against which to identify a breach, thereby increasing the likelihood of finding a reason to impose a closure.

The Law has been widely condemned by Muslim activists and led to the creation of a new coordination - made of at least 17 organisations and 97 public personalities, Muslim and non-Muslim, French and non-French alike⁷⁶ - opposing it.

Imams Charter

In the aftermath of the Samuel Paty murder, Macron unveiled an 'Imam's Charter' in late 2020 drafted by the state-backed French Council of the Muslim Faith, and implemented by the new Imam's National Council⁷⁷, created in November 2021.

It amounts to a hard-nosed effort to force Imams to subordinate themselves to the self-styled 'French Islam' promoted by the government, and to subordinate Islam to republicanism.

The Charter includes the following clauses:

"No religious belief may be invoked to evade the obligations of citizens."

"From a religious and ethical point of view, Muslims, whether nationals or foreign residents, are bound to France by a pact. This pact commits them to respect national cohesion, public order and the laws of the Republic."

"The principle of equality before the law obliges us to comply with common rules and to give them precedence over all norms and rules, including those derived from our beliefs and/or religious interpretations."

"The present "Charter of Principles" has the clearly stated objective of fighting against any form of instrumentalisation of Islam for political and/or ideological purposes."

"The signatories therefore undertake to refuse to take part in any approach that promotes what is known as "political Islam" "

"By "political Islam", this charter refers to the political and/or ideological currents commonly known as Salafism (Wahhabism), Tabligh as well as those linked to the thought of the Muslim Brotherhood and the nationalist currents linked to it." (emphasis added)

In March 2021, a global coalition of 25 civil society organisations and NGOs across 11 countries, including CAGE, submitted a letter of complaint against France to the President of the European Commission Ursula von der Leyen⁷⁸.

The document emphasised the discriminatory nature of the Imam's Charter, and charged France as being in violation of the EU Charter of Fundamental Rights and its guarantees on freedom of thought, conscience and religion, as well as the European Convention on Human Rights.

While the Charter has no legal value, it remains a strong political tool into which people are effectively coerced to signing. Indeed refusing to sign it can directly trigger the State's

74 https://www.legifrance.gouv.fr/download/file/pdf/cir_45206/CIRC

75 See article 7 of the relevant decree here : <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000044560491>

76 <https://www.facebook.com/CoordinationCLS/>

77 <https://www.mosqueedeparis.net/charte-des-principes-pour-lislam-de-france/>

78 <https://www.cage.ngo/global-coalition-urges-european-commission-president-to-investigate-france-at-the-european-court-of-justice-for-systematic-rights-violations-against-muslims-and-imposition-of-discriminatory-i>

repression through the "Systematic Obstruction". The document creates a relationship of submissiveness between the state and the Muslim community, where the latter is meant to sacrifice some of its beliefs and practices to respect the "pact" it is allegedly engaged in with the former.

The Ministry of Education

Alongside the implementation of the Anti Separatism Law, the Ministry of Education has actively served as the ideological apparatus for the French state's renewed laïcité offensive.

The Anti Separatism Law severely restricted options for home-schooling, restricting the choice of parents (read: Muslim parents) to educate their children independently. The Islamic educational system is under-developed in France, comprising only 70 schools for a community of 6 to 7 million. In contrast, 300 Jewish schools exist on French soil for a community of 600,000 people. Moreover, since the voting of the Gatel Law of 2018, which empowers the Education Minister to refuse the opening of a private school for national security reasons, alongside the Systematic Obstruction policy, this number will likely decrease drastically.

For many Muslim parents, conscious of the necessity to educate their children in an Islamic fashion so as to enable them to fully blossom in their faith and to be prepared to face the intellectual challenges of their time, home schooling was the only other option to private Islamic schools. This new framework effectively forces Muslim parents to send their children through the public, secular education system where overt religious symbols like the hijab are forbidden. Muslim activists in France are clear that this strategy forms part of the gradual and calculated "Deislamization" of an entire generation of Muslims.

In September 2021 the Ministry of Education launched a campaign to more forcefully promote laïcité. In the official announcement accompanying the launch, the Ministry stated that

"This campaign aims to show that secularism is not just a principle that underpins our social contract, but that it is part of the daily lives of students, enabling them to live free, equal and united, whatever their beliefs."

...

*The aim is to talk about secularism in its most unifying aspects; to show that mutual respect, the equality promised to all, peaceful relations within the school, but also the acquisition of common references as well as the possibility of emancipation are made possible, among other things, by respect for secularism."*⁷⁹

Minister of National Education Jean-Michel Blanquer went as far as saying that the professors who "opposed republican values" should "quit their job", believing that their role is to "share the republican values."⁸⁰ Alongside the laïcité campaign, the Ministry hence launched a training programme for professors to teach them what laïcité is and how it needs to be shared with children⁸¹.

Identifying laïcité as a fundamental creed - "part of the daily lives of students" - with very concrete social consequences - mutual respect, equality, peaceful relations within the school, acquisition of common references and emancipation - which can exclusively be attained through its application signals an aggressive turn. It is analogous to the forceful promotion of 'Fundamental British Values' in British schools under the Prevent duty, and from the statements above it exerts the same disciplining effect that Fundamental British Values have had on the teaching profession.

French Muslims are forced to live in a limited social, intellectual, political and spiritual space where they are forced to constantly prove their allegiance to a system of belief even where it conflicts with their own.

- The Marianne funds are an attempt to recruit and co-opt civil society to promote the government line against its designated enemies.

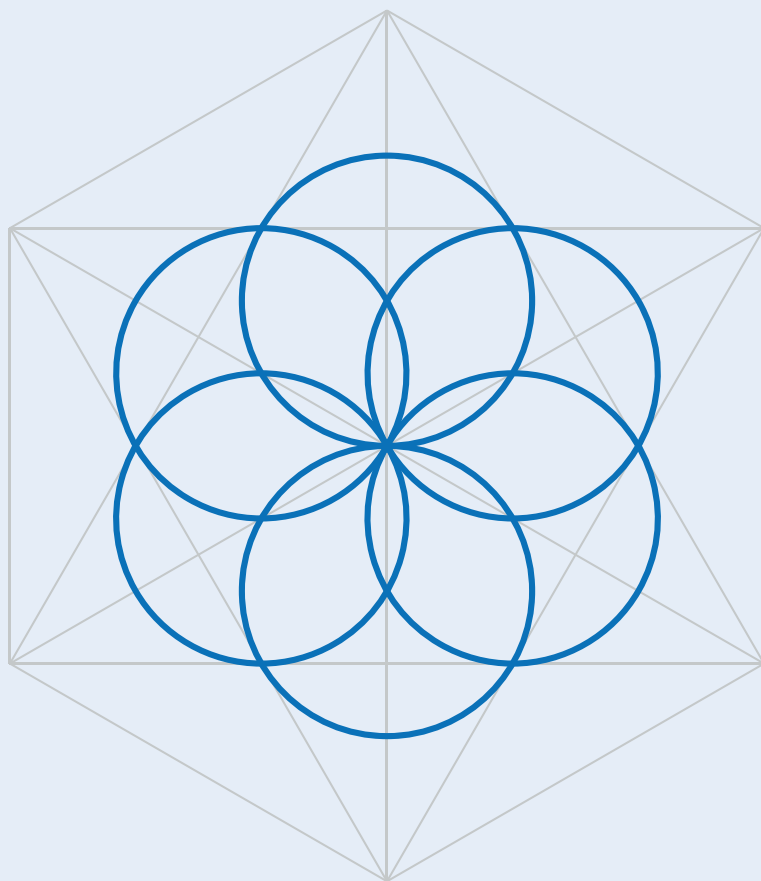
⁷⁹ <https://www.education.gouv.fr/lancement-d-une-campagne-nationale-de-promotion-de-la-laicite-l-ecole-324737>

⁸⁰ <https://www.leparisien.fr/societe/jean-michel-blanquer-aux-enseignants-si-vous-militez-contre-les-valeurs-de-la-republique-sortez-de-ce-metier-19-10-2021-HUJT5JN6IJG5JGAOPY4WOQYIR4.php>

⁸¹ <https://www.education.gouv.fr/laicite-et-valeurs-de-la-republique-le-ministre-retient-les-preconisations-de-jean-pierre-obin-pour-323594>



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ENDGAME FRANCE

The Presidency of Emmanuel Macron has been the most oppressive for French Muslims in recent history. Whatever the outcome of the 2022 Presidential election, this will be a legacy that stretches beyond his term in office : the intense institutionalisation of a state-led persecution on Muslim civil society in France.

France is a country wracked by contradictions and deep insecurities. Despite being heralded as a supposed beacon of stability upon his election - seeing off challenges from the far-right Marine Le Pen, and Jean-Luc Mélenchon from the left - Macron's term has seen the country sink into a series of conflagrations and crises, with the state's response consistently pushing the boundaries of violent repression.

While the roots of French Islamophobia run deep, the intractable nature of France's crisis looks to translate into increased abuse of Muslims in the country over the coming years, stirred by the French government for political gain. For despite these radical and far-reaching measures taken by the government, the entire French political spectrum still regards Islam and Muslims as issues that have not been sufficiently dealt with.

The current Presidential campaign proves this very point.

It is reasonable to expect that the future president - be it Emmanuel Macron, Marine Le Pen, Eric Zemmour or Valérie Pécresse - will not only maintain the structure of the 'Systematic Obstruction' policy, but seek to augment and expand executive power to target Muslims. Valérie Pécresse's party, the right wing Les Républicains, proposed a bill in 2020 that would have created a "French Guantanamo" to intern Muslims on file for alleged

"radicalisation" at the request of the Ministry of the Interior - for a period of time subject to indefinite renewal⁸². The same party also requested the closure of any mosque refusing to sign the Imam's Charter. Meanwhile Marine Le Pen of the far-right National Rally regards the fight against "Islamism" as "the first world war of the 21th century"⁸³. Populist far-right contender Eric Zemmour, meanwhile has demanded that Muslims "renounce the practice of Islam which imposes a legal and political code"⁸⁴ and has been on the record implicitly suggesting the deportation of the entire Muslim community.⁸⁵

The Systematic Obstruction policy, despite its deeply damaging consequences, is still largely under-reported in France and internationally. But it is incumbent on international supporters to ensure that French Muslim civil society is not silenced for years to come. Our fate is more bound up with theirs than we may realise: the perils and injustices facing Muslims in France are likely to be exported to its neighbours, threatening to slowly dismantle the very foundations of any Muslim minority's autonomy.

Moreover, France will try - and indeed already started - to export its Islamophobic approach to its European neighbours. It already collaborates closely with Belgium, Austria and Denmark on matters of counter-extremism and terrorism, and applies diplomatic pressure to European institutions to prevent the promotion of freedom of religion.⁸⁶

In late 2020, alongside now-deposed Austrian Chancellor Sebastian Kurz, Macron sought - only semi-successfully - to establish a pan-European 'United Front' against 'Political Islam'/'Islamism', in part as an attempt to assert his leadership within the EU⁸⁷.

82 <https://www.cage.ngo/the-spectre-of-a-french-guantanamo>

83 https://www.lemonde.fr/politique/article/2021/01/30/marine-le-pen-revendique-la-brutalite-contre-l-islamisme_6068202_823448.html

84 <https://twitter.com/zemmoureric/status/1465768251070296073>

85 <https://superdupont.corriere.it/2014/10/31/zemmour-e-la-rabbia-anti-elite/>

86 <https://www.courrierinternational.com/article/vu-du-royaume-uni-la-liberte-dans-le-hijab-la-france-fait-supprimer-une-campagne-du-conseil>

87 <https://www.cage.ngo/france-and-austrias-state-sponsored-islamophobia-stands-vindicated-by-the-eu>

The French government has also frequently intervened to demand that international institutions, including the European Commission and Council of Europe, toe its line on Muslims - with the European Network Against Racism describing its behaviour as a 'full-blown Islamophobic Witch Hunt by targeting racialised communities and organisations in Europe'⁸⁸

From January to June 2022 France will serve as President of the EU Council, and will likely make attempts to project authority and influence.

Indeed, its programme for the Presidency mentions that it 'intends to combat the behaviour of individuals and entities who, though [sic] their words and actions, incite radicalisation and acts of violence.'⁸⁹

Moreover, during the EU's Informal Meeting of the Home Affairs Ministers in early February, it was reiterated that the "issue of radicalisation"⁹⁰ required a "common response"⁹¹. The meeting was launched by the aforementioned academic Gilles Kepel, and the discussion that followed "demonstrated the shared concern regarding entities that encourage, from inside the EU, the spread of ideologies and ways of life that are contrary to our European values"⁹².

Despite the bluster, the French government has proved most vulnerable on the international stage.

In November 2020, Macron himself issued a direct response to an op-ed by Financial Times correspondent Mehreen Khan criticising his reaction to the Samuel Paty murder and his deeply antagonistic tone towards Muslims - an article that was quickly removed by the paper's editors⁹³. A few weeks prior, Macron could be found appealing to Arab nations to stymie calls to boycott French products across Muslim countries, following his condemnatory remarks on Islam and his pointed defence of

Islamophobic cartoons in the wake of Samuel Paty's murder⁹⁴.

The insecurity of the French state is mirrored in the insecurity of its elected figurehead. It is vital that France's Presidency of the EU Council becomes an opportunity for finally holding it to account for its persecution of Muslims, rather than as an opportunity for Macron to consolidate his political position.

No doubt there will be some reading this text who will applaud the policies of France against so called "extremism". However as we have seen the term is amorphous and malleable, and changes to suit the needs to the super state that is erected on the back of the 'War on Terror'.

Today it may be Muslims, a disenfranchised and improvised minority community, but tomorrow it will be any section of society that poses an organisational or ideological challenge.

88 <https://www.enar-eu.org/France-s-Islamophobic-Witch-Hunt-31-organisations-call-on-EU-Leaders-to-take-a>

89 https://presidence-francaise.consilium.europa.eu/media/qh4cg0qg/en_programme-pfue-v1-2.pdf

90 <https://www.interieur.gouv.fr/sites/minint/files/medias/documents/2022-02/press-release-informal-meeting-of-the-home-affairs-ministers-03-02-2022.pdf>

91 Ibid.

92 Ibid.

93 <https://www.middleeasteye.net/news/financial-times-investigating-fake-news-complaint-over-macron-letter-french-muslims>

94 <https://www.bbc.co.uk/news/world-europe-54683738>

RECOMMENDATIONS

The French government has launched an unprecedented crackdown on Muslim and dissenting organisations in the country, rendering resistance to its policies even more difficult.

It is therefore incumbent on international organisations and actors, particularly those within Europe, to exert pressure on the French government and their respective governments, and help create the space for French Muslims to assert their own demands.

We call for Civil Society organisations across Europe to:

- Extend immediate solidarity to those individuals and organisations impacted by the Systematic Obstruction policy and structural Islamophobia in France, and to demand full civic and political rights for Muslims in France.
- To vigorously oppose any attempts by France to export its Islamophobic policies during its term as EU Presidency until June 2022, and to demand respective EU member states condemn France's persecution of Muslims and its draconian policies.
- Call for the scrapping of the Systematic Obstruction policy and institutions created to support it - including departmental cells and Ministry of the Interior's new bureau.
- Call for the reversal of the dissolution of all organisations under the pretence of 'separatism' and reparations for organisations impacted.
- Call for the removal of all 'sanctions' measures placed on establishments through the Systematic Obstruction policy.
- Call for the repeal of the 'Anti Separatism Law' and the Imams Charter.

We demand that the French government :

- Scrap the "Systematic Obstruction" policy and related institutions created to support it.
- Reverse the dissolution of all organisations, and remove the executive power to dissolve organisations.
- Remove all sanctions applied placed on establishments through the Systematic Obstruction policy.

Establish an independent body investigating the consequences of the Systematic Obstruction measures, and provide reparations for damages and losses incurred by establishments as a result of such measures.

- Repeal the 'Anti Separatism Law' and the Imams Charter.
- Repeal the Islamophobic 2004 Law on religious signs in schools and the 2010 niqab ban, which have laid the groundwork for today's witchhunt against Muslims in France.
- Formally recognise the legal existence of minorities at the conventional and constitutional level, and grant them rights and legal protections on par with the rest of French society.
- End the extraordinary means and state surveillance that the French Muslim community is currently subject to, including the practice of meetings between community leaders and intelligence services.



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