

An Anti-Riot Fatwa

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Fatwas are powerful symbols. As statements made in the name of God, they often carry an aura of sanctity. Fatwas are nevertheless progressively acquiring, in the Muslim world, a meaning close to the English “sermon”—a form of moralizing religious advice largely out of tune with reality. Since the Rushdie case, fatwas are regarded with even greater hostility in the West, denoting, if not a death-threat, a normative genre which looks to liberal minds uniquely obscure; and committed European Muslims are increasingly debating the legitimacy of such texts. When in 1996 the Haut Conseil des musulmans de France issued a fatwa condemning the kidnapping of Catholic monks in Tibéhirine (Algeria) by Islamist radicals, the Grande Mosquée de Paris swiftly responded that, “A fatwa fulfils a number of conditions laid out in Quranic Law (sic). We are here under French Law, which separates strictly between religion and the Republic. [If we issue a fatwa today] why wouldn’t we throw a fatwa tomorrow to demand

A French fatwa condemning the 2005 riots in Islamic terms gave rise to a controversy around the legitimacy of this particular Muslim technology in a secular polity. To seize the significance of the text one must place it in the tradition of the Salafiyya, where Islamic forms of reasoning acquired a distinctively public dimension, and map out the recent—and contested—discursive shifts in French laïcité.

never take place against the Islamic teachings and the law which regulates common life.”³

The fatwa was delivered in response to demands from the grassroots, particularly those Muslim families most affected by the destruction of (their) cars. The UOIF reported a high number of telephone requests to publicly condemn the violence. By voicing such loud criticism of the riots in Islamic terms, the leaders of the UOIF were drawing on the tradition of the Salafiyya which since the nineteenth century has geared Muslim technologies not (only) for individual salvation but for purposes of social governance and the formation of moral citizens. The fatwa has been one of Muslim reformers’ key instruments in this project.

The “preventive” text, as the fatwa was described, signalled also an attempt to dismiss the insinuations of a religious manipulation behind the riots. Under normal circumstances Islam represents for mainstream French society all the alterity of the banlieues. Many of the problems of these areas had been in recent debates explained through references to the spread of Islamic Revivalism. Although the riots themselves were mainly understood as the product of social and urban exclusion, some politicians did (wrongly) suggest the implication of Islamist groups. By issuing a religious statement against the violence, the UOIF was countering such claims.

The fatwa fell logically within the expectations of large sections of the political establishment, particularly the Interior Minister Nicolas Sarkozy, who plays a key role in both maintaining order and managing religious diversity in France. The Minister included the controversial Islamic organization in the official Muslim representative body set up in 2003—a decision which greatly improved the UOIF’s access to political and civil opportunity structures. The successful establishment of the representative body has in turn been used by Sarkozy to further his political ambitions. When political actors on the left and Muslim leaders criticized the fatwa, accusing the UOIF of either tainting social problems with a religious colour or of bestowing upon religion an illegitimate public role, Sarkozy’s party promptly issued a press statement in defence of the use of fatwas in France.

The religious statement formalized the mediating function of Islam in the French suburbs. Although they did not generate as much publicity, religious volunteers had from the beginning attempted to dialogue with the young rioters in order to appease the situation. Coherent with the UOIF’s imagined role for religion in the public space, the fatwa’s wider resonance was made possible by the emergence of new discursive spaces in France: subverting the dominant conception of laïcité, which postulates a strict separation of religion and state, French authorities have for two decades now been performing a semantic shift between “immigrant” and “Muslim.” Against the backdrop of international terrorism and the perceived crisis of the French model of integration, political leaders have not hesitated to draw the debate back to the theological plane, discoursing time and again about the “authentic” Islam of “peace” and “social cohesion.” The consequent distinction between “good” and “bad” Muslims drives the call for a French and “Enlightened” Islam—the latest version perhaps of what Olivier Roy has called the time-old theological temptation of the French religious “neutrality.”⁴ In this project of Gallicanization the UOIF occupies an ambivalent place. Although suspected of Islamist affiliations and accused of “fundamentalism,” its contextualized reading of the Islamic sources and its vision of a “civic Islam” falls logically within the French debate.⁵ They respond directly to the expectations of the society and reproduce the idea of a necessary aggiornamento as a prerequisite to the integration of the Muslims—setting the conditions not for a privatization of faith, but for a public Islam.

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Cars burned during riots of 8 November 2005 stacked up at Strasbourg’s city impound lot



polygamy?”¹ Some Muslim institutions have preferred to avoid the term “fatwa,” delivering other forms of Islamic advice: the largest confederation of Muslim scholars in France, the Conseil des imams, reacted to the recent discussion on banning the Muslim headscarf from public schools by issuing a press statement which “follows the method of a fatwa,” but is not called so “in regard to the sensitivities of the French public sphere.”²

These constraints of publicity render the “fatwa concerning the troubles affecting France” issued at the height of the violence on 6 November 2005 by the Union des organisations islamiques de France all the more remarkable. Drawing on Quranic verses condemning destruction and disorder, the theological body of the UOIF, Dar al-Fatwa, ruled the following: “Every Muslim living in France, whether citizen or guest, has the right to demand the scrupulous respect of his being, dignity and belief, as well as to act for greater equality and social justice. But this action...must

Notes

1. *Le Monde*, 26 May 1996.
2. Secretary-general of the Conseil des Imams, personal communication, Paris 2004.
3. The full text of the fatwa is available from the UOIF’s website, www.uoif-online.com.
4. Olivier Roy, *La laïcité face à l’islam* (Paris: Stock, 2005).
5. See Frank Peter, “Towards Civil Islam? A Comparison of Islam policies in Britain and France,” *Recht van de Islam* 23 (2006).