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# FACING ALL THE FACTS

Written by:

Michael Privat

This publication is part of the Facing All the Facts  
online course on anti-Muslim hate crime.  
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discoveries in such fields as archaeology, scientific historical anthropology. These studies questioned held in academic fields that had once believed this holy book had already been examined. These figures encompass a wide range of disciplines, from conservative to the liberal, from the orthodox to the most traditional to the deeply innovative, used to describe a huge variety of profiles. This is how it is developed by those who identify whether they are believers or not.



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Facing all the Facts is a project coordinated by CEJI – A Jewish Contribution to an Inclusive Europe (Belgium) that takes a collaborative approach to unmask the full extent and nature of hate crime and hate speech working through a coalition of civil society organizations, policy leads, national law enforcement authorities and practitioners.

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# Introduction

This publication was developed in the framework of the **“Facing all the Facts”** project, an EU funded initiative led by **CEJI – A Jewish Contribution to an inclusive Europe** in partnership with a diverse coalition of civil society organisations and national law enforcement authorities, aiming to unmask the full extent and nature of hate crime and hate speech through a collaborative approach. Facing Facts fosters and advocates for better cooperation among civil society and public authorities in recording and monitoring of hate crime. We hope this guide will support better recognition and appreciation of Muslim communities and organisations towards better responses to disability hate crime.

Along with research and advocacy, training is one of the key activities of the Facing all the Facts project. This booklet stands as an important component of the new Facing Facts Online course on recognizing and identifying anti-Muslim bias indicators for civil society and law enforcement. The course was developed in close cooperation with partners and relevant experts in the field of disability hate crime. The course is available on the project's e-learning platform <http://www.facingfactsonline.eu> along with additional online courses on other bias motivations (antisemitism, anti-disabled, anti-Migrant, anti-LGBT, anti-Roma, anti-Black), three online courses on hate crime for police in UK, Italy and Hungary and an online course on recognizing and combating hate speech currently available in English, French, German and Italian.

**Lead partner:** CEJI-A Jewish contribution to an inclusive Europe

## **Facing All the Facts partners:**

- Community Security Trust (CST)
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- Movimiento Contra la Intolerancia (MCI)
- National Police Chiefs' Council (NPCC)
- National University of Public Service (NUPS)
- Osservatorio per la sicurezza contro gli atti discriminatori (OSCAD)
- Praxis

## What is Islam?

Islam is the youngest of the major world religions centring on the worship of a single god (monotheism). Islam sits alongside Judaism and Christianity, a little like the last step in a long conversation between God and humankind, said to have started with Adam, then continued with Abraham, Moses and Jesus, ultimately ending with Muhammad (it is pronounced *mo-hAAm-id* (mu.a.mmad) with the emphasis on the *h*. The French term 'Mahomet' is considered pejorative by many Muslims, as it was derived in part from satirical distortions of the prophet's name in the Middle Ages, both in French and other European languages).<sup>1</sup>

Today, Islam has over 1.8 billion followers spread across the world. There is no country on earth that does not have a Muslim community, minority or otherwise. Islam is the world's second-largest religion, after Christianity with its 2.5 billion followers. These figures encompass a wide range of different beliefs and practices, from the conservative to the liberal, from the orthodox to more individualistic interpretations, from the most traditional to the deeply innovative. Islam is a single umbrella term used to describe a huge variety of profiles. As with other religions, Islam exists only through how it is developed by those who identify with this religion, irrespective of whether they are believers or not.

Islam's roots lie in the teachings of one man, Muhammad; they are said to have spanned around 20 years, from 612 to 632, in the western Arabian Peninsula, between Mecca and Medina. This period covered almost an entire generation, and throughout its course, Muhammad shared messages revealed to him by God. Depending on Muhammad's circumstances, some of the messages contained mystical content (v. 24.35: *Light upon light. Allah guides to His light whom He wills*); content on the Last Judgement (v. 101.6-7: *So, he whose scales (of good deeds) are heavy, He will be in a life well-pleasing*); content on life after death (v. 98.8: *Their reward with Allah will be gardens of perpetual residence beneath which rivers flow, wherein they will abide forever*); content on war (v. 2.216: *Fighting has been enjoined upon you while it is hateful to you*); or legislative content (v. 4.11: *Allah instructs you concerning your children: for the male, what is equal to the share of two females. [...] And for one's parents, to each one of them is a sixth of his estate if he left children. But if he had no children and the parents [alone] inherit from him, then for his mother is one third [...]*). This is therefore complex material that is not always easily accessible to either Muslims or non-Muslims.

<sup>1</sup>Masson, Michel, A propos de la forme du nom de Mahomet, in Bulletin de la SELEFA, n°2, 2003, 1-8. [https://www.academia.edu/3049241/Masson\\_2003\\_A\\_propos\\_de\\_la\\_forme\\_du\\_nom\\_de\\_Mahomet\\_SELEFA\\_2\\_](https://www.academia.edu/3049241/Masson_2003_A_propos_de_la_forme_du_nom_de_Mahomet_SELEFA_2_)

## The Quran (al-Qurān)

In the fifty years following his death, these revelations were compiled in a book (the Quran, meaning *Recitation* in Arabic), in a total of 6,236 verses broken down into 114 surahs (chapters) and 30 sections (*juz'*). These surahs are not collated in chronological order, but arranged in order of length, from the longest (286 verses) to the shortest (three to six verses), with the exception of the very first surah, known as the Opener (*al-Fatiḥa*), which contains just seven verses. The Opener is considered to be the Quran's most important surah because Muslims recite it several times at each ritual prayer. It is as important for Muslims as the 'Our Father' is for Christians. It features in many murals, posters and amulets that Muslims may wear. Other decorative items depict the Throne Verse (v. 2.255)<sup>2</sup>, which is believed to have special protective powers against demonic forces. Many Muslims recite this verse before sleeping and upon waking to ward off evil.

Because of its diverse content, the Quran is more than just a liturgical tool used, for example, in prayer, group and personal recitation, or Quran recitation competitions. It has also acquired normative status, laying down rules and serving as the founding basis for the Islamic legal system (*Sharia law*, see below). Soon after Muhammad's death, the different Islamic traditions set about defining the normative instructions the Quran contained and the scope of their application (general or specific, universal or contextual). These discussions became central and continue on today – these questions are key to the way in which Islam may survive in a modern context.

The Quran is written in Arabic, the language spoken by Muhammad. Still today, it is read and recited in Arabic, although translations exist in almost all the world's languages. Because the vast majority of Muslims believe the Quran to be God's word, transcribed *verbatim* as shared with Muhammad, without distortion nor modification,<sup>3</sup> Arabic remains the preferred language for reciting and analysing the Quran. Translations, requiring interpretations of meaning, could potentially misrepresent the original meaning of the Quran as intended by God. With less than 20% of today's global Muslim population being Arabic speakers,

<sup>2</sup> Allah – there is no deity except Him, the Ever-Living, the Sustainer of [all] existence. Neither drowsiness overtakes Him nor sleep. To Him belongs whatever is in the heavens and whatever is on the earth. Who is it that can intercede with Him except by His permission? He knows what is [presently] before them and what will be after them, and they encompass not a thing of His knowledge except for what He wills. His Kursi extends over the heavens and the earth, and their preservation tires Him not. And He is the Most High, the Most Great.'

<sup>3</sup> Yet Muslim tradition has, nevertheless, not forgotten that several different versions of the Quran verses exist. Recent archaeological studies of verses engraved in rock by Muhammad's first disciples along the Arabian caravan routes are testimonies to versions that have since vanished (see F. Imbert, *Le Coran dans les graffiti des deux premiers siècles de l'Hégire*, in *Arabica*, 2000, t. XLVII, 381-390). Although these findings do not impact significantly on the meaning of the Quran, they do contradict the idea of a belief in a divine word untouched by human influence, not least because of how it was first revealed through oral transmission.



the vast majority of Muslims have no way of understanding the direct meaning of the Quran. And the same applies to many Arabic speakers. The Quran was recited and written in 7th-century Arabic, a language far removed from contemporary Arabic with regard to many word meanings and turns of phrase. In some respects, Muslims find themselves in a similar situation to Christians who lived in a time when the Bible and Gospels were only available in Latin. They are forced to rely on translations, some of which are distorted, or on analytical texts and interpretations written by individuals who hold their own ideological beliefs, have their own experiences, and their own knowledge of Quran Arabic and Muslim tradition, and who are likely to steer the understanding of followers who place their trust in them in one direction or another.

As recent events have shown, subjective interpretations can have tragic consequences, and be used to justify reprehensible acts punishable by law. A classic example of this are raids, or *razzia* (*maghanim*). In 7th-century Arabia, razzias to seize goods (herds, wealth) belonging to tribes with whom no pacts of allegiance had been signed were considered as worthy an activity as trading, farming and livestock-rearing. The Quran mentions these razzias as an established occurrence, taking care to distinguish between them and simple theft, with the latter punished by amputation of a hand (v. 5.38). Following his banishment from Mecca in 622 (known as the Hegira, an event that would later be used as the starting point for the Islamic calendar), Muhammad moved to Medina, an oasis 400 km to the north, where he established a new confederation of tribes. To ensure his disciples enjoyed financial independence, he threw himself into this 'national pastime', raiding Meccans in particular, the vast majority of whom had remained polytheistic and are described in the Quran as *kuffar* (plural form of *kafir*, literally meaning '*he who covers the signs of Allah [to not see them]*' as opposed to '*non-believer*', a meaning that would later be assigned to the term). The Quran stipulates that the spoils of raids are to be distributed in line with verse 8.41: '*And know that anything you obtain of war booty – then indeed, for Allah is one fifth of it and for the Messenger*' (see also v. 48.19-20).

Although these verses are rooted in the context and economy specific to the Arabian Peninsula of the time as well as the tense relations between Muhammad and his native tribe (Quraysh), some use these verses as a justification for Muslims living in Europe today to be able to 'pillage' non-Muslims (considered to be 'non-believers'), as long as they donate a fifth of their 'loot' to an 'Islamic' cause, in particular to fund armed jihad. Naturally, no verse in the Quran encourages outright theft as it would be seen in today's contemporary societies: it is therefore a far-fetched interpretation that aims to lend an 'Islamic gloss' to acts that are irrefutably illegal, including in the eyes of the most traditional of Islamic law. It goes without

saying that this 'Islamic gloss' enables criminals to buy themselves an easy conscience at a low price, with these perpetrators being unaware of how they betray the teachings and spirit of the Quran (theft is theft, no matter how it is dressed up), and of the extremely negative image of Islam they spread in doing so, particularly in the eyes of the authorities who find themselves confronted with this highly problematic stance.

Over the past thirty-odd years, Quranic studies have flourished both in Europe and in some Muslim-majority countries (Tunisia, Indonesia, etc.) as a result of new discoveries in such fields as archaeology, scripture studies, ancient Arabic dialects and historical anthropology. These studies question long-established truths, including those held in academic fields that had once believed that everything that needed to be said on this holy book had already been examined.<sup>4</sup>

## Main beliefs of Islam

Just as Jesus was not a Christian, so Muhammad was not a Muslim by contemporary standards, in the sense of a follower of the religion of Islam. Muhammad and his immediate disciples saw themselves as allies of God (*mu'min*, which translates today as 'believer') or as emigrants (*muhajir*). Muhammad did not see himself as the founder of a religion, but as a guide tasked with showing the way to Salvation (*din*) when it seemed that the end of the world was nigh. It was more than a century after Muhammad's death in 632 that subsequent generations following his message began to describe themselves as Muslims (*muslim*) as we understand the term today. Little by little, Islam progressively evolved from a way of living to a religion complete with dogma, hierarchies, representatives, tribunals and enforcement capacity. This gradual process continues today, and has been continuously reformulated over the centuries, both by elites and through popular practice. As a result, Islam has significantly changed since Muhammad's lifetime, although a handful of components have remained relatively unchanged.

### Some tenets are shared by all Muslims around the world:

- **The belief in a single, all-powerful, merciful God**, who had long communicated with humans through his many prophets up until Muhammad, considered by mainstream theology as the last prophet sent to humanity. The Quran is therefore God's ultimate message to humanity, with humans expected to live autonomously, referring to the holy book, with Islam considered the 'perfect' religion (a point of view that is naturally contested by later religions that emerged in full or in part from the Muslim world, such as Sikhism<sup>5</sup>, the Bahá'í Faith<sup>6</sup> and Ahmadiyya<sup>7</sup>);

<sup>4</sup> Azaiez, Mehdi & Mervin, Sabrina, *Le Coran, nouvelles approches*, CNRS, Paris, 2013; Cuypers, Michel & Gobillot, Geneviève, *Idées reçues sur le Coran, entre tradition islamique et lecture moderne (Idées Reçues)*, Paris, Le Cavalier Bleu, 2014.

- ① **The belief in supernatural beings:** on the one hand angels that carry out God's orders on earth; on the other jinns, a kind of 'community' of fire beings. Jinns exist alongside humans, sometimes interacting with them, and sometimes carrying out acts of evil when they turn to Iblīs, often compared to Satan, their overlord who was cast out of heaven for refusing to prostrate himself before Adam;
- ② **The belief in life after death following the Last Judgement:** happiness in Paradise if good actions outweigh the bad, unhappiness in Hell if the negative outweighs the good. God multiplies each good action by up to 100 but never increases the weight of acts of evil;
- ③ **The belief in a form of predestination:** God is believed to know the destiny of each individual thanks to his Omnipotence, but this does not mean human beings have a preordained destiny. Each individual has the freedom to act and exercise free will in this world.

These tenets have been developed and explored differently in each theological strand, with each school and author adding their own specific nuances. Although these concepts are considered cardinal aspects of Islam, some Muslim thinkers have questioned them and discarded all but the belief in a single God. Although Islam today can seem an excessively dogmatic and structured religion (and is experienced as such by many Muslims), the absence of a structured magisterium as exists in the Roman Catholic and Orthodox churches lends it a very 'fluid' aspect, allowing for freedom of approach and interpretation.

This freedom can naturally come at a high price when political and religious powers unite to maintain control over populations, which is often the case in Muslim-majority countries, even when the authorities describe themselves as 'secular'. A dictatorship remains a dictatorship, and religion remains a highly effective tool with which to control societies. This is particularly true of Islam, which, very quickly after Muhammad's death, developed religious justifications for banning uprisings against the establishment, no matter how unjust.<sup>8</sup>

<sup>5</sup> <https://en.wikipedia.org/wiki/Sikhism>

<sup>6</sup> [https://en.wikipedia.org/wiki/Bah%C3%A1%27%C3%AD\\_Faith](https://en.wikipedia.org/wiki/Bah%C3%A1%27%C3%AD_Faith)

<sup>7</sup> <https://en.wikipedia.org/wiki/Ahmadiyya>

<sup>8</sup> Asfaruddin, Asma, Obedience to Political Authority: An Evolutionary Concept, in Khan, Muqtedar (ed.), Islamic Democratic Discourse: Theory, Debates and Political Perspectives, Oxford, Lexington Books, 2006, 37-62.

## Major traditions in Islam

As with many religions, Islam evolved into clusters of different traditions and schools of thought. Although these are now defined by a huge variety of different theological beliefs, jurisprudence and practices, they take their roots in political issues essentially linked to Muhammad's succession and power over his confederation of tribes, as well as the vast territory the latter went on to conquer, from the Iberian Peninsula to the Indus, a process that took mere decades thanks to the political and military collapses of the Byzantine and Persian (Sasanian) Empires.

**Three major traditions emerged, presented here in chronological order:**

### Khārijism/Ibāḍism

Khārijism (literally meaning *dissidence*) refers to a series of minority movements that arose in the thirty years following Muhammad's death. The three initial successors to the leadership of his confederation (the caliphs Abū Bakr, 'Umar and Uthmān) were his sons-in-law and close friends, who belonged to Mecca's merchant class. 'Umar and Uthmān were assassinated by groups that were unhappy with how the power was shared, and how the immense wealth that had begun flowing into Mecca was being distributed, especially considering the primary beneficiaries of this wealth were Mecca's influential families, who had been the last to join Muhammad's cause. 'Ali was a direct cousin, Muhammad's son-in-law and the first male to be linked to Islam; he was only appointed as caliph in 656. He was immediately contested by Uthmān's clan, accused of failing to have seen justice done by choosing not to prosecute their former leader's assassins. Entangled in a complex web of alliances and an unstable political climate, 'Ali delayed action, giving the members of Uthmān's clan an opportunity to rebel, rallying around one of his cousins and the future founder of the first Arab Empire, the Omayyad Empire (661-750).

After several battles, 'Ali ultimately accepted the idea of arbitration in a bid to put an end to this internal conflict, paving the way for the Khārijite movement: 'Ali's initial supporters then also began to dissent, accusing him of failing to apply the word of the Quran, which stipulates that uprisings in such circumstances are to be quashed. The Khārijites were fought off by 'Ali himself, and were forced to flee to different parts of the newly conquered territories (North Africa, Iran, Oman).

Some leaders went on to develop their own theological approaches to the use of political violence (it was a Khārijite who ultimately assassinated 'Ali in an act of revenge in 661) and to the legitimacy of revolt in the face of unjust power. Yet they all shared a belief in several core ideas surrounding the criteria for the caliphate, the leadership of the confederation (*umma*). They emphasised principles that were outlined in the Quran but not implemented in Muhammad's time: the fact that committing a serious sin implies banishment from the confederation and thus disqualification from becoming caliph; the requirement to be entirely just and fair in order to be caliph; and the requirement that a caliph not belong to any one particular tribe (meaning any person could become caliph as long as they met the moral conditions, unlike other traditions that required contenders to belong to Muhammad's family (as in Shia Islam), or to his Quraysh tribe (as in Sunni Islam).

Through their theological reflections, the Khārijites contributed to the emergence, around the 8th century, of a Muslim identity founded on the central role of the Quran in social and political thought (such as the necessity of the Hegira, or migration (*hijra*) to a place where Islam could be fully applied. This concept was reinterpreted by jihadi ideologues in the 20th and 21st centuries to justify the act of joining and fighting for the 'Islamic caliphate').

Today, just one form of Khārijism remains: the *Ibadi movement*.<sup>9</sup> This movement, characterised by a relatively flexible approach to dogma, accounts for around 1% of all Muslims around the world, primarily in Oman, Zanzibar, the island of Djerba (Tunisia) and Algeria's M'zab region.

<sup>9</sup> <https://en.wikipedia.org/wiki/Ibadi>

## Shia Islam (Shīah, the party)

Drawing on the same political matrix that formed the basis for the question of Muhammad's successor at the head of his confederation of tribes and the vast territory it would go on to conquer in just a few decades, Shia Islam developed through supporters of 'Ali and his descendants, notably his sons Ḥasan and Ḥusayn, born of Fatima, Muhammad's favourite daughter. The issue of political legitimacy to rule the caliphate was key in the first century following Muhammad's death. 'Ali's descendants were opposed to the grip of the Uthmān clan on all the levers of power and their establishment of an oriental-style empire that would reproduce the structures and practices of the Byzantine and Sasanian Empires, in Damascus rather than Medina.

Originally political in nature, the opposition from 'Ali's party took on a religious character, and was directed also at the Khārijites. The sixth descendant of 'Ali, Imam Jafar al-Ṣādiq (683-748) founded and structured the Shia doctrine of Imamate, proposing that the legitimacy of 'Ali and his direct descendants in taking control of the caliphate stemmed from the fact that Muhammad provided 'Ali with secret spiritual teachings that form the true core and purest understanding of the Quran. This special knowledge was said to have been passed down through 'Ali's line from generation to generation, structured around a specific spiritual initiation process that meant his descendants alone enjoyed unique wisdom and direct access to the divine mysteries. Within the century following the death of Muhammad, Shia Islam developed a relatively solid identity and corpus of doctrinal texts that continue to be studied and developed today.

However, as 'Ali's descendants experienced upheaval (multiple marriages; inglorious acts carried out by some descendants), support for the lineage became fragmented, resulting in several branches of Shia Islam, each with their own doctrinal specificities: the *Zaydiyyah*, who recognise five imams ('Ali being the first), particularly well-represented in present-day Yemen, active in the Houthi movement;<sup>10</sup> the *Ismā'ilīs* or *Sevensers*, who accept seven imams, have today all but disappeared but their spiritual successors are the disciples of Aga Khan IV (considered the 49th imam);<sup>11</sup> the *Twelvers*, who accept 12 imams, and who now constitute the vast majority of followers of Shia Islam. The last imam, the *Mahdi*, who left this world in 868, is said to have 'gone into occultation', and from the world beyond, he inspires the leaders of the Shia community. It is said that he will return to announce the second coming of Jesus (Parousia) before the Last Judgement. In Iran, the Grand Ayatollah (literally *Sign of God*) is the political head of the Islamic Republic, and is said to seek counsel for political decisions from Imam Mahdi.

<sup>10</sup> [https://en.wikipedia.org/wiki/Houthi\\_movement](https://en.wikipedia.org/wiki/Houthi_movement)

<sup>11</sup> [https://en.wikipedia.org/wiki/Aga\\_Khan\\_IV](https://en.wikipedia.org/wiki/Aga_Khan_IV)

Today, around 15% of the world's Muslim population belongs to Shia Islam. Its centres are Iran, Iraq, Lebanon and Azerbaijan, but there are also large communities of Shia Muslims in Turkey, Qatar, Saudi Arabia, Bahrain, Central Asia and Yemen, where they are victims of political oppression inflicted on them by Sunni authorities. Shia Islam is on the rise in West Africa, the Indian Subcontinent and Europe, where Sunni Muslims are converting to Shia Islam, which they see as more 'liberal', or at least more flexible and adaptable to the modern world compared with contemporary Sunni Islam (for example, surgery for transsexuals has long been legal in Iran; Lebanon is at the cutting edge of assisted reproduction).

In cities such as Brussels, Sunni Muslims of Moroccan origin are converting to Shia Islam in significant numbers, triggering diplomatic conflict between Iran and Morocco (despite the fact that the King of Morocco claims to be a descendant of 'Ali and Fatima and 'commander of the faithful', one of the first titles given to the caliph). This clearly points to a competition for moral leadership of the international Muslim community, with each party claiming a spiritual past in order to prove their entitlement.

In the struggle for political hegemony over Islam and the Arabian/Persian Gulf, Saudi Arabia drew on its powerful networks to reactivate anti-Shia propaganda from the Iranian Revolution of 1979, when Shia Islam seemed to embody a Third-World voice of opposition. The conflict in Syria, in which Iran has supported the Alawite (considered to be a Shia sect) Syrian dictator, and in which Saudi Arabia has supported the Sunni opposition including jihadists, has accelerated and reignited Shia-Sunni polarisation. This has inspired a particularly violent series of hate- and excommunication-driven speeches from the religious (primarily, but not solely, Sunni) authorities, that have gone as far as to encourage violence against the opposing community, based on the claim that its members are no longer considered Muslims. It goes without saying that these tensions have spilled over into Europe, although violence to date has been minimal (a Shia imam was assassinated in his mosque in Brussels in 2012); followers and the authorities have agreed to suspend Shia processions to avoid mounting tension and protect participants' safety; many Shia Muslims, a minority in Europe, complain of being insulted, bullied and sometimes harassed, by Sunni Muslims or those assumed to be Sunni. Most of these incidents are not reported to the police or legal authorities).

## Sunni Islam

Although the largest denomination of Islam, accounting for 85% of the world's followers, Sunni Islam as a tradition took the longest to establish itself. The reasons for this are primarily political: immediately after the death of Muhammad, with the exception of 'Ali's brief and much-disputed caliphate (656–661), Meccan notables and their descendants imposed their rule first on the confederation, then on the Omayyad Empire. The two other traditions emerged against them, developing their original theological viewpoints by founding their claims on the Quran and on Muhammad's deeds towards 'Ali and his descendants. The Omayyad dynasty went down in history as 'un-Islamic' (they primarily drew on the traditional 'Arabic model', of which Islam, not yet fully formed, was but one aspect). The ensuing dynasty, the Abbasid caliphate, learned from this, rising to power from 750 to 1258: this dynasty also claimed descendancy from Muhammad through his uncle and later disciple al-Abbās, and it embraced an 'Islamic' rather than Arabic identity.

And so it was partly because the authorities needed to assert 'Islamic' legitimacy in response to attacks from the emerging Khārijite and Shia communities, and partly out of identification concerns urging an increasing number of local communities to convert to Islam from the 8th and 9th centuries on, that Muhammad was to ultimately emerge as the perfect example of the embodiment of Quranic revelation. His deeds and teachings assumed, as did the Quran, an exemplary and then a normative role.

It was in the middle of the 9th century that the first theologian explored the normative role played by the Prophet (Al-Shāfiī),<sup>12</sup> and it was the end of the 9th century before the core accounts of Muhammad's acts and deeds were compiled, the *ḥadīths* that make up the *sunnah* (meaning 'the path' or 'the way', a term that gave rise to the word *Sunni*). The first of these compilations, the *Ṣaḥīḥ al-Bukhārī* (meaning authentic or correct), is the best-known and is often considered by followers to be as important as the Quran itself.<sup>13</sup> It contains several thousands of these *ḥadīths*, meticulously organised and categorised by the author, a methodical and precise sorting of all the tens of thousands of acts and deeds said to have been carried out by Muhammad over the two previous centuries. As soon as the figure of Muhammad emerged as the ultimate reference for the practice of Islam, it became crucial to establish what he was said to have 'truly' done and said. It was common knowledge that thousands of outlandish remarks had been attributed to him to justify all manner of things:

<sup>12</sup> <https://en.wikipedia.org/wiki/Al-Shafi%E2%80%98>

<sup>13</sup> [https://en.wikipedia.org/wiki/Muhammad\\_al-Bukhari](https://en.wikipedia.org/wiki/Muhammad_al-Bukhari)<sup>14</sup> <https://en.wikipedia.org/wiki/Hadith>





local traditions (such as female genital mutilation, which would have been unknown to Muhammad), local superstition and beliefs, or ancient religious practices. It was essential to have these acts 'approved' by Muhammad in order to be able to continue practising them undisturbed. Naturally, the authors of the six main hadith collections<sup>14</sup> were well aware of the limits of their methodologies, which is not always the case today. The result is that hadiths that were wrongly attributed to Muhammad have become set in stone and have had a significant impact on the development of Islam as a religion. Still today, work continues on categorising and analysing the hadiths in a bid to determine their authenticity.

Because of the tangible, applicable and highly practical nature of the hadiths, this work is all the more crucial: the hadiths are the gateway to Islam for many Muslims, much more so than the Quran, which is a complex text that ultimately provides little insight into the ways in which followers might live. While the Quran merely encourages followers to behave with fairness and goodness, the hadiths explain how Muhammad would have greeted his Jewish neighbour, or how he would have taken care of the dishes to relieve his wives' workloads. The problem today is that this approach encourages 7th-century behaviour and ways of life, particularly among those who draw on a literal reading of the texts.

It is within this context that the emergence of Sunni Islam as a specific tradition gradually became established, with Sunni Muslims defining themselves as 'followers of the path [of Muhammad] and the community' (*ahl al-sunna wa-l-jamaa*), a community focussed on the figure of Muhammad as an example of the application of the Quran.

<sup>14</sup> <https://en.wikipedia.org/wiki/Hadith>

Over and above its theological particularities compared with other Islamic traditions, over the centuries, Sunni Islam also developed a wide variety of different schools of thought and legal philosophies, too detailed to cover in this document. In terms of jurisprudence and religious practice, four schools of law or rites dominate today. They are now part of Europe's social heritage:

- The Hanafi school is based on the approach of Imam Abū Hanifa (8th century). He put human reason at the heart of how the Quran is interpreted and understood, granting less importance to the teachings (hadiths) of Muhammad, who had not yet acquired the status he would later go on to acquire after the 9th and 10th centuries. This school predominates from Turkey to Indonesia, and in South Africa;
- The *Mālikī* school is founded on the prophetic tradition, the *sunnah*, developed by Imam Mālik (8th century). It places particular importance on the practice of Islam by the people of Medina, as this is considered to be close to the time of Muhammad. This school predominates in North Africa and the North African diaspora, as well as in West Africa;
- The *Shāfiʿī* school is part of Imam Al-Shāfiʿī's approach (8th-9th century), which combines the two previous approaches and rejects legal conformism. This was the first school to theoretically and theologically enshrine Muhammad as an example to follow and standard to apply. This school is predominantly found in the Middle East, Egypt, Lebanon and the Caucasus;
- The *Ḥanbalī* school is a continuation of Imam Ibn Ḥanbal's approach (9th century) and is the last of the four major schools of Islamic law. It draws on a literal reading of the Quran and the hadiths, restricting freedom of interpretation as far as possible. This school is predominantly found in the Middle East and has been the source of many literalist movements. Saudi Arabia's official doctrine, Wahhabism, is directly inspired by the Ḥanbalī school. It has had a significant influence on the Salafi movement, although the latter seeks to impose an even greater level of literalism. This school has been hugely influential over the last four to five decades thanks to petrodollars, and has rendered the other schools of law considerably more obsolete. Since the rise of Daesh and its call to armed jihad on the international political stage, the three other schools have attempted to reassert themselves by positioning themselves as a moderate alternative, a 'middle way' (which is what even the strictest Salafi groups also claim: the 'middle way' and 'true Islam' are simply what each group believes they are practising, as everyone sees the issue from their own perspective).

## Sharia law (Sharīah)

Today, through common usage, the term has come to mean 'Islamic law' in its most vindictive form, in other words, the systematic application of degrading and violent bodily punishment (cutting off thieves' hands, stoning adulterers) and imposed patriarchal practices (the niqab, the fact that one man is worth two women in matters of heritage and witnesses). Sharia law is straightaway seen as a backward system that breaches the principles of Human Rights and runs contrary to a fair society.

Yet in the 7th-century Arabic that was once spoken by Muhammad, *sharia* meant 'the path to the watering hole', a place where herds could drink. Considered within its desert context, the term conjured up images of easiness and abundance. To say that sharia conjures up a very different image for Muslims today would be a euphemism. For them, the term has also become synonymous with restriction and difficulties, the only way leading to God through a suffering-focussed philosophy that would have been unknown to Muhammad: the more it hurts, the more righteous it is.

Historically, Sharia developed based on three sources: the Quran, the sunnah (the anthology of hadiths) and the rulings of the theologians and legal experts who helped form it. The latter saw it as a way of adjusting the practice and understanding of Islam to its contemporary context, adapting it to change and the huge variety of different societies within which Muslims lived, whether as majority or minority populations.

The four Sunni schools of law as well as the Shia and Khārijite schools form different frameworks used to develop and expand Sharia law. In many respects, there is no one, single overarching form of Sharia law. Instead, there are many different historical and local forms with significant variations between them (Sharia in North Morocco with a patriarchal system; and Sharia in West Sumatra in Indonesia, with a matriarchal system, for example).

This is because each different formulation of Sharia law has always had to take into account local realities and customs. This is also why Sharia can be used to explain behaviours that are sometimes contradictory, which can lead to tensions and misunderstandings that would not have occurred in the past. Muslims from around the world would have had no in-depth experience of one another, and no opportunity to fully explore their differences, whether through globalisation or living side by side as a result of migration, as is the case for European Muslims today, all of whom come from a wide range of different backgrounds. Sharia was aimed at creating a holistic, structured framework of the path as revealed to believers by Muhammad: it deals with moral issues, ritual practices and acts of worship

(such as how to pray, how to fast, etc.). It also covers legal aspects surrounding civil matters (rights of sovereigns, citizens, Muslims and non-Muslims, slaves; matrimonial law; business law; the laws of war, etc.). It was designed to structure the life of each Muslim from birth to death, based on spiritual and religious principles. Yet because of the flexible concept of Sharia law, for minority Muslims living in Europe, it is almost exclusively used to address moral and ethical issues related to private life (weddings, deaths, sexuality, worship, etc.), essentially everything that is not covered by State regulations and falls under the remit of personal freedom. As an example, the State has no say over the religious beliefs of a person's spouse. According to the most commonly accepted form of the Sharia, a Muslim woman cannot marry a non-Muslim man, whereas it is permissible for a Muslim man to marry a non-Muslim woman. Although this is contested within the Muslim tradition itself, most Muslims will choose to apply this principle of Sharia law. While in the eyes of secular law, an individual is free to choose any spouse they wish, a religion-inspired moral code may influence the choice of future spouses without contravening the spirit of this secular law, which was originally intended to give some latitude to religious communities – traditionally Christian and Jewish communities in Europe – at a time not so long ago when inter-marriage between Catholic and Protestants, for example, was frowned upon.

Despite its limited importance in Europe, Sharia is referred to by Islamist movements (that use Islam for political means) and jihadists in particular. At the heart of their rhetoric, they evoke the holistic nature of Sharia, as well as the assertion that it can be used to resolve all aspects of an individual's life, from the public to the private sphere. Because Sharia as a holistic system for governing Muslim-majority societies became marginalised in the 20th century, due to the adoption of legislative frameworks based on positive law, its restoration as a political solution for many of the issues plaguing these countries has an emotional appeal that can capture imaginations and generate highly negative energies, as seen in the actions of al-Qaeda and Daesh. It is also seen by some European Muslims as an instrument to be used in their political struggle against the marginalisation and exclusion they may feel within their respective societies.

## In your work as a police officer

- 'True Islam' does not exist, although many may refer to it. 'True Islam' often simply means each individual Muslim's personal beliefs and practices. Refrain from making hasty judgements about the beliefs and practices of the Muslims you interact with. Also refrain from trying to determine whether or not they are a 'good' Muslim based

on your personal experiences, or compare their behaviour to that of other Muslims. Stay clear of theological or legal debates, even if you are an expert in the field: you might interact with someone who holds a different opinion and who will challenge your legitimacy in explaining what their beliefs and practices should be. Note their remarks and avoid making any kind of comment that could cause them to lose trust in you. Irrespective of their religious beliefs and practices, what Muslims want above all is a professional and neutral police force that respects their specific beliefs, just as they respect the beliefs of followers of other religions – nothing more, nothing less.

- ① Show respect for Muslim beliefs, and in particular for their Prophet. For example, you can easily establish a level of trust by referring to the founder of their religion as 'the Prophet' or Muhammad (mu.a.mmad) rather than Mahomet (or any other derogatory name).
- ① Islam does not justify any form of theft, violence, embezzlement or looting. If you find yourself confronted with criminals using Islam to justify their crimes, do not take their statements at face value, which could foster resentment towards other Muslims. Make a note of their justifications to be used in proceedings.
- ① Educate yourself on the major traditions (in particular *Shia* and *Sunni* Islam). In today's context, the community to which the victims and perpetrators belong can be a crucial component in the cases you will be handling, for example in the event of hate speeches or hate crimes against members of one community or the other. If you think it might be pertinent to the case, do not hesitate to ask the people you interact with which tradition they belong to. Many people will appreciate the fact that you have basic knowledge of their religion and its subtleties, as long as you avoid making theological comments that they may find irrelevant.
- ① Many Muslims see the Quran as a sacred book, and even consider it forbidden for non-Muslims to touch it. When carrying out law enforcement operations, avoid touching the Quran (recognisable by its lavishly embellished cover) or use gloves (to be on the safe side). Do not throw it on the ground, do not step on it, do not sully it, avoid allowing dogs to sniff it. News of such acts is widely circulated within the Muslim community; they are seen as a serious lack of respect for Muslim beliefs, which contributes hugely to the deterioration of relationships with law enforcement authorities.

## The "five pillars" of Islam

When Islam was formalised in the 8th and 9th centuries, theologians attempted to 'structure' the practice and definition of their faith using the disparate materials they had available (essentially the Quran and the sunnah (see above)). Extremely well-known today, the great 'five pillars' of Islam are not mentioned anywhere in the Quran and are the result of a classification process that took place at a later date.

They are listed here, ranked in order of importance, from the most important to the least important in the everyday practice of Islam. These five pillars are the personal responsibility of all those who define themselves as Muslim at some point in their lives.

### Profession of faith (Shahādah)

This is the declaration through which a person asserts their faith in Islam, whether through birth into a traditionally Muslim family, or through conversion. In the latter case, the *Shahādah* is spoken before two witnesses capable of publicly confirming that the conversion took place. However, many people convert to Islam without this step, which is only necessary in societies governed by Sharia law, where being Muslim implies a different set of rights and duties. It is first and foremost an intimate conversation between the individual and God, and nobody is in a position to attest that a person who identifies as Muslim is not Muslim.

Some people choose to attest to their faith in a mosque, especially after Friday prayers (see below) before a congregation of believers. This can give rise to moving scenes, punctuated by exclamations such as *Takbir* (*Proclaim that God is [the] greatest*) to which the congregation replies *Allahu Akbar!* (*God is the Greatest!*) Note that this expression was originally simply a proclamation of the greatness of God, spoken in a number of everyday situations, rather than a war cry, although it has been misappropriated as such by some). The wording of the profession is very simple: 'I testify that no divinity exists other than God and I testify that Muhammad is God's messenger (*Ashhadu alla ilaha illa Llah wa-ashhadu anna Muḥammadan rasulu Llah*)'. It is therefore very easy to confirm one's identity as a Muslim or convert to Islam. The process requires no specific ritual (no baptism, no particular knowledge or specific practice, unlike in other religions).

Leaving Islam, however, can be much more complicated than in other religions. Under Sharia law, apostasy is a crime punishable by death. Although this is clearly not relevant in Europe where all individuals are free to hold their own philosophical beliefs, this concept influences the behaviour of many Muslims who are in the process of leaving their faith: they choose to hide what is happening from their friends, family and communities to avoid dealing with a lack of understanding and social pressure, that can in some cases lead to physical and psychological violence against them. Over the past few years, however, a growing number of people are choosing to voice their decisions publicly, including their atheist beliefs.<sup>15</sup> This embracing of their freedom of choice is a phenomenon that is on the rise in Muslim populations (see below, 'Who are Muslims?').

### Canonical prayer (Salah)

Once an individual considers themselves to be Muslim, canonical prayer is the most basic practice to be applied. Although prayer is relatively straightforward to accomplish, it is the frequency that may be seen as restrictive and it is a duty that practising Muslims are required to fulfil for the rest of their lives. Before praying, a state of ritual purification must be achieved, involving ablutions (rinsing out the mouth, the nostrils, cleaning the face and forearms, running wet hands through hair and over ears, washing the ankles and feet). After sexual intercourse, Muslims must carry out 'full ablution' before praying (in other words, washing the whole body). If no clean water is available, full and partial ablutions may be replaced with 'dry ablution': rubbing the hands on a rock, using sand or earth and running it over the face and forearms. This is why many Muslims keep a stone (or stones) nearby or in their bag to perform ablutions and prayers should no water be available.

**Prayer is carried out five times a day. Sunni Islam distinguishes between them, while Shia Islam collates some of them into three main prayer times.<sup>16</sup>**

- ① The dawn prayer (*fajr*): this is the shortest prayer, with just two cycles of prostration (*rakat*), performed between the beginning of dawn and sunrise. This is considered as the most important of prayer times, which means that many are extremely committed to practising it;
- ① The midday prayer (*zuhr*): this prayer contains four cycles of prostration. It can be fused with the following prayer;

<sup>15</sup> <http://www.la-croix.com/Religion/islamislam/Latheisme-progresse-monde-musulman-2017-08-04-1200867683>

<sup>16</sup> Other minority schools of Islam (such as Quranism), prescribe three prayers a day.

- The afternoon prayer (*aṣr*): it also encompasses four cycles of prostration;
- The sunset prayer (*maghrib*): this prayer features three cycles of prostration and can be fused with the following prayer;
- The night prayer (*isha*): this prayer features four cycles of prostration.

With each cycle of prostration, Muslims recite the first surah of the Quran (*Fatiḥa*) as well as some Quranic verses of their choosing. If the person is travelling at the time of prayer, prayers lasting four cycles can be shortened to two cycles and fused with other prayers as specified above. Once they have started prayer, most Muslims will refuse to interrupt the process, except in life-threatening situations. Prayers may be carried out alone, in groups or at a mosque (with the latter having more value).

## Ramadan: the month of fasting

Fasting starts at sunrise and runs until sunset for the 29/30 days of Ramadan, the ninth lunar month in the Islamic calendar. Ramadan involves complete abstinence from food, drink and sexual activity; it also requires followers to show goodwill towards their neighbours, to focus on self-improvement and to grow closer to God through more intensive spiritual practice. Ramadan ends with the breaking of the fast (*Eid al-Fitr*).

Only adults in good health are required to observe Ramadan. A number of dispensations exist for people who are travelling or in ill-health, yet these exemptions are sometimes disregarded by Muslims who want to fully participate in this ritual month that takes place on both an individual and collective level. It is a time when Muslims become fully aware of their role within a community through shared practices and points of reference (which is not the case with the other, more individualistic, pillars. This may also explain why some eat and drink in secret during this time). Fasting can be trickier for some than others (those in labouring jobs, those who work nights, people deprived of freedom, and people in hospital).

A specific characteristic of this month is *tarawih*, specific prayers held at the mosque after the night prayers. Each imam decides on the length of these special prayers, with many choosing to recite one of the 30 sections of the Quran every day. These prayers attract



more people than usual, which can lead to complications in terms of occupying public space, in particular in the summer when these prayers take place after 11pm. As a result, a pro-active approach should be taken to speak with leaders of congregations (see below).

Traditionally, the 27th night of Ramadan is seen as a particularly blessed time, as the Quran is said to have been revealed to Muhammad on this date. God is said to forgive all sins committed in the year gone by for those who call on Him on this special night. This means there is a huge surge in numbers attending the mosque on this evening, with night vigils and special prayers sometimes organised in some mosques (*Qiyam Al-Lail*), which can lead to unusual activity in certain neighbourhoods. Transparent, open discussions should be held with leaders of congregations.

### **Purifying religious tax (Zakāt)**

Rather than alms-giving (*ṣadaqa*), this is a tax in the true sense of the word, amounting to 2.5% of all wealth saved (silver, gold, money) that is not below a specific threshold (*niṣab*, set at €2,958) over the course of a year. Once collected by the Muslim authorities to be redistributed, today it is collected by Muslim charitable organisations or mosques to be redistributed to the needy or invested into development projects. Some also make personal choices on who to give this money to.

### **Pilgrimage to Mecca (Hajj)**

Pilgrimage to Mecca,<sup>17</sup> which takes place in the second week of the 12th month of the Islamic calendar, ends with a commemoration of the sacrifice of Abraham (*Id al-Kabir*). The pilgrimage is only required of those who have the means and health to do so.

This is an important moment in the life of a Muslim as it is an act that is carried out with care and devotion, an opportunity to start afresh with God with the hope of all sins being forgiven. Family gatherings, sometimes at the mosque, take place when a person leaves for and arrives back from their pilgrimage, with pilgrims using the occasion as a chance to seek forgiveness for their wrongdoings, to set off unburdened.

<sup>17</sup> <https://en.wikipedia.org/wiki/Hajj>

## Jihad – a sixth pillar?

The Arabic term *jihad*, in its Quranic context, means the simple act of *exerting effort to reach a result* and has no particular association with war (the Quran even mentions polytheistic Meccan parents who exert effort (*jihad*, v. 29.8) to ensure their children do not join Muhammad). A person might for example 'exert effort' (*jihad*) to succeed in their studies, to become an excellent police officer, or to raise their children properly. The concept of fighting does however appear in the Quran in the expression *jihad fi sabili Llah*, meaning *exert effort on the path of God*, which in a Quranic context meant *to do everything necessary to support Muhammad in his preaching*, including 'striking' on the battlefield if necessary, as just one example of effort among many.

The Arabic term *jihad* has always had multiple meanings and still has a very positive connotation in the Arabic language (in the sense of 'making an effort'), which is why some parents give this name to their children (girls and boys), without any reference to jihad in the sense of war effort ever entering their minds. The term has retained this specific meaning in the technical register of Muslim jurisprudence to refer to defensive and offensive *war efforts*.

It is important to note that up until the 20th century, sovereigns alone had the authority to call to jihad. It was a royal right that was proclaimed on behalf of an entire community (only a principality could carry out jihad). The ideological and theological turning point that ushered in the age of jihadism, notably in the writings of Egyptian writer Sayyid Qutb (who died in 1966),<sup>18</sup> saw jihad shift from a war effort of collective responsibility to one of individual responsibility, turning it into the sixth pillar of Islam. Armed jihad ceased to be a royal prerogative and became an individual duty, with each individual Muslim obliged to take up arms to fight all forms of tyranny (seen as inherently impious as not compliant

with Islamic principles of justice) and restore divine governance (seen as inherently fair). To legitimise armed jihad against supposedly Muslim leaders, an act that goes against a long- held tradition of submission to political authorities justified by references to the sunnah, proponents of this approach have been forced to draw on *takfir*, which means to declare a Muslim to be a 'non-believer' (*kafir*). Once a leader is excommunicated, revolt becomes 'Islamically' legal. These theological developments have been condemned by all major schools of law as acts of severe heresy. Yet in the absence of centralised religious magisterium, each Muslim is free to pick and choose their theological stances, moulding

<sup>18</sup> [https://en.wikipedia.org/wiki/Sayyid\\_Qutb](https://en.wikipedia.org/wiki/Sayyid_Qutb)

Muslim references to suit their political ideals, as has been demonstrated in all attempts to develop an Islamist society, in particular those that call on the use of violence to subvert authority and take control over their countries.

## In your work as a police officer

- If, as part of your law enforcement duties, you are made aware of an individual who is distancing themselves from their religion or certain practices (such as fasting), avoid outing them to members of their family or community. This could have serious consequences for the person in question (pressure, breakdown of family ties, etc.). The same applies to issues of sexual orientation and gender identity. Each individual concerned has the right to decide for themselves when they feel ready to share such sensitive and personal information.
- In contexts such as prisons, detention centres and police custody during Ramadan, make arrangements for those who wish to observe fasting, especially if this gives a sense of psychological stability in the stressful circumstances of detention. This means ensuring they have the option of eating and drinking no later than 45 minutes before sunrise, and breaking their fast at sunset, with a glass of water at the very least. There are no specific dietary requirements to be complied with during Ramadan, except the necessity of a well-balanced diet. Note that some people attempt to fast when they are in poor health (diabetes, etc.) and they may, in times of intense stress, experience very low blood sugar levels and other physical conditions that can prove fatal.<sup>19</sup> Do not underestimate reported feelings of faintness in detention or during other law enforcement contexts that may trigger a rise in stress levels resulting in serious health consequences if assistance is not quickly provided.
- Because of the tensions related to living in exile (an experience shared by many migrants of all origins), separation from family, poverty, family pressure (demands for money, etc.) and to practising a faith that can become alienating, some Muslims can experience periods of psychological vulnerability and struggle to cope. This is particularly the case during Ramadan, where fasting is combined with high temperatures and long days: people can display very violent behaviour, including

<sup>19</sup> For useful dietary information (with cultural references originally intended for North African readers), see: <https://www.federationdesdiabetiques.org/diabete/alimentation/ramadan>

towards law enforcement officers or even themselves. With regard to issues surrounding the threat of terrorism, it goes without saying that in the heat of the moment, it can be extremely difficult to distinguish between intense psychological instability that may sometimes be violent, and terrorist motivations. As far as possible, avoid immobilisation measures that can be fatal (firing firearms at vital organs), or excessive use of force (tackling, pinning on the ground, constricting airways, etc.) that could lead to irreversible physical and psychological damage in people who more than anything else need psychiatric support.

- No notable funding of terrorist activity via *zakāt* has been observed, with the tax aimed first and foremost at providing for the needy. The charities that collect these donations try to be as careful as they can about how the money is used on projects in areas where there is armed conflict. Donors trust them and relinquish their responsibility over how their donations are used. Where the financing of terrorist activity is suspected, in particular within the context of post-2015 legislation, some funding, including that donated to the needy, may constitute a criminal act: take care when establishing your search criteria to ensure you do not criminalise Muslims who are simply trying to fulfil their religious obligations, without necessarily being aware that they may be breaking the law by entrusting their donations to either their mosque or a charity.
- Pilgrimages are organised exclusively by private companies, and to date are not regulated by the public authorities. Various scams are not uncommon, leaving people high and dry with their savings drained (a typical one-month all-inclusive package is priced at €4,000 to €8,000 per person, a considerable amount of money coveted by many). Financial units should remain vigilant of this type of situation and the ensuing consequences.
- The concepts of *takfir* (excommunication) and armed jihad (in particular as the sixth pillar of Islam) are staples of the jihadist mindset. Listen out for any conversations or signs that indicate that the person you are talking to holds this ideology. Closely monitor or report the individual depending on your internal procedures.

## The mosque

The mosque is the centre of Muslim religious practice. This is where Muslims can carry out their five daily prayers and prayers relating to major religious festivals (see below), as well as prayers for the deceased.

The most important prayer of the week is the Friday noon prayer, which is theoretically compulsory for all men (not women). This prayer only has two cycles of prostration, making it quite short, but it is preceded by a two-part sermon given by the imam from his pulpit (*minbar*). It is advised to keep this sermon short, but some make the most of a captive audience to extend the service to an hour or more. These sermons are an opportunity to provide teaching to the congregation, which is extremely important to some imams, while others are content to simply remind worshippers of the life of the Prophet and his disciples. Some imams comment on current affairs, other express political positions and ideas, and some have used this space to instigate hate and jihad. In the vast majority of cases, mosques are tightly controlled places, and imams are careful about what they say and the impact of their sermons. As a result, these calls to violence are a very small minority of cases, but it still pays to be vigilant. Some imams can have outdated views on women or on other religious communities, as a result of simply following tradition, and they may not even realise the effect of their words, or the context in which they officiate. If a sermon or sermons have been reported, it is vital to contact specialists to analyse the remarks in question.

A huge number of mosques/prayer rooms segregate men and women. This ranges from loose (women simply praying behind the men) to strict arrangements (women praying in separate spaces such as basements, attics, and so on). There may even be entirely separate buildings linked to an audio system to allow the women to follow the imam's word. Men and women may also have separate entrances to ensure total segregation.

It should be noted that in Europe, mosques are much more than just places of worship. While small local mosques still play a purely religious role, over the past 20 years or so, many mosques have flourished into multifunctional spaces aimed at creating a Muslim ecosystem covering a range of needs: prayer, training, entertainment (Arabic and French language classes, Islam religion classes, library, conference rooms, concert halls), health (gyms, hammams) and catering (shops, kitchens, cafés). The concept of the 'shopping mall'

has been transposed to the religious sphere. This means these different spaces are visited by a variety of people, and it is crucial to remain aware of this when carrying out law enforcement duties, in particular when events are held that may draw in a much wider public (including non-Muslims) than is generally the case with daily prayers.

## In your work as a police officer

- If you intervene in places where people are praying (in particular mosques and prayer rooms), as long as no illegal activity is taking place at that precise moment, wait until the end of prayer before attempting to talk to people (prayers rarely last more than a few minutes). Avoid walking in front of someone who is praying, walk behind them where possible – this will earn you respect.
- According to some schools of law (particularly the Mālikī school, which is widespread in North Africa), dog's saliva is considered impure and Muslims are required to perform their ablutions after having contact with a dog to cleanse the areas on which there may be traces of saliva. By extension, many Muslims believe that dogs generally are impure, and are afraid and/or repulsed by them. The use of dogs in law enforcement operations can be experienced as a particularly traumatic event, as it may be seen as imposed impurity inflicted on people or places (in particular during raids of mosques or homes, when dogs are used to sniff out drugs). Ask yourself whether dogs are entirely necessary for the operation you are planning before using them as 'standard practice'. If you do have to use dogs, request to do so by the people you need to search, or at the very least, warn them that you will be doing so. Do not interpret body language that suggests refusal or mistrust as a sign that they are seeking to evade justice, but rather as a sign of apprehension that contact with the dog will render them impure. Dogs being brought into the mosque or home is frowned upon. Avoid it as far as possible, or seek informed consent first.
- Worshippers must leave their shoes at the entrance to all prayer rooms for cleanliness reasons: when praying, Muslims sit and prostrate themselves on the ground and therefore do not want to have contact with any dirt that may be brought in from the outside. When visiting or when carrying out law enforcement operations, avoid entering prayer rooms with your shoes on, except when absolutely necessary. Assess whether you can achieve your objectives without entering the space, by going around it, or by negotiating with leaders to have them quickly roll out tarp or cardboard over the areas to be inspected. This will be appreciated and seen as a sign of respect.

- ① In many mosques, the time allocated for prayer rarely exceeds twenty-odd minutes, five times a day, except for Friday prayers, which are preceded by sermons that range from 10 minutes to an hour (in rare cases). This leaves plenty of time in which to carry out law enforcement operations without disturbing worshippers. Try to consider this when planning your interventions. For details of prayer times in your city, town or village, you can use websites such as these: <https://www.islamicfinder.org/world/> (times given to the minute).
- ① During law enforcement operations, take care to make a note of the different entrances used by men and women, and if possible, try to ensure that female police officers enter women-only areas, and male police officers enter male-only areas. In some very conservative mosques, female police officers inside a mosque can be ill-received and may contribute to rising tensions and opposition when carrying out law enforcement operations. Avoid this to prevent friction.
- ① Most Muslims believe women should cover their head in prayer rooms. Although this was not historically the case, there is no point in needlessly offending people's convictions on an issue that is not relevant to law enforcement purposes. For this reason, female police officers can cover their heads with their regulatory uniform caps or headgear. It is at the discretion of each individual female officer as to whether she consents to wear a scarf that can be provided by some congregations that feel strongly about head coverings as a sign of goodwill.
- ① The vast majority of Muslims are law-abiding citizens. Carrying out systematic identity checks on all members of a congregation as they leave a mosque, particularly after Friday prayers, could be described as racial profiling (lack of proportionality used to reach specific targets) and is therefore in breach of anti-discrimination laws. It goes without saying that the information collected during these interventions is never proportionate to the means used and the expected objectives. In the past, such actions have had an extremely negative effect on the trust placed in law enforcement and the legal system, especially as it has since emerged that they were primarily used for media purposes, to reassure the majority population that governments were 'taking the necessary measures'. As well as failing to convince, these actions are ineffective and counterproductive, not to mention alienating for those communities whose cooperation is crucial to the provision of quality policing.

## Key dates in the Muslim calendar

**There are four key dates to remember, listed here in descending order of importance:**

### **Commemoration of the sacrifice of Abraham (Eid al-Adha)**

This is the most important celebration in the calendar (the 10th day of the month of *Dhu'l-Hijjah*, the final month in the Islamic calendar). This is the final stage in the pilgrimage to Mecca; pilgrims honour the memory of Abraham, who was prepared to make the ultimate sacrifice of his beloved son to satisfy God's will. Mirroring the biblical tradition, God stopped the act from happening once Abraham had been tested and gave him a lamb to sacrifice instead. For Muhammad, this festival was about establishing a direct spiritual tie with Abraham, thus 'bypassing' Jews and Christians in their claim to being the oldest of monotheistic faiths.

In Muhammad's time, camels were sacrificed in a reinvention of the region's old traditional pagan rites. The tradition evolved in line with the customs of the societies that went on to be Islamified (goats, sheep, cattle). This duty of sacrifice falls to the head of the family. According to tradition, a third of the meat of the slaughtered animal is kept for the family, a third is shared with neighbours and friends, and a third is given to the needy.

Family heads are not *personally* required to sacrifice the animal of their choosing, but this remains a deeply rooted, albeit rapidly dwindling, tradition in diaspora communities originally from rural backgrounds where sacrifice was a natural part of life. This raises a number of logistical and public health issues in an urban context where most of these communities live (slaughtering in private homes, waste processing, or backlogs in abattoirs that are not equipped to process such spikes in demand), which can result in frustration and even criminal behaviour (such as transporting and slaughtering animals in inhumane conditions). Faced with these issues, political authorities increasingly tend to restrict or even prohibit any slaughtering activity for the purposes of the festival, even if it has an organised structure. In response, some people submit to such decisions or may attempt to organise groupings to access abattoirs. Others change their behaviours (especially younger, European-born generations, who opt for substitutes such as donating to charities to slaughter animals in countries where food is needed). A minority choose to break the law and carry out illegal slaughtering, with all the risks that this entails.



Celebrations involve a prayer featuring two cycles of prostration followed by a sermon at the mosque, generally in the two hours following sunrise. After prayer, the heads of families traditionally perform the ritual slaughter. Festivities last three days, during which socialising and visits are encouraged, particularly to people who are isolated, ill or indisposed.

This 'festival of sacrifice' is in fact the only 'ritual slaughtering' that occurs in the Muslim faith. Meat for everyday consumption is erroneously described as 'ritually slaughtered': the meat in question is simply meat sourced from animals that have had their throats slit in accordance with technical norms that can be considered legal (*halal*, see below). These conditions have been subject to a diverse range of interpretations over the course of history, and have seen a resurgence in interest over the past 30 years as globalised meat exports to major Muslim consumer countries (Saudi Arabia, Gulf countries, Egypt, Iran) have intensified, and also as a result of identity politics in which food is used to signal belonging to a particular community through everyday eating habits (one way in which a society can be united or divided).<sup>20</sup>

### **Feast of breaking the fast (Eid al-Fitr)**

Festivities marking the end of Ramadan start as soon as night falls on the last day of the month. Celebrations involve a group prayer featuring two cycles of prostration, followed by a sermon at the mosque the next day, generally in the two hours following sunrise. Festivities last three days, during which socialising and visits are encouraged, particularly to people who are isolated, ill or indisposed. Emphasis is often placed on indulging children (sweets, toys, new clothes).

After these three-day festivities, some choose to continue fasting for another six days to garner additional divine graces. Unlike the festival of sacrifice, which is a fairly serious affair imbued with gravitas, the breaking of the fast is a joyous occasion, a merry celebration that rewards Muslims for the efforts of their fasting.

<sup>20</sup> Bergeaud-Blackler, Florence, *Le marché halal ou l'invention d'une tradition*, Paris, Seuil, 2017.

## Birth of the Prophet (Mawlid)

This celebration takes place on the 12th day of the third month of the Islamic calendar (*Rabki al-Awwal*). This date is used by convention, as nobody knows the precise date on which Muhammad was born. The festival, which emerged in the Middle Ages, celebrates the birth of the man seen by Muslims as the last Prophet. The importance placed on this festival varies by country, family and local tradition. More conservative branches actively oppose this celebration, seen as impious because it was not celebrated in the time of Muhammad, and also because it could potentially contribute to his deification and thus draw people away from the pure worship of God. In some contexts, singing and chanting sessions may take place, as well as sessions invoking the memory of the Prophet, generally occurring in small groups and outside mosques in Europe. To date, this celebration remains an understated affair and is not visible in the public sphere, unlike in some Muslim countries where processions and festivities take place. This festival may gain in visibility in the future as a result of different Muslim traditions mixing and interacting within European societies. Regular discussion with local Muslim congregations will allow you to plan ahead for any potential issues that may arise with respect to managing public spaces.

## Ashura

This celebration takes place on the 10th day of *Muḥarram*, the first month in the Islamic calendar.<sup>21</sup> It has various meanings: it is primarily a commemoration of the martyrdom of Husayn, Muhammad's grandson, who was killed by Omayyad troops at the battle of Karbala (modern-day Iraq) in 680. In Shia Islam, his death represents the ultimate sacrifice for justice in God's name in the face of oppression. It gradually inspired important public events, processions during which men and women deplore Husayn's fate, with some going as far as to self-flagellate and cut themselves to the point of drawing blood, the martyr's symbol. In parts of Europe where Shia communities are larger and more structured, processions are authorised, but most do not include some of the more dramatic demonstrations of self-flagellation. Some replace the act of drawing their own blood with blood donations to the Red Cross.

Sunni Muslims tend to commemorate the martyrdom of Husayn by fasting on this day. In this tradition, there are no processions or specific prayers in Sunni mosques. Other, more minor commemorations related to Ashura include the Crossing of the Red Sea by Moses, Noah leaving the Ark after the floods, and Muhammad's arrival in Medina during his exile.

<sup>21</sup> <https://en.wikipedia.org/wiki/Ashura>

## Calendar of Islam's main festivals and other key dates for 2019-2021

The Muslim calendar is a lunar calendar based on 355 days, resulting in roughly a 10-day discrepancy with the solar calendar.<sup>22</sup> This explains why celebration dates in the Islamic calendar move forward year after year, as one full cycle of the solar calendar requires thirty-odd years.

Because determining the start of each lunar month (crucial to setting festival dates) requires a crescent moon, the suggested dates can vary by one or two days. For decades now, Muslim communities have been debating whether the physical sight of the moon should be used to determine the start of a month, or whether astronomy and calculations, now incredibly precise, can be used. Some would prefer to use only the physical appearance of the moon, as the Prophet once did, while others trust in the powers of astronomy and see these calculations as a way of improving social and economic organisation. This explains why some Muslims only know when festivals are due to be held a day before the event – because dates are fixed by sightings of the moon. Turkey, on the other hand, decided to only use astronomical calculations, allowing the country to set precise festival dates years in advance. It goes without saying that how festival dates are scheduled is a political dividing line for leaders of the Muslim world, which makes the issue even more sensitive. Because a growing number of Muslims are making personal, independent religious choices, over the past few years people have been starting Ramadan fasting on different dates, and celebrating the end of Ramadan on different dates, sometimes even within the same family.

The dates given below are therefore purely indicative.

Events	2019	2020	2021
<b>Night of Destiny</b>	1 June	20 May	9 May
<b>End of Ramadan</b>	5 June	24 May	13 May
<b>Sacrifice of Abraham</b>	11 August	30 July	20 July
<b>Ashura</b>	9 September	28 August	18 August
<b>Birth of the Prophet (Mawlid)</b>	10 November	29 October	19 October

<sup>22</sup> [https://en.wikipedia.org/wiki/Islamic\\_calendar](https://en.wikipedia.org/wiki/Islamic_calendar)

## In your work as a police officer

- During evening prayers in the month of Ramadan (*tarawih*), prayers celebrating the end of Ramadan or the sacrifice of Abraham, and the Friday noon prayers on feast days, visitor numbers swell above the average for all mosques. This can lead to parking problems, traffic jams, noise (people celebrating and greeting one another loudly – sometimes after 10pm, children playing in the street, teenagers causing disturbance while their parents complete their rituals, etc.). Be pro-active in reaching out to the congregations' religious leaders at least a few days ahead of time and work together to decide on any necessary road traffic measures. Encourage these leaders to warn the neighbourhood of any potential disruption and to give neighbours details for a contact from their congregation, as well as from your team, to ensure effective communication in the event of any problems, disturbance or uncivil behaviour.
- Issues surrounding sacrifices have been continuously decreasing year after year, yet remain a sticking point in relations with Muslim communities. Take the time to establish strong cooperative relationships with temporary slaughter sites where applicable and plan to reinforce law enforcement teams, in particular in the afternoon and evening when some people can become irritated at having had to wait several hours after the slaughter of their animal, and can become extremely annoyed, and even attack officiants. Target interventions to flush out people transporting animals illegally or sacrificing them in their homes: avoid racial profiling (a 'Muslim-looking' driver in a suspicious vehicle), which will only aggravate mistrust towards the authorities, but where applicable, focus on identifying sheep and goat breeding farms and check incoming and outgoing vehicles in the days leading up to the celebration (see calendar). Make contact with community leaders to make sure they remind their congregations of the law ahead of time (and remember that the people who slaughter animals in their homes are not necessarily 'pillars of the mosque': for many, this is a cultural tradition rather than a religious one).
- The Ashura processions organised by Shia congregations can lead to tension with their Sunni neighbours, who frown upon this public flaunting of piety that gives visibility to these vibrant Shia congregations capable of stealing their spiritual 'market share'. This can also reactivate prejudices tied to the geopolitical situation in the Middle East. Talks ahead of these celebrations with both Shia and Sunni

congregations should help defuse some of these tensions. Despite what the media would have people believe, note that imams and community leaders do not rule the streets: hate speech and hate crimes will also be committed by people who do not attend the mosque. Look beyond the mosques, as prevention there is necessary but insufficient. Plan sufficient law enforcement units irrespective of how successful your prevention work may have been, particularly when the geopolitical climate is tense.


- Because of the different approaches to the religious calendar that many Muslims have, make contact with leaders of different Muslim congregations in your sector to plan ahead for public space management issues that may arise when there are large gatherings of worshippers (traffic, etc.). Do not rely on the calendars alone, as different congregation leaders may use different points of reference from those expected (for example, a congregation with a majority of Turkish-origin Muslims may follow Saudi date structures if it is a Salafist branch).

## Who are the Muslims?

Around 5% of the population in the European Union<sup>23</sup> is said to be Muslim, with Bulgaria (over 11%), Sweden and France (over 8%) having the highest percentage of Muslim population, the first due to an indigenous Muslim population, and the two others as a result of post-colonial immigration and migrant workers. France is home to around 6 million Muslims, or those believed to be Muslim, and Germany is home to 5 million, accounting for the highest contingents in Europe. These figures tell us nothing of what these people believe or how they practise. A large proportion of them may, in fact, no longer consider themselves to be Muslim.

In Europe, there is no typical profile of a Muslim. Muslims represent widely diverse ethnic origins, cultures, languages, theologies, philosophies and spiritual beliefs, probably more so than any other religious community.

<sup>23</sup> <http://www.pewresearch.org/fact-tank/2017/11/29/5-facts-about-the-muslim-population-in-europe/>



Although Islam has its roots in the Arabian Peninsula between 612 and 632, Muslims began settling in Europe in the early 8th century, starting in southern Spain followed by the south of France, Sicily, Malta, the Balkans and Poland. Since then, Europe has always been home to Muslims. Muslim populations in the Balkans are a classic example of European peoples that have been Muslim for a very long time, and who managed to create a unique synthesis of Balkan European culture and Islam.

Under Europe's colonial empires of the 19th and 20th centuries, and in the aftermath of the colonial period via migrant workers welcomed in by European states, Muslim-majority populations settled permanently in Europe. The vast majority of them, and their children and grandchildren in particular, are now citizens of the countries in which they are active members of society, the economy, the arts, the sciences, and law enforcement.

To re-appropriate the old clichés: Muslims can be any colour or ethnicity; some have beards, and others do not; some wear the hijab (the 'Islamic' headscarf) and others do not; some wear traditional garb and others wear suits; some are old and others are young; some are (extremely) wealthy and others are (extremely) poor. They can be homeless people, employees or self-employed, civil servants or entrepreneurs. In short, Muslims are an integral part of our social fabric, although some specific groups may choose to signal their religious affiliation with specific behaviours: for example, for men, wearing 'neo-traditional' clothing such as trousers cut above the ankle, long, orange henna-dyed beards and shaved moustaches, knee-length tunics; for women, wearing the jilbab (a long outer garment that covers the wearer from head to toe, except for the face) and even the niqab where permitted to do so, dark clothing, gloves to avoid skin-to-skin contact between men and women.

Other than these clear self-identifying groups or people who choose to wear distinctive symbols to mark their belonging to a particular faith, ethnic and religious profiling of Muslims is not useful. By definition, the vast majority of Muslims look like any other person on the street.

What is more, ethnic and racial criteria and even people's names are not helpful in understanding an individual's religious beliefs: to put it simply, not everyone with Arabic, Turkish or Pakistani origins is Muslim. Firstly because large Christian Arabic, Turkish and Pakistani communities have existed in the Middle East and North Africa for a very long time,

and secondly because a growing number of people from these communities are choosing to follow their own religious paths, leaving Islam and converting to other religions, such as evangelical Christianity, or perhaps even opting in favour of agnosticism or atheism.<sup>24</sup> Assuming that these people are Muslims based on their physical appearance or name feeds into an atmosphere of mistrust and rejection that hinders respectful, constructive law enforcement. In addition, treating people assumed to be Muslim based on prejudices, or those who self-identify as Muslim, with suspicion, in particular in light of terrorist threats of which Muslims, too, are victims, exacerbates a feeling of discrimination and rejection with regard to law enforcement. This further destabilises social cohesion in European countries and feeds the agenda of Islamic terrorist groups who highlight the double standards applied to Muslim communities by law enforcement officers. In both cases, this is a form of symbolic violence that is detrimental to the people in question.

Wearing external signs of piety and/or Muslim identity (specific clothing; wearing or using prayer beads; silver rings with coloured stones and Arabic lettering; a small round hat for men with different patterns and colours depending on their culture of origin; different types of hijab/headscarf for women, etc.) does not give any indication as to the person's opinions: people with highly visible signs of piety may be very open-minded and potentially even extremely liberal in terms of their morals, while others who wear no religious symbols and do not observe regular practice (daily prayers, fasting, etc.) may be close-minded and have conservative points of view on social and ethical issues.

## In your work as a police officer

- When interacting with Muslims or those presumed to be Muslim over the course of policing missions, avoid prejudging their opinions, beliefs and practices. This can result in bias in the way in which people are handled (whether victims or perpetrators) during law enforcement operations or at the various stages of complaints procedures that may ultimately lead to court proceedings. Law enforcement units taking a neutral stance (in both speech and behaviour) is the best way of conducting respectful and constructive law enforcement operations.

<sup>24</sup> See: <http://www.pewresearch.org/fact-tank/2018/01/26/the-share-of-americans-who-leave-islam-is-offset-by-those-who-become-muslim/> Similar trends have been recorded in Germany <http://www.npdata.be/Data/Godsdiens/Duitsland/Bundesamt-2009-MLD-Vollversion.pdf> and in Belgium: <https://www.kbs-frb.be/fr/Virtual-Library/2015/316644>

<sup>25</sup> <http://fra.europa.eu/en/publication/2017/second-european-union-minorities-and-discrimination-survey-eumidis-ii-muslims>

- Anti-Muslim racism (or Islamophobia) is on the rise in Europe.<sup>25</sup> The victims of this form of racism are no more responsible for the violence inflicted upon them than women who are victims of rape: wearing a headscarf, a burqa or even Salafist clothing is no justification for being on the receiving end of hate crimes and violence. And yet many victims report of law enforcement agencies refusing to file their complaints, refusing to acknowledge the incidents they have experienced, or even refusing to accept that anti-Muslim racism is a form of racism. This goes some way to explaining why so few complaints are filed with law enforcement: although Muslims ultimately see the police in a relatively positive light, their trust in them dissolves with regard to filing anti-Muslim racism complaints, and they have little faith in the police's ability to impartially and fairly handle these cases with the same pro-activeness they would use to investigate other forms of violence. Treat all victims with the same care, remain attentive to how they describe incidents and in particular hate crimes, with a view to gathering all the information needed that may point to a crime's Islamophobic, and therefore racist, dimension. Do not hesitate to ask additional questions (insults used, references to the victim's actual or presumed Muslim faith, etc.), pro-actively look for elements that could be useful to your enquiry, and do not automatically doubt the victim's account. Note too that Muslims can also commit Islamophobic acts.

## The cycle of life (birth, circumcision, marriage, death)

### Birth

Although nothing in Islam's mainstream theology prevents birth control, or even abortion where necessary, Islam remains a traditionally pro-birth religion. A birth is always a major event. Today still, some diaspora communities continue to value boys over girls, although more egalitarian mindsets are emerging. A birth is followed by visits to the new-born's home, but no particular celebration.

The concept of baptism does not exist in Islam, but some buy a sheep or goat (depending on local customs in the country of origin, *Aqiqah*) and share it with their congregation and/or loved ones as a way of thanking God for the blessing He has bestowed upon them through the new-born child. This meal can be elaborate or simple, depending on the parents' wealth.



## **Circumcision – Female genital mutilation**

It is not a religious requirement to **circumcise male children** but it is recommended in imitation of Muhammad who is said to have been circumcised (making this tradition a pre-Islamic custom). Many Muslims however do believe this is an essential condition of Islam. The age at which a child's foreskin is removed varies depending on country of origin, but generally before the age of seven, with no strict predefined rules on the subject. While in Europe this process takes place in a medical setting, some children undergo circumcision by the local village barber on a trip back to their parents' country of origin, which can result in health complications. Debates on whether circumcision for religious purposes should be banned are seen, by both Jewish and Muslim communities, as a serious violation of their freedom of religion and their freedom to bring up their children in accordance with their faith, and can result in a feeling of double standards. In Europe, circumcision is sometimes celebrated with festive meals between friends and family. The religious congregation is generally not involved in this process, and there is no particular religious celebration of the event.

Societies that practise **female genital mutilation** justify the process with certain hadiths, the authenticity of which has been severely criticised by even the most traditional of authorities.<sup>26</sup> Yet this practice continues to exist in more traditional communities, more specifically in Egyptian, Sudanese and some sub-Saharan communities,<sup>27</sup> despite causing irreversible damage to the reproductive and sexual health of women who undergo these various forms of mutilation. The criminalisation of this practice in Europe has reduced the impact, but the operation may still be carried out when the women visit their countries of origin. Extended cooperation between social and educational departments and specialised associations has already prevented a significant number of young women from undergoing this procedure. Because it is forbidden in Europe, these procedures are carried out in secret and planned on trips back to the women's countries of origin. The religious congregation is not involved and there are naturally no religious ceremonies carried out for these occasions.

<sup>26</sup> Le livre d'Or (al-kitâb al-dhahabî), la grande fatwa des juristes internationaux, Al-Azhar, Cairo, ProIslamic Alliance-Target, 2006.

<sup>27</sup> <http://www.strategiesconcertees-mgf.be/wp-content/uploads/Capture-d'écran-2013-07-09-à-23.22.37.png>

## Marriage & divorce

Traditionally, under 'proper' Sharia law, marriage has never been seen as a holy sacrament as it is in Christianity. It is a merely contractual process that requires the presence of at least two witnesses who can vouch for it. This means there are no official mosque religious ceremony for this occasion. The practice of involving an imam or preacher, who recites an invocation and/or verses from the Quran to mark the event, was introduced in diaspora communities and in Muslim-majority countries where civil and religious law have been separated. In countries where the matrimonial system is still governed by Sharia law (such as in Morocco), marriage is a blend of civil and religious components: a single official (*adul*) registers the civil marriage while uttering a religious invocation.

Marriages can therefore take place anywhere, although an entire industry around 'wedding fairs' has thrived, to meet the needs of many participants and some religious practices in which segregation by gender is observed. Imams and preachers can intervene either before or during the celebrations, depending on what the families prefer.

The practice of '**arranged marriages**' is by no means specific to Muslim families (this phenomenon is also a deeply embedded part of Europe's aristocracies and upper classes). Although attempts have been made to legally ban them in some European countries, in particular in a bid to reduce 'imported marriages' and migratory flows, this practice is likely to continue or rather be revived among more recent diaspora communities. This phenomenon is more commonly seen in first and second-generation Muslims, although it is already fizzling out in second generation believers.

This phenomenon is not to be confused with '**mariages blancs**' (from the French, literally, 'white marriages'), although there can be an overlap. A *mariage blanc* is an agreement between two individuals in exchange for money, aimed at achieving family reunification for one of the parties. There is no sentimental relationship between the two parties, with the idea being to pretend to have been married for 'enough time' to allow the person from another country to acquire a permanent residence permit.

The French term '**mariages gris**' (literally, '**grey marriages**') implies that at least one of the parties has been duped. The relationship has the appearance of an authentic marriage and may involve consummation and procreation, in order for the person from the other country to secure residency after the legal term, even if it means divorcing a few months later. While

'white marriages' are entered into knowingly by both parties, 'grey marriages' can result in significant psychological damage for the deceived party, who had most probably sincerely believed that it was a genuine relationship. It goes without saying that these different forms of marriage are difficult to detect, which can lead to generalised suspicion towards any type of marriage involving a person from another country (several years to acquire a visa, regular home visits from police officers, invasions of privacy, etc.). These phenomena (white, grey and sometimes arranged marriages, with the latter used by families for strategic purposes other than acquiring visas) will only decrease when regular migration channels to Europe are put in place by the authorities. In the meantime, we cannot prevent people from wanting the chance to create better lives for themselves, whatever the price. Family reunification remains the only accessible legal administrative route to getting to Europe. These different types of marriage are often associated with the Muslim community; in truth, they are seen across diaspora communities, irrespective of religion. Islam can potentially be used as an additional moral and psychological tool of coercion by parents ('God has ordered you to obey us', 'Sharia gives me the right to do what I want with you', etc.), but it is not the chief motivation behind these practices.

The practice of '**forced marriages**' involving real psychological, emotional and physical coercion, primarily inflicted on girls but on boys too, remains a crucial issue, although it is gradually dissipating in some communities that were once renowned for such practices (Turkish and Kurdish communities). They can, however, be practised in more recent diaspora communities. Legislation prohibiting these forms of coercion and protecting potential victims has been adopted in several European countries. These marriages can therefore only take place on visits back to their countries of origin, with the more or less tacit consent of the local authorities, who record these marriages without asking any questions. As with female genital mutilation, in-depth coordination between social and educational services and specialised associations has helped reduce these practices.

Infamous '**honour crimes**' (which are not simply racialised versions of 'crimes of passion', most often involving women being murdered) have almost exclusively involved the killing of a girl who refused forced marriage, or refused to conform to the social conventions expected of her within a traditional family (for example, as a result of having a boyfriend), or the killing of a wife suspected of cheating on her husband, or an ex-wife who chose to start a new chapter in her life with a new partner. These practices are (mistakenly) attributed to Islam in some cultural traditions (Balkans, Turkey, Caucasus, Pakistan, Afghanistan, etc.) and are first and foremost an expression of patriarchal control over the female body and her fate

within these societies, rather than a specific religious requirement. That being said, it is true that in these societies, Sharia law has developed a particularly clement approach to the perpetrators of these types of femicides (no blood money to be paid, prosecutions quickly buried, no real attempt to uncover the culprits). These practices are found in non-Muslim cultures (such as India) and are not found in some Muslim cultures (such as sub-Saharan Africa), which serves to emphasise the point that the religious dimension once again facilitates justification of these acts, rather than being the key motive behind them. Although these femicides have almost entirely disappeared from Muslim communities that have been established in Europe for a long time, they have not disappeared from more recently arrived cultural communities (from Afghanistan, Pakistan and India; the exception is in England where these practices have also almost entirely vanished from these diaspora communities that have a long history in the country). It would be advisable to prepare for another cyclical rise in incidents of this type over the next 10 years.

**Polygamy** is not permitted in Europe, except via international conventions signed with countries where it is practised (such as Morocco and Iran). Under traditional Islamic law, this practice is heavily regulated by a stringent legal framework. In Europe, anarchical polygamy still exists via the practice of '**religious marriages**' or '**Islamic marriages**' (*zawaj islami* or *urfi*), a newly created invention that supposedly 'legalises' sexual relations outside of civil marriage before the eyes of God. It involves two people 'being wed' before two witnesses and a person standing in as an 'imam'. Even in the strict context of Sharia law, these unions have no value as they are not sanctioned by an administrative authority (whether civil, religious, or both) that would register the wedding and grant both parties their contractual rights. This subverting of religious standards has enabled some men to marry several times: once in a civil process, and then twice or three times more using this method. They may go through with a civil marriage in Europe and then get married 'religiously' again in another country, for example. Because these 'marriages' do not legally exist, unfortunately civil law cannot apply to them, as crimes of adultery no longer exist as a concept in most European civil law systems. However, law enforcement officers should remain attentive to any potential signs of psychological and/or physical abuse resulting from highly stressful and unstable living conditions (for example, several wives living in a single apartment with multiple children, wives being 'passed around' among friends through fleeting 'marriages' and 'divorces', 'disposable wives' who are married and then divorced as soon as the 'marriage' is consummated and forced to live with other wives, in near prostitution, etc.).

**Divorce** is permitted in Islam, although some cultures may see it as undesirable.

**Repudiation** does not exist under European law and is not recognised except in cases where international agreements have been signed with countries where it is legally valid (such as Morocco). Repudiation is a regular occurrence in the same communities

that practise 'Islamic/religious marriages', lending an 'Islamic gloss' to what are actually unrestrained sexual practices. 'Repudiated' wives and any potential children suffer significant psychological consequences, and are abandoned with none of the rights associated with standard divorce proceedings. Services tasked with protecting women and children who are victims of psychological and physical violence should remain aware of this phenomenon, marginal though it may be.

## **Death and burial**

In the event of death, the deceased receives full ablutions, carried out either by their loved ones or by the Islamic funeral services (with women washing women, and men washing men). The body is then placed in a white cotton shroud and put in a coffin, particularly in Europe where national legislation generally prevents burials without a coffin, or because the deceased has requested their body be returned to their country of origin, or the country of their parents. Burial takes place as quickly as possible, where possible within 24 hours of death.

**Muslim sections** or multi-faith sections are an increasingly common sight in cemeteries, a sign that an increasing number of Muslims are choosing to be buried in their adopted country, or the country of their birth.

Before the burial, a **funeral prayer** (*Ṣalāt al-Janāzah*) takes place at the mosque or the cemetery itself, if there is a section provided for this purpose. This is a special prayer, performed standing with no prostration, behind the deceased's coffin. After the prayer, members of the congregation quickly offer their condolences to the departed's family. If there is no body, another specific prayer can take place at the mosque (the prayer of the absent: *Salāt al-Ghāib*).

Where the orientation of the grave allows it, the deceased is buried with their face turned towards Mecca. Loved ones help cover the deceased's coffin. If the body is repatriated, only the prayer is performed at the mosque, with all other rituals carried out in the departed's country of origin. Relatives and friends visit the deceased's family as soon as the death is announced. Family and community solidarity mean the family receives help in hosting visitors. The mourning period lasts up to 40 days. After this period, remarriage is permitted.

## The home

Islamic jurisprudence unanimously regards the home as a private space that cannot be violated. Even spying in the event of suspected breaches of Islamic moral codes is not permitted. What matters is that public spaces be ordered, with people left free to do as they see fit in the privacy of their own homes.

Some diaspora cultures have retained the concept of the obligation to provide hospitality, which was typical of the Arabic culture known to Muhammad: unconditional hospitality is to be given, for a limited or unlimited period of time.

As with any other family, each Muslim family has its own rules, influenced to a greater or lesser extent by the family's cultural background, by the importance given to Islam and the way in which their faith is lived, and by the European society within which they live. In short, there is no typical family or typical home – each Muslim home is entirely individual. When receiving visitors, some families apply strict or loose gender segregation, depending on whether the visitors are family, friends or merely guests. Some will shake hands with a person of a different gender, while others will not, even within the same family. Some families will serve non-Muslims alcohol as a sign of conviviality; some may drink alcohol, others will not. Some may not keep a single drop of alcohol in their homes. Each person interprets and applies Islam as they see fit, offering a large scope of different approaches.

In families from cultures where carpets are frequently used as a result of weather conditions (Turkey, Iran, etc.), visitors will generally be asked to remove their shoes before entering the home, whereas this would not be the case in other families from cultures used to clay or tiled floors.

Some families eat from a communal dish using their right hand (as the left hand is used for less noble activities), either as a result of cultural tradition or out of respect for the practices of the Prophet, while others will use a spoon and/or fork. Others still prefer individual plates and will eat with their fingers, a spoon, a fork, or a knife and fork, but always using the right hand (for the reasons given above about different hands for different uses. Some see using the left hand to put food in the mouth, whether with fingers or cutlery, as forbidden). Some prefer to eat sitting on the ground (out of tradition or in memory of prophetic custom), on couches or at table with chairs.

In terms of clothing, the custom is to dress in loose, modest clothing, in particular if the family tradition is to sit on the floor when eating, as short skirts or tight shorts may be too revealing for this traditional setting. Once again, there is no standard clothing other than everyday European clothing.

## Food (ḥalal – ḥaram)

There are considerably fewer dietary restrictions in Islam than in Judaism. There were originally three major forbidden practices: eating pork, eating the flesh of an animal slaughtered in ritual sacrifice to a pagan deity, and eating the flesh of an animal that was already dead before having its throat cut to drain it of its blood. This last stipulation was introduced for hygiene purposes: all inhabitants of the Arabian Peninsula, including pagans, did not eat animals that had not been slaughtered in this manner (blood that remains inside an animal poisons the flesh, and the same applies around the world: all animals must be bled dry, including in the most modern of abattoirs. The health authorities would immediately shut down any abattoir that does not comply with this principle). This meat was considered illegal and forbidden (*ḥaram*), with all other food considered by default as legal and authorised (*ḥalal*), leaving each local custom free to decide what is good and wholesome (*ṭayyib*) or repulsive (*khabith*, for example lizard or scorpion meat).

As a result of globalised, international trade, since the early 1990s there has been a return to religious practices influenced by Saudi conservatism as well as by identity politics within different Muslim populations, meaning that the requirement of eating *ḥalal* has become a factor used to determine the degree of someone's adherence to Islam. To boost commercial opportunities in a supposedly high-potential market (1.8 billion potential consumers), '*halal*' and '*haram*' labelling has expanded unchecked, with some even labelling water as *halal* to attract customers, despite the fact that water is inherently legal and authorised. Although it is not the intention of Muslims simply attempting to live in accordance with what they believe to be the principles of their faith, this permanent quest for a *halal* diet and an avoidance of everything *haram* contributes to a divide between communities, as food is something that human beings share spontaneously to form social ties and relationships. When we decide to stop sharing meals with others, we reduce opportunities for potential interaction.

Today, other than the three unanimously agreed-upon restrictions given above, there is no unilateral definition of what is *halal*: some allow pork gelatine derivatives, while others do not. Some eat steak at a restaurant, considering the animal to have necessarily been slaughtered by having its throat slit, while others deem this impermissible if the meat has not been certified *halal*. Some refuse to be near alcohol, while others do not mind. Once again, individual Muslims will define what they consider to be *halal* or not, and these definitions can evolve depending on context and situation.

## Sexual orientation and gender identity

Paradoxically, up until the end of the 1980s, Islam was seen as the most liberal of monotheistic religions when it came to homosexuality. Today, it is perceived and experienced as one of the most hostile religions with respect to sexual orientation and gender identity, especially since an extremely conservative and heteronormative strain of Islam has developed. Only two clearly defined and unambiguous genders (male and female) and a single sexual orientation (heterosexual) are permitted to exist, and this despite a long-standing tradition to the contrary,<sup>28</sup> to the extent that within Muslim communities, the issue of whether or not homosexuality should be accepted has become a major topic of debate in terms of European inclusion, along with the headscarf. Yet shifts in this area are developing at a rapid pace: the latest figures from the US show that over 52% of Muslims there believe homosexuality should be accepted, a percentage that has doubled in the space of a decade, and a much higher percentage than among white evangelists.<sup>29</sup> Figures are likely to be similar for European Muslims too (European Muslims are more difficult to survey due to access to target groups).

Yet despite this growing trend among some western Muslims, which seems optimistic in the medium term with respect to homosexuality becoming normalised, harassment and acts of homophobic violence committed by Muslims and inflicted on other Muslims or non-Muslims presumed to be gay, remains a burning issue. It should be noted that this phenomenon is not 'typically' Muslim. Homophobia is found across all social classes in all European societies, irrespective of religious beliefs. It is important to remember that social exclusion and poverty (whether real or perceived) can lead to men becoming fixated on having a masculine-looking body (e.g. to have the muscles of a bodybuilder) and on exacerbated heteronormativity, with pronounced homophobia being a corollary of this: when a person feels excluded from society, their body is the only 'thing' they have power or agency over. This applies to women as much as men, with this phenomenon being expressed as extremely gender-stereotypical behaviour (with women perhaps being seen to behave as 'bimbos', and men as 'machos').

<sup>28</sup> <https://aeon.co/ideas/what-ottoman-erotica-teaches-us-about-sexual-pluralism>

<sup>29</sup> <http://www.nbcnews.com/feature/nbc-out/u-s-muslims-more-accepting-homosexuality-white-evangelicals-n788891>



The situation of LGBTQI\* Muslims, who feel pressure from all sides, merits particular attention. On the one hand, they find it difficult to embrace their identity within their family and community, with many preferring to hide their situation by using various subterfuges and living in a state of constant fear that they will be outed by others, knowing the revelation could have tragic consequences for them. On the other hand, they or their community experience racism from the majority population, and in particular from law enforcement and the judicial system, which can sometimes combine homophobia and racism to make the situation doubly difficult. In these circumstances, these people can feel particularly vulnerable, unable to rely on law enforcement in the event of any issues (denial of their identity, racism that means the homophobic aspects of acts of violence they report go ignored, or vice-versa, or both simultaneously). It is also difficult for them to discuss the homophobic discrimination they experience within their own communities, as they understand this information may be used against their community, for example to serve racist political agendas. In this context, law enforcement officers should demonstrate tact and sensitivity when interacting with people who mention their sexual orientation and/or gender identity. In situations involving deprivation of liberty, these individual circumstances should be considered to avoid any potentially violent conflict with other detainees who may be homophobic.

### **In your work as a police officer**

- Keep an eye out for any signs that may indicate a possible trip abroad to perform female genital mutilation or forced marriage. Do not hesitate to involve or work with specialist organisations with experience in dispelling the concerns of parents and relatives about the future for girls who are not 'circumcised', or who marry outside of their immediate community. In this type of situation, it is better to overestimate signs given by children and/or support staff, rather than allowing irreparable damage to occur as a result of a failure to act in time or because the signs did not reach a level considered 'critical'. It goes without saying that intervening in such sensitive cases, for both the girls and women and their parents, requires tact and sensitivity (keep in mind all the complex issues surrounding children's sense of loyalty to their families and communities, similar to cases of child abuse, and take into account any ethnic and racial aspects that may induce silence or denial).

- Today, one of the major issues surrounding marriage is more about occupying public spaces and traffic problems (processions that block a main road followed by dancing with no prior authorisation, for example), parking issues and night-time noise. In these situations, no particular religious practices are being followed, rather the practices stem from family custom. Do not hesitate to intervene in accordance with the procedures in place for this type of disruption of public order, but try and use the tact needed to ensure you do not ruin a time of celebration, bearing in mind that the bride and groom are not necessarily aware of the disturbances caused by their guests.
- Law enforcement teams are much more aware of the realities of intra-family violence and femicides ('honour crimes') within Muslim families. Yet a certain number of victims still report that they are not taken seriously when lodging complaints, despite the fact that, as with all victims, embarking on this process is particularly risky and emotionally draining. Avoid all forms of cultural relativism here: just because a woman, child, or even a man who is a victim of intra-family violence is Muslim, does not make the violence less serious ('That's just their culture'; 'If the wife doesn't know why her husband beats her, *he* knows why' and other comments victims hear law enforcement officers make). A victim is a victim, with the same need to be taken seriously and to be treated kindly, irrespective of their actual or presumed religion or culture. This applies throughout the entire legal proceedings that may ensue. Consider victim protection and sheltered housing options for women who are victims of violence, rather than sending them to stay with parents or relatives who may not be able to ensure their safety. Do not hesitate to take the time to call on psychological support teams with awareness of the cultural aspects of family relations in order to successfully decrypt behaviour that can sometimes seem contradictory, with children, teenagers and women backtracking on their statements, for example (out of fear that legal action will be taken against their families or themselves, guilt-induced loyalty, fear of being sectioned or detained, etc.). The judicial system must demonstrate sensitivity and tact in these situations.
- A certain number of imams, who are not up-to-date on the legislation surrounding these matters, agree to carry out 'religious marriages' prior to civil marriage proceedings to shorten the wait for the engaged couple and to prevent them from 'falling into sin'. In most European countries, it is strictly forbidden to carry out a religious ceremony prior to the civil marriage, with this being punishable by fines or worse. Awareness-building initiatives should be undertaken at places where religious

congregations meet, and imams who agree to carry out these proceedings must be sanctioned (bear in mind that this would not prevent friends from carrying out 'religious marriages' by being witnesses for one another – in effect anyone can be an imam).

- In some more isolated places, there may be no Islamic funeral services. In some cases, this has given rise to tragic scenes in which people have been forced to transport the body of a family member or loved one in their car boot until they found a morgue willing to take care of them. If you stop a vehicle like this for checks, bear this in mind, and help the person to contact the right services, remembering that they may be in shock. If a Muslim person without family dies, contact the nearest Muslim congregation: at the very least they may try to hold a service and may even try to repatriate the body if the person can be identified, sometimes calling on donations from congregation members to help with costs. If no contact person can be identified, and no responsibility for the body is taken, the person may be buried in a common grave.
- When you enter a person's home, take note of your hosts' practices, in particular when carrying out local police interventions where mutual respect is crucial to successful law enforcement on a local level. Stepping into the privacy of someone's home requires you to be attentive to details. A pro-active approach is best: do not hesitate to ask if you should take off your shoes (if you see carpets, it is best to do so, even if your hosts assure you it is not necessary out of politeness). Ask if you should sit on the floor, ask whether you can shake hands with someone of the opposite sex or not. Always eat with your right hand, rather than your left hand. All these little details serve to show your respect for the other person and will help establish an atmosphere of trust. Avoid commenting on the answers you are given, and avoid making comparisons with other Muslims you might know, who might seem more 'open' or more 'conservative'. This is the fastest way to lose the other person's trust. Even in family homes where members are segregated by gender, you can still ask to see the entire family if you are required to do so. A mixed team of both men and women will facilitate the flow of interactions, but the urgency of the mission and the human resources available should remain the deciding factors in how you choose to operate. What is important, including in this type of situation, is that you do not behave as if you were on home ground, and that you show respect for others, even in situations that may be tense or difficult to understand.

- The issue of *halal* may be more important in structures that offer standard meals (schools, meals, prisons). While many Muslims will be satisfied with standard *halal* food (featuring a *halal*, *halal*, *helal* or ٻالا label), some may be very insistent on receiving food with a specific label that is difficult to source. Have vegan and vegetarian alternatives available to avoid an even more stressful or hostile situation when not necessary, as long as these requests can be accommodated without complication. This will allow you to create and maintain an atmosphere of respect and cooperation.
- In cases of homophobic violence, try to objectively determine whether or not there is a racist element at play (and vice-versa). Violence is sometimes triggered by a combination of different factors in the minds of those who commit these acts (for example the combination of a young man's race + homosexuality may trigger a beating, when just one of these aspects would not have been a trigger). As judicial authorities are becoming increasingly aware of intersectional forms of discrimination and violence, it is essential you provide them with all the information they need to understand tragic events that may unfurl, in particular if this might lead to heavier sentences for an accumulation of hate crimes. Similarly, gender, sex and class dimensions must be explored too (for example, if a Muslim lesbian with a specific ethnicity is raped, each and every element may have influenced the perpetrator's decision to commit the crime). Do not neglect any of these aspects when filing complaints. Do not focus merely on the more immediately tangible aspect as described by the victim. The insults that were received, and all other contextual elements, are all crucial and must be taken into account. Do not hesitate to tactfully ask questions that may shed light on various aspects of the situation.

# FACING ALL THE FACTS

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