

# The Long View

Quarterly Magazine

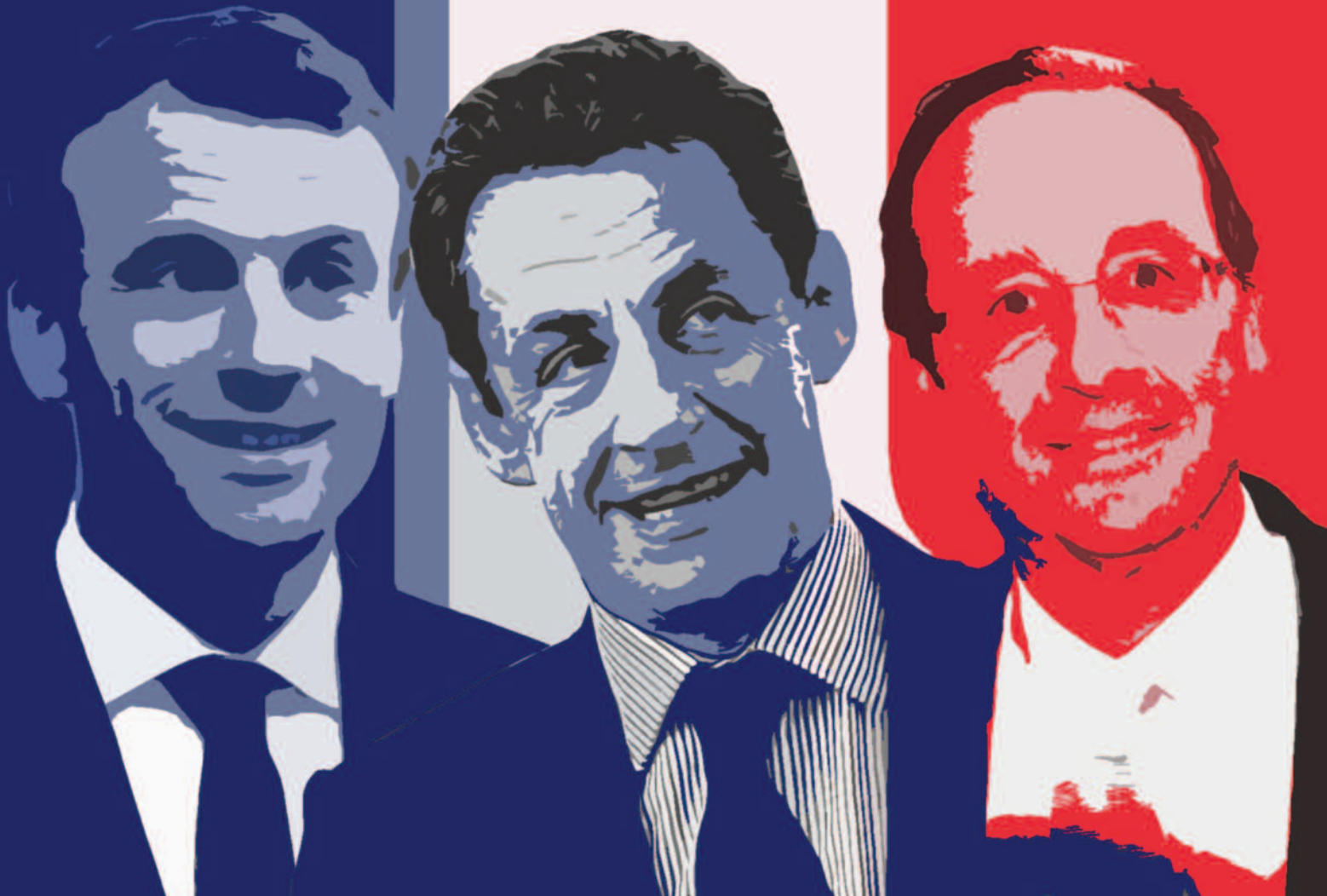


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## The (Dis)functionality of the Modern State: Time to Rethink?



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Understanding the  
roots of the anti-  
separatism bill

**AFROZE F. ZAIDI**

The redundancy  
of 'race' as a  
protected  
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The Repeat Cycle of  
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**DEMIR  
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Back in Sight: Deflating  
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Long View**

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## In the Name of Allah, the Most Beneficent, the Most Merciful

The modern 'state' is in crisis. Crafted around the idea of nation in the image of a 'Spain' born out of the conquest of Granada and the end of Muslim sovereignty in 1492 CE, its contradictions include what Hannah Arendt identified as its role between being the instrument of law or the instrument of nation. The former, in this age of deep crisis, might still be argued to be aspirational. Could there be a form and function of national organisation, within these current borders and boundaries, that offers dignity and justice for those within its realms? The latter contention, perhaps encapsulates the current moment in all its horror – the state as a form of organisation that seeks only to validate one uniform exceptionalised identity.

This issue looks at some of the current examples of this process at work within Westernised settings (France, the UK, US and Bosnia Herzegovina) within their borders, and exported via foreign policy, in the case of Afghanistan. The role of supremacism in the formation of the 'nation state' has been discussed in detail elsewhere, including in previous issues. What is presented in this issue are the details of how that supremacism manifests.

In our lead essay, **Yasser Louati** forensically details the longer history to the current vogue of the French intellectual and political classes' unanimity over the so-called anti-separatism laws. Emmanuel Macron's claim that the laws seek to tackle 'Islamist separatism', are in Louati's opinion, simply the culmination of a long history of state sanctioned exclusion of the Muslim as a political subject in France. Law after law and policy have preceded the anti-separatism law that in the last year has allowed for the unprecedented closure of NGOs and mosques by the French authorities. This mass crackdown, despite some international censure, has largely gone unchallenged internally and external to France's borders. Fighting back, argues Louati, requires a new political sophistication from civil society, whether Muslim, French, both or any or no combination of political, ethnic and religious identities.

The role of 'race' as the organising basis of the modern state, as argued by inter alia Ramón Grosfoguel and Alana Lentin, is evidenced not just in the overt chauvinism of the French state but also in settings which have what appear to be robust equalities legislation and cultures. **Afroze Zaidi's** essay looks at this very quandary. The UK and US both claim legal cultures that seek to deliver equality for various marginalised groups. However,

both deliver a reality that not only fails those expectations, but which is being used to facilitate both cultural and legal exceptionalism in the service of white supremacism. Zaidi's case studies – of the rise of claims of anti-white racism in the UK, and the backlash after Colin Kaepernick's anti-racism protest in the US – highlight that the failure to deliver equality cannot be simply 'fixed' by changes in law but by the very culture and ideas that underpin the state.

**Faisal Bodi's** review of the recent, tragic history of Afghanistan shows how the supremacism inherent in Western nation states, plays out in their foreign policies, even after the so-called era of colonial politics is supposed to have ended. Despite the stunning 'victory' of the Taliban in the summer of 2020, Bodi looks to the long running history of intervention by the US and its allies in the region, and pessimistically surmises that there is more yet to come. The US and before it the UK, both operated a policy mired in arrogance and not, despite their various protestations, benevolence. Their support for various players in the country, including the previous incarnation of the Taliban, bodes ill, if there is no shift in the political thinking of those who seek to challenge the injustices perpetrated by the US and its allies.

In our final essay, **Demir Mahmutćehajić** looks at the current fragile state of Bosnia Herzegovina. A febrile atmosphere has continued to pervade the country, fuelled by a culture of genocide denial from sections of Bosnian Serb society and politics. Since Mahmutćehajić's last essay on these pages, there have been several attempts by Bosnian Serb politicians, led by Milorad Dodik, to take control of powers from the federal government to the Bosnian Serb entity Republika Srpska, through various 'legal' mechanisms. This process, Mahmutćehajić argues, is at worst set to break up Bosnia Herzegovina along ethnic lines, and at 'best' set to leave the country in a state of perpetual conflict. Once more the resurgence of 'nation' defined by ethnic / religious identity has reared its ugly head in the region.

The problematising of the nation state as the system through which governance and representation is effected is a necessary project. If, as this issue's essays suggest, we cannot rely on reform, we must ask ourselves what forms of governance are needed to effect a more equal and just world. Join us in exploring both the disfunction and potentials of current political organisation.

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France:

# Understanding the roots of the anti-separatism bill

Understanding France's decades-long attacks via law and policy against 'problem' communities, notably 'Blacks', 'Arabs', 'Muslims' and the 'Banlieues' is a prerequisite for anyone trying to make sense of the current anti-separatism bill. **Yasser Louati** argues that the only way to challenge French state racism is a new political sophistication on the part of those sectors of civil and political society genuinely trying to find a way forward.

When Emmanuel Macron took the stage on October 2020 to launch his war against "Islamist separatism", public opinion had been prepared for a new move against France's multifaceted 'problem': Arabs, Blacks, Muslims and the Banlieues. A few months prior, a massive march had been organised against police brutality and systemic racism in the wake of the racist murder of George Floyd in the US by a white police officer. If French elites were quick to call out America's racial problem, they were less prone to look at the same racist violence that has been applied for decades against colonial and postcolonial immigrants and their descendants on French soil. It was therefore with utmost contempt that the demands of anti-racism protestors were rejected. Two terms were quickly imposed on the public debate: "separatism" and "ensauvagement" which can be translated to "turning into wild beasts".

Describing France as being subjected to a coordinated campaign by "radical Muslims" to secede from the French Republic and create a "parallel society", Emmanuel Macron called for a brutal repression of organised Muslims, charities, schools, places of worship and any initiative by Muslims to take part in civil society. Although in total violation of France's commitments to protecting fundamental rights, the French president justified, just like his predecessors, that in the case of non-white minorities, the country is dealing with second class citizens that deserve exceptional measures.

For the candid observer of French society, the striking peculiarity of French Muslims is their negligible political weight and their incapacity to effectively organise. Had French Muslims been capable of mounting a coordinated political campaign against the Republic, they may not currently be suffering under the crushing weight of anti-Muslim laws (hijab ban in 2004, ban against veiled Muslim mothers attending school outings 2012, ban against veiled

Muslim women from working as nannies and banning of long skirts for Muslim female students in 2015, full face veil ban in 2019 etc.) and virulent campaigns against their presence and visibility in the public space.

This essay will show the anti-separatism law is about preventing the existence of Muslim citizenry and how this is a direct continuation of France's colonial policies.

## In France before George Floyd

When on 22 June 2021, over 20,000 people rallied in Paris against systemic racism and police brutality in the wake of the George Floyd murder, a shock wave was sent through the government, mainstream media and opinion makers. The video of a white police officer kneeling on George Floyd's neck played a role in mobilising French Black and Arab organizers whom had already been calling out France's state brutality through law enforcement and systemic discrimination.

This particular period of repression which can be traced back to the beginning of the state of emergency declared in the aftermath of the November 2015 terrorist attacks quickly became a state campaign of reprisals against the country's Muslim communities to the point of prompting United Nations Rapporteurs from the Special Procedures of the Human Rights Council to issue a public call to "[protect fundamental freedom](#)". Indeed, over 4000 raids had been carried out mostly against Muslim homes, [businesses](#) and places of worship with a tiny fraction leading to investigations for acts of terrorism. For instance, domestic intelligence had already warned as early as January 2016 that the state of emergency and France's repression-only model were ineffective as clearly stated in the leaked [Jounot Report](#) from the National Secretariat for Defense and National Security (SGDSN).

Furthermore, as then president François Hollande (2012-2017) was unrolling his continuous justifications for an already decried state of emergency, it turned out that only 25 violations in connection with terrorism had been reported [after 3062 raids and only four of them](#) had led to investigations on terrorism grounds. The remaining 21 were related to "apology for terrorism" such as expressing publicly views perceived to support terrorism, e.g. Facebook posts. Of course, the interpretation of such apologies was the sole monopoly of the government. In sum, only 0.13% of those raids were actually effective. But in the meantime, thousands of innocent people were subjected to [state brutality and humiliation](#) with kids being sent into foster care or exposed to parents being [held at gunpoint](#) and whole communities being humiliated by the [ransacking of their mosques](#). The consequences of such operations are yet to appear as children who witnessed them could suffer from long term trauma with zero guarantees that this will not fuel resentment once they become adults.

But brutal repression was not sufficient for François Hollande who took the matter further and called for a change in the citizenship code. Surfing on the national trauma provoked by the November attacks, François Holland was convinced by his adviser Marc Guillaume to go as far as amending the constitution in order to allow the government to strip of their French nationality dual-citizenship holders should they be accused of terrorism even if they are born in France and even if it means making them stateless. The rationale was that terrorists could not be French and should therefore be sent to their country of origin, even if they were born in France and have no connection to their parents' or grandparents' place of birth. The last time such a measure was applied before being revoked after 1945 was by the pro-Nazi Vichy regime that targeted the French Jewish



population. Despite the President and his administration's insistence that the measure was needed to fight terrorism, the [project was dropped](#) after a massive outcry from civil society and the international embarrassment it provoked in violating [article 15 of the Universal Declaration of Human Rights](#). The [Council of the State failed to hide its own embarrassment](#).

### Denying Citizenship

French law already has provisions allowing the government to strip individuals of their citizenship should they "join a foreign army", which would include ISIS, Al Qaida, AQMI or, for that matter, the Israeli military, as clearly stated by [article 43 of the Protocol Additional to the Geneva Conventions of 12 August 1949](#). This in turn raises the question of why the French President would decide to apply a historic far right idea in the aftermath of a national tragedy? Whenever far right terrorism has struck France as it did regularly throughout the last century, there was no question of stripping the perpetrators of their citizenship, even after [they attempted to overthrow the government](#). There was nothing to gain for François Hollande in making such a move aside from fuelling racism against a designated enemy within and flexing his muscles to score political points. As for the effectiveness of changing the citizenship code, it does not require exceptional analytical skills to deduce that terrorists who have decided to die won't be deterred by the prospective loss of their citizenship.

The outright display of state violence in the aftermath of attacks and the incapacity of successive governments to properly assess the situation and send a message of unity and leadership has set the stage for the passing of dozens of repressive laws. So far 17 laws have been adopted with an average of one law every two years since 1986. This accumulation of "anti terrorism" laws is such, that the then head of the Paris Bar Association Frédéric Sicard declared in 2016 that ["France can turn into a dictator-](#)

[ship within a week."](#) One of the country's most prominent legal scholars, Mireille Delmas Marty, urged the public to realise how France is entering an era of ["soft despotism"](#).

Surprisingly though, even if terrorist attacks are only possible when domestic and foreign intelligence fail, not once have the latter been held accountable. After each attack, it turned out the terrorists were on a watchlist but were forgotten or slipped through the net. Mohammed Merah, the Kouachi brothers, Khaled Kelkal, to name the most known "notorious" ones, had all been on the radar of intelligence services.

Such failures are unforgivable given the 17 anti terrorism laws that have been adopted and the fact that France adopted the Surveillance Law (Loi Renseignement) that officially legalised mass surveillance by the state and obliges ISPs to send their clients' internet data.

But for the government and the media, the only culprits were Muslims, even if they are by far the first victims of international terrorism. In the case of France, many Muslims fell victims to the latest wave of attacks. The first victim of the Bastille day attack (14/07/2016) was indeed a veiled Muslim woman. The attacker must have seen she was clearly Muslim. Yet he nevertheless decided to run her over, killing her instantly. Yet the French state and the media could not resist the temptation of using the "Us Vs them" narrative and again doubled down on holding French Muslims accountable for each attack. These structural problems are in fact concealed in the Islamophobia that follows each terrorist attack so that Muslims are held accountable for the failures of the French government to protect its own citizens.

Meanwhile, state brutality is not the only violence faced by minorities in the country that prides itself on being the "country of human rights". Discrimination is a daily reality for millions of individuals. In a 2015 study, researcher Marie Anne Valfort from the Paris School of Business concluded that Muslims [have to apply five](#)

[times more frequently](#) in order to get a single response from prospective employers.

More broadly, the state of discrimination against anyone who does not fit the "right profile" in France is so bad and so embedded in the functioning of the economy that even France Stratégie, a think-tank attached to the Prime Minister's office, warned that unfair access to employment and promotions costs the French economy around €150bn per year.

### The Everyday Visibilisation and Demonisation

This visibility of Muslims has been epitomised by the Muslim headscarf which is perceived as the banner of political Islam and therefore justifies new legislation. The mobilisation of the law to crack down on Muslims can be traced back to the 2004 hijab ban which opened a Pandora's Box and ushered in a series of Muslim specific laws. In 2004, the headscarf was banned on the grounds that it violated the law on secularism, better known as "Laïcité". Yet this justification does not stand. Laïcité is about the religious neutrality of the state, not users of state services. In other words, agents working for the state are prohibited from wearing religious symbols, not users like students or people who enter administrative buildings. Students' right to wear religious symbols had even been reaffirmed by the Council of the State (highest administrative authority) with its [346893 ruling](#) of 29 November 1989.

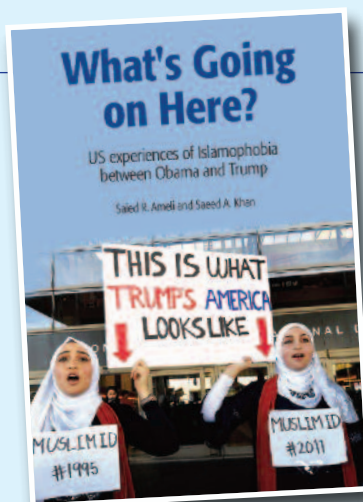
Studies from a wide range of institutions have continuously proved the structural nature of racism to the point that second and third generation children of immigrants face major hurdles to integration. For example, the National Institute of Demographic Studies (INED) [conducted a study between 2008 and 2009](#) and confirmed what many had been highlighting for years. If 93% of descendants of immigrants declare "feeling French", they are in return "denied Frenchness" and they are

**ON OFFER**

## What's Going on Here?

US Experiences of Islamophobia between Obama and Trump

By Saied R. Ameli and Saeed A. Khan



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seldom perceived as such. The end result is that children of immigrants end up doing less well than their parents, according to the institute.

The same INED concluded that **children of North African immigrants die at a higher rate**. According to Michel Guillot, children whose parents are from Morocco, Algeria and Tunisia have a mortality rate that is 70-80 % higher than youngsters of the same age but whose parents are not immigrants.

The killings of Adama Traoré, Amine Bentounsi, Wissem El Yamni, Babacar Guaye, Liamine Dieng or Cedric Chouviat, the raping of Theo Luko with a baton and many others for the past 30 years at the hands of the police were not merely accidents or a series of mishandlings of volatile situations. According to the country's ombudsman "80% of people corresponding to the profile of 'young man perceived as Black or Arab' declare having been stopped and searched by the police in the last five years (against 16% of all other respondents)". These profiles therefore have "twenty times more" probability of being stopped and searched by the police. Given that the French Police are notorious for the [unchecked use of violence](#) (its supervisory body, the General Inspection of the National Police is composed of police officers and is discredited for failing to sanction acts of police brutality) as seen during the [Yellow Vest movement](#) (2018-2019), the [anti Labour Reform rallies](#) of 2016 (to name a few) what can be said about the Banlieues where non-white minorities are concentrated and which have been the [laboratories of repression](#) for decades?

## Separating from the savages

It is from this social volcano that 20,000 people defied the government in June 2020 and marched against systemic racism and police brutality sparked by the killing of George Floyd. The calls were simple. Marchers wanted an end to racial profiling, police brutality, justice for the victims

of it, and for non-whites to have equal opportunity. Rather than hearing the calls of peaceful demonstrators, and failing to remember the 2005 Banlieues uprisings for the same reasons, Emmanuel Macron criticised the march and initiated a campaign against so-called “separatism”. This was amplified by an even more racist assessment from his Minister of Interior Gerald Darmanin. The latter expressed his worries in the face of people who are becoming “wild beasts” (ensauvagement).

The rhetoric was far from harmless nor was it a slip of the tongue. Using the term “ensauvagement” in reaction to marches of Blacks and Arabs is, to say the least, blatant racism which endorses the idea that, once again, France is dealing with a different kind of human being that deserves a different kind of treatment.

This came in the form of a 90-minute speech by Emmanuel Macron himself in the town of Les Mureaux on the western edge of the greater Paris area. In the now famous speech about “Separatism”, the President’s positioning towards Muslims took an even more radical turn.

Just like previous governments had to brand their own Muslim enemy (fundamentalism, communautarism, radicalisation...), “separatism” is Emmanuel Macron’s new hype against which he vowed a ruthless campaign 18 months before the presidential election. Among the measures he called for were a review of how “laïcité” would be reviewed and amended in the face of this exceptional enemy: Muslim citizens.

“What we need to tackle is Islamist separatism. It is a conscious, theorised, politico-religious project, which materialises by repeated deviations from the values of the Republic, which often results in the constitution of a counter-society and whose manifestations are the dropping out of school of children, the development of sporting, cultural community practices which are the pretext for teaching principles which do not comply with the laws of the Republic. It is indoctrination and through it the negation of our principles, equality between women and men, human

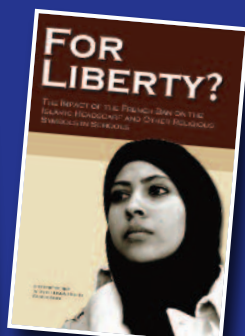
dignity... We must reconquer everything that the Republic has allowed to happen and which has led part of our youth or our citizens to be attracted by this radical Islam," said Macron.

Using isolated incidents to describe the ‘realities’ of ‘Islamist separatism’, Emmanuel Macron complained about public transportation employees who “deny women the right to ride the bus because of their indecent dress code”. This was in reference to an incident that had taken place in the 19th arrondissement of Paris. A bus driver had refused to let a woman climb on-board. The incident quickly sparked another controversy about Islamists imposing their ideas on society. It turned out that the woman was not denied access to the bus because of her dress but because she was smoking, which is prohibited.

What matters is not reality but the description of reality by the President in order to sell his ideological project and justify the upcoming repressive measures. Among these measures, Macron called for intervention of the state in Muslim charities' elections should the wrong people be elected, the shutting down of organisations accused of "separatism", the shutting down of private Muslim schools and to apply "administrative and financial pressure" on organisations targeted by the government.

The repressive nature of such measures cannot be understated. In a secular country, especially in a country that has been lecturing the rest of the world on its unique model of “laïcité”, the government is absolutely prohibited from meddling in religious affairs just as religion is prohibited from influencing the government. This was enshrined with the 1905 law of separation of church and state after decades of bitter struggle with the Catholic Church. But with the anti-separatism law, Emmanuel Macron called for the legalisation of an already existing illegal and unofficial government interference in Muslim organisations. In other words, there is laïcité, but not for everybody, just like during the colonial era when the 1905 law was passed and applied in Metropolitan France but not in the

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colonies. The aim is to keep colonised Muslims under strict control.

In the case of 21st century France, Emmanuel Macron expressed what the deep state has already been trying to contain for years. The newer generations of French Muslims feel French enough to demand full citizenship and not shy away from organizing and calling out the government.

The shutting down of CCIF, Barakacity, MHS (private school) and the dozens of raids carried out against Muslim charities and mosques were meant to destroy or intimidate any organization that dares to send the message that it is normal for Muslims to organise and to exercise their rights as citizens. In the case of CCIF, it was strictly on empty accusations. The government had no case. The one presented by the Minister of Interior was solely based on the government disagreeing with the organisation's approach to combating Islamophobia and accusing its leaders of being an "Islamist organisation".

The Minister of Interior launched a series of raids against Muslim charities despite having no legal grounds to do so and effectively obtaining nothing from them. His intentions were made clear. The goal was to "send a message to Islamists" as he said, regardless of whether they violated the law or not.

The intimidation continued for the next several months. In March 2021, 89 mosques and other Muslim organisations were targeted which created a feeling of fear and resentment among Muslims. Throughout 2021, Emmanuel Macron and Gerald Darmanin made it acceptable to use the coercive means of the state to target people based on their religious affiliation under the fallacious accusation of separatism.

To this day Macron and his government have still failed to give the name of one single Muslim leader, public figure, organisation or legitimate representative who called for separatism from the French Republic. French Muslim leaders and representatives could actually be blamed for accepting to

constantly prove their loyalty as repression tightens on them and their communities. Instead of calling for civic resistance like any other segment of French society would (yellow vest, anti-labour reform movement, the red caps, feminists, environmentalists etc), they collaborated with the government in its communication campaign to legitimise the anti-separatism law.

The Grand Mosque of Paris and its Rector Chems Eddine Hafez even went the extra mile in supporting the government's crackdown on Muslim communities. When Macron called for a charter of Imams that would regulate the public discourse of Muslim clerics and what can and cannot be preached inside mosques, the former not only accepted the idea instead of rejecting it but doubled down by coming up with the most radical version of the charter. In this document, Imams are prohibited from calling out Islamophobia, criticising French military intervention, required to demand the faithful to pledge allegiance to the Republic, avoid speaking of foreign conflicts (in other words the occupation of Palestine) etc. Just like their predecessors in the colonies, state recognised Muslim leaders are expected to be the transmission belt between the state and "the community".

The ongoing shutting down of organisations founded and managed by Muslims is meant to bring back under control the struggle against racism and frame it according to the wishes of the French government. The historic rift between state sponsored anti-racism organisations like SOS Racisme or LICRA lies in how racism is viewed. For the latter, racism is only a series of incidents perpetrated by intolerant neo-Nazis and far-right extremists, not a structural problem that transcends political allegiances on the left and the right.

Because the descendants of postcolonial immigration, mostly from Africa and the Caribbean, have concluded that the state will not act sincerely nor meaningfully against racism, nor dismantle the racist foundations of the French Republic that have been inherited from the colonial era,

and because historically speaking, state sponsored organisations like SOS Racisme and LICRA have always minimised the extent of racist policies and even participated in fuelling national controversies against Muslims, many have decided to set up independent organisations. This search for political and organisational independence was and still is intended to fight racism politically and not just view it as a moral problem.

This opposition between heavily subsidised anti-racists and autonomous Black and Arab activists has been going on for decades with one camp using the government as a platform and the other, being constantly demonised as radical and "communitarist".

This control is now official with the agreement between LICRA and the Grand Mosque of Paris. LICRA is a historic name in the anti-racism sphere in France. Founded in 1927 as the International League Against Racism and Anti-Semitism, LICRA has nevertheless been for the past 20 years a major actor in toning down the anti-racism struggle to limit it to a moral issue. Furthermore, the organisation has vehemently opposed the rise of new anti-racism organisations by racialised communities.

For its historic president Alain Jakubowitz, Islamophobia is a fraud. In 2017, as academics from around the country organised a series of lectures on Islamophobia in the University of Lyon II, LICRA allied with the far-right and leftist Islamophobes from the Printemps Republicain in order to pressure the dean of the University and cancel the event. After days of controversy, the University gave in and the event was cancelled to the dismay of the dozens of lecturers and speakers who were scheduled to speak.

Regardless of this track record, the Grand Mosque of Paris signed an agreement with LICRA to assist "victims of anti-Muslim bigotry". In other words, the government dismantled all anti-Islamophobia organisations (CCIF and the Coor-



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dination Against Racism and Islamophobia) in order to make way for its agents to take control of the issue.

Macron and his government initiated another race to the bottom by holding French Muslims responsible for the murder of Samuel Paty on 16 October 2021 despite the killer having no connection with them. The national tragedy was therefore cynically used by the government to further justify its anti-separatism campaign. The government openly waged the demonisation campaign against so called “Islamoleftism” or the alliance between leftists and Islamists in order to ‘overthrow’ the Republic. The Minister of Education Jean Michel Blanquer accused “Islamoleftists in universities” of bearing an “[intellectual responsibility](#)” for the killing of Samuel Paty. Even long discredited and mocked former PM Manuel Valls was given a platform to accuse Jean Luc Melenchon, head of the Insubmissive France party, of being directly responsible.

Such accusations do not correspond to reality. The French Left has been unable to influence public debates for years but for Macron, his Minister of Education and Minister of higher Education to warn of a leftist threat is stretching credulity. Twenty first century Islamophobia has been overwhelmingly fed by the French Left, from the Communist Party which had already campaigned for the banning of the headscarf in schools to the Socialist party which made a name for itself with the promotion of “cultural insecurity”, the left-wing version of the Great Replacement theory, to Melenchon and his affiliates who have supported all the anti-Muslim campaigns of the past 20 years.

### French Muslims under siege

As the government was pushing its anti-separatism bill, a multi-layered political marketing campaign was being waged to portray a France under siege from organised Islamists whose aim was a parallel society at best or the abolition of the Republic

at worst. This campaign was orchestrated against the concept of “Islamogauchisme” with universities portrayed as left wing bastions offering shelter and a platform to political Islam. Despite the [fallacious nature of “Islamoleftism”](#) and the fact that historically speaking, the French Left has a responsibility in the mainstreaming of Islamophobia, and in thwarting attempts by [immigrant workers](#) to self-organise, the Minister for higher education Frederique Vidal called for an investigation into Universities because, “Islamoleftism has gangrened French society”.

Coming from the Minister of Higher Education, herself being a career academic, the anti “Islamoleftism” campaign provoked an outrage in the ranks of academia to the point of prompting the CNRS (National Center for Scientific Research, a state research organisation and the largest research agency in Europe) to issue a press release calling out the Minister and reminding the general public that “[Islamoleftism is not a scientific reality](#)”.

The non-avowed objective by the government was to threaten academics should they be tempted to oppose it during its ongoing campaign against separatism. As the government was waging its war against organised or would-be organised Muslims, any potential ally had to be scared off. The move was specifically aimed at humanities that have for years been accused of seeking excuses to support, terrorism, criminality, opponents of the Republic etc.

In that sense, the French government is doing exactly what other authoritarian governments are doing in their own countries against social sciences. Emmanuel Macron is no different to Hungary’s [Victor Orban](#) or Japan’s former PM [Shinzo Abe](#), both of whom vowed to crack down on social sciences for allegedly being breeding grounds of opposition.

The toxic anti-Muslim hysteria sparked by the anti-separatism bill entered the halls of parliament as deputies and senators “debated” how to make even harsher its provisions including a ban on “oriental dances”,

“waving foreign flags” (a practice of North African communities at wedding ceremonies), “banning the headscarf for minors” etc. Even centrists, who would have normally been expected not to buy into far right rhetoric, demanded “a prohibition on polling station assessors from wearing a religious symbol”, i.e the Muslim veil again. One of its members said: “we were shocked to discover that a veiled woman could be an assessor at a polling station in our country”. Others came up with stories of Muslim students praying in university hallways and therefore demanded a “ban on prayers in universities”. The blatant targeting of Muslims and the one-upmanship to show who could come up with the toughest measures against them prompted Senator Ester Benbassa to call out the [“fury of her peers against Muslims](#)”.

To further make it impossible for Muslims to act as citizens and take part in the public debate, so called “community lists” were prohibited from being registered during elections. This was a direct assault on many initiatives in France where non-white political candidates who do not find space in established political parties end up running as independents or launching new political parties.

Robin Reda, the Essonne’s 7th constituency (south banlieue) MP and member of Les Républicain, proposed an amendment seeking to allow the deportation of [“any foreign national who has habitually attended a place of worship](#)” which has been subject to closure. On the other hand, another member of Les Republicains Eric Ciotti and winner of the first round of the party’s primaries for the presidential election, called for the “imprisonment of women wearing the full face veil”.

### Who are the real separatists ?

The bill was finally passed on 24 October and the government’s stunt succeeded. Aside from shutting down “Generation Identitaire” whose members all flocked to Marine Le Pen’s National Rally and even



## NIGERIA APPEAL

Currently there are thousands of children, women and men suffering as the result of the violence of the Nigerian police and army. Members of the Islamic Movement have been routinely targeted, with more than 2000 killed over the last six years. They have left behind dependents who are often destitute and shunned. Families are left without enough income for basic necessities like food and clothing, children loose out on education.

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sought to hold public office, the government did little to nothing to address real life secessionism. In contrast, the [social separatism](#) initiated by the [wealthy who refuse to pay their taxes](#) (€60- 80 bn per year), by white supremacists who set up their [own training camps](#) and even their “whites only” bars, or the geographic separatism that leads to the concentration of the rich and wealthy in specific areas has so far not prompted the government to act.

Just like Macron’s bragging about shutting down “212 Islamist bars”, France’s manufactured obsession with “separatism” is actually an obsession with the normalisation of the Muslim presence and for Islam to become a French religion. In the country that has a long track record of persecuting religious and ethnic minorities (Jews, Italian and Polish immigrant workers, Poles, Spaniards fleeing the civil war), the problem is cast as lying with Muslims themselves.

The ease with which prominent organisations like CCIF and Barakacity were shut down raises questions about the organisational models adopted by Muslim communities. The example adopted by organisations like the CCIF failed miserably and became a liability for French Muslims. After 15 years of existence, millions of euros raised and despite positioning itself as the legitimate protector of Muslims against Islamophobia, the CCIF left the country and shut itself down without putting up a fight. No campaign, no demonstration and no resistance was shown despite the accumulated means and the promises made to stand against “state Islamophobia”. Internal civil society struggles to have an absolute monopoly over Islamophobia and to crush any other organisation that deals with the issue has led to a weakening of the civil society space and resistance to Islamophobia and racism at the state level.

Without adopting an empowerment based model that can create a network of training and solidarity that can in turn mobilise against any campaign to shut organisations down, Muslim NGOs and chapters are doomed to follow the same fate, and worse still, create the environment where other organisations become easy targets for suppression as has happened with the shutting down of another historic French anti-Islamophobia organisation, the CRI (Coordination Against Racism and Islamophobia).

The silence, if not the active collaboration of national Islamic institutions with the Macron government as it was pushing its “anti-separatism bill”, is the other problem that urgently needs to be addressed by French Muslims. As they are “represented” by clerics and heads of organisations that systematically throw them under the bus and never stand up to anti-Muslim policies as they are expected to, the time is ripe perhaps for French Muslims to reevaluate their relationship with religious organisations

and their leaders.

Furthermore, how can French Muslims be properly represented when such “leaders” have not been elected, have no clear mandate and therefore have no one to answer to? How can they be expected to be politically effective when as foreigners they fear for their residency cards or the status of their citizenship applications?

The year 2021 marks the exposure of

**no one is entitled to tell French Muslims how they teach and practise their religion as long as they adhere to the common ground of freedom, justice and equality for all**

the blatant bankruptcy of Muslim organisations in the face of state Islamophobia. Over-centralisation and dependence on foreign regimes have so far kept French Muslims from effectively organising. French Muslims are diverse and cannot be represented by one single organisation. Decentralisation might be the solution.

Just as it applies to any community, especially religious ones, no one is entitled to tell French Muslims how they teach and practise their religion as long as they adhere to the common ground of freedom, justice and equality for all.

The French Left has on the other hand failed to mobilise against the anti-separatism bill. Perceived as a bill that “only” targets Muslims, its efforts were concentrated on the “comprehensive security bill” that aimed at the reinforcing the powers of the police and to further shield them from accountability. Rather than seeing the connection between the “anti-separatism” and the “comprehensive security” bills, the Left decided to focus on what seems to affect it first, as if Muslims are not part of the civil society they pretend to protect. But this comes as no surprise for those who dealt with the 2015-2017 state of emergency. During the first week after its promulgation, the French Left was nowhere to be found as Muslims were being retaliated against by the government. It only decided to mobilise once the raids carried against Muslims were then carried against opponents of the COP 21 summit, environmentalists, anarchists and union leaders.

This should be further incentive for French Muslims to reassess their relationship with the Left. Alliances are only possi-

ble between equals and so far French Muslims joining of “alliances” has only been as validators to Leftists who impose their vision, their strategy and their lexicon without consideration of their Muslim allies’ points of view.

For Emmanuel Macron political Islam [has no place in France](#). From the declarations made by the current administration and its predecessors, although no definition of “political Islam” exists, the term covers any Muslim that takes part in civic and political life while identifying as Muslim. Just like in the colonies, Muslims have only the right to exist as believers and witnesses, not actors of the world they live in, let alone opponents of the status-quo. Muslims are not allowed to have a say in politics but politicians can visit mosques at times of elections to seek Muslim votes or ask religious leaders to act as go-betweens to discourage Muslim candidates from running against incumbent public office holders. The practice is well known in the Banlieues where local imams or rectors of the mosque are always involved in mobilising their communities for the Mayor, the MP etc.

Elected as the anti-Le Pen choice, Macron has ended up with a government that finds Marine Le Pen “too soft on Islam”. In a surreal debate, the latter was even [accused by the Minister of Interior](#) Gerald Darmanin of not “naming the enemy” and for not being hard enough on “Islam, not Islamism” while she positioned herself as protecting religious liberties and having no problem with Islam as such, but with the ideologies derived from the Muslim faith.

If Emmanuel Macron was successful in one thing, it is to have created a political chaos that will benefit him. The rise of Zemmour and that of his supporter Eric Ciotti in the conservative Les Republicains party means that Macron will use his crack-down on Muslims as a political asset while at the same time positioning himself as more moderate than his opponents on the right. But a Macron re-election will only further division and social discontent. With a second and final mandate, he will have free rein to accelerate his brutal neo-liberal reforms while having all the legal tools he needs to crush dissent.

The successful passing of the anti-separatism bill has indeed paved the way for years of repression and the strangling of civil society. How far the next government will go is an unknown, but the accumulation of resentment since the Yellow Vest movement and the widespread feeling that politicians are failing to deal with the explosion in inequality and poverty leaves the door open to any possibility.

### Yasser Louati

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# The Redundancy of 'Race' as a Protected Characteristic

The prevalence of equalities legislation in various Westernised settings, particularly the US and UK, has been used to give credence to the idea that these settings are post-racial, and conversations about structural racism now redundant. **Afroze F. Zaidi** argues that this is not only far from the lived realities of minoritized peoples, but can also be instrumentalised against them.

When people suggest that we live in a post-racial world, one of the key supporting elements for their argument is equality legislation which currently exists in most Western nation states. Racial equality, along with equality for religious belief, gender, disability etc. is ostensibly enshrined in law. In the case of both the US and Britain (England, Scotland, and Wales), 'protected characteristics' have been defined in order to provide a framework for equality legislation.

Characteristics such as race, religious belief, disability, sexual orientation and gender are 'protected' under both British and American law. And yet in both British and American society, people belonging to any of these marginalised groups will confirm that their experience of living in these societies has been far from equal. While these laws exist in order to theoretically proclaim equality for people of all races, faiths etc, they fall short in terms of the protection they afford to marginalised groups in practice. While claiming the existence of a utopian 'equality', these laws fail to take into account privilege and power imbalances of hegemonic/majority groups over subaltern/minority ones. Moreover, by not taking these imbalances of power and structural advantage into account, these laws absolve the hegemon of accountability for the power that it possesses.

For instance, when it comes to race as a protected characteristic, a white person is as protected because of their race as a Black person. While this may appear to be a glaring shortcoming, in equality legislation, it is equally as immutable. In this situation the law is a blunt instrument that may in fact fail to protect the very groups because of whom protected characteristics were defined.

In a society where 'reverse discrimination' is effectively enshrined in law, what recourse do minoritised groups have to justice? This article aims to examine the implications of this understanding of protected characteristics, not just in a legal context but also in society at large. It starts by looking at what the law says and who it claims to protect. But moreover, it is important to consider how this understanding of pro-

tected characteristics is reflected in wider society. While focusing on 'race', two pertinent case studies help to problematise the treatment of race as a protected characteristic in the US and Britain.

## What the law says

Equality legislation in British and US law is markedly different, but it shares the reliance on protected characteristics as a framework. In British law, the Equalities Act of 2010 specifically lists the following protected characteristics:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

The Equalities Act broadly applies to employment opportunities and access to public services. It doesn't apply to online spaces, and the Online Safety Bill currently being scrutinised in parliament is intended to counter online abuse. Separately, the Racial and Religious Hatred Act of 2006 sets out the conditions in which an act can be described as being motivated by racial or religious hatred and whether it therefore counts as a hate crime.

Meanwhile in the US, while several protected characteristics come from the Civil Rights Act of 1964, below is a complete list, along with the applicable laws, from an article by Robert Langley:

### • Protected Characteristic

Federal Law Establishing Protected Status

### • Race

Civil Rights Act of 1964

### • Religious belief

Civil Rights Act of 1964

### • National origin

Civil Rights Act of 1964

### • Age (40 years and up)

Age Discrimination in Employment Act of 1975

### • Sex

Equal Pay Act of 1963 and Civil Rights Act of 1964

### • Pregnancy

Pregnancy Discrimination Act of 1978

### • Citizenship

Immigration Reform and Control Act of 1986

### • Familial status

Civil Rights Act of 1968

### • Disability status

Rehabilitation Act of 1973 and Americans with Disabilities Act of 1990

### • Veteran status

Vietnam Era Veterans' Readjustment Assistance Act of 1974 and Uniformed Services Employment and Reemployment Rights Act

### • Genetic information

Genetic Information Nondiscrimination Act of 2008

There are some notable elements between the two lists of protected groups, such as the absence of socio-economic class in both, and the inclusion of weight in the US but not in Britain. For the purpose of this article, the characteristic of 'race' will be the primary focus. It's important to note that both the 2010 Equality Act and the 1964 Civil Rights Act mention discrimination on the basis of race (and in the case of the US, segregation as well), but **neither mentions** the terms 'racism' or 'racist'.

Racism, of course, goes beyond mere discrimination. It includes the perpetual violence of structures and institutions, along with the power imbalances that allow this violence to go unchecked. It isn't possible, therefore, for a person from a marginalised, oppressed, powerless racialised group to be racist towards a person from a group that holds historic power and socio/economic privilege. Racism and discrimination are not the same, and while it may be possible to discriminate against a white person for being white, doing so is not 'racist'.

*"It's not the criminal JUSTICE system. It's the criminal LEGAL system because it is not invested in justice." – Ambereen Dadabhoy*

So it is ironically significant that, in both Britain and the US, the laws mention racial discrimination but not racism. Because it is indeed the case that while these laws prohibit discrimination on the basis of race, they do not prohibit *racism*, at least not in its authentic sense. In reducing racism to discrimination, these laws can be seen as falling short of their intended purpose – but maybe they're working exactly as they were designed to work. Erasing the power imbalance in which racism exists, and largely chalking it down to interpersonal discrimination, conveniently absolves the structures and institutions responsible for sustaining racism of any accountability. Not only does the law in its current form do this, it adds in protection for the hegemonic group (white people) by homogenising racialised groups. Worse still, it serves to obfuscate popular understandings of racism, leading to a widespread, misguided victimisation of white people via accusations of reverse racism. The result is unending discourse around who the real victim is, with regard for neither the pursuit of justice nor indeed historical facts.

## Case study: Dear white people in the UK

This discourse around the victimisation of white people doesn't take place in a vacuum. It has consequences for racially marginalised groups. One case that points to this is NHS employee Aishnine Benjamin, who was asked in June 2020 to write a [blog](#) post for an NHS-affiliated staff website. This was around the time the BLM movement was gaining momentum in the US and spilling over to the UK. Benjamin works as Equality, Diversity and Inclusion lead at the Nursing and Midwifery Council. Her blog post, entitled 'Dear white people in the UK', was intended to be a guide for how white people can be allies in fighting against racism. It begins with a section addressing white people specifically, and then it goes on to address everyone. Although advice in the blog is as innocuous as asking white people to listen, have empathy and educate themselves, it prompted a backlash when it was picked up and reported by the [Daily Mail](#) in September 2021. This resulted in Benjamin receiving a barrage of abuse online, much of it claiming that she was racist for using the term 'white people'. Extracts from some select tweets are below:

"The moment anybody stereotypes any person or people by their race, they are racist. So let's call this what it is. Racism. Aishnine Benjamin is a racist and by publishing this the NHS is guilty of racism."<sup>1</sup>

"The first 3 words are quintessentially racist. Everything after is pure hate and bigotry."<sup>2</sup>

"Well Aishnine Benjamin you sound like a racist little madam. Stop picking on whites."<sup>3</sup>

"Oh look another anti-white racist operating under the guise of 'diversity'.<sup>4</sup>

"There are so many kids growing up in mixed households and they'll grow up with this divisive rubbish aimed at the white member of their family. You read things like that and realise yes, Britain is racist, against whites."<sup>5</sup>

Based on a [search](#) on Twitter, a rough count showed that tweets accusing Benjamin of racism easily numbered in the hundreds. But many went further, trying to bring Benjamin's purported racism to the attention of various influential bodies including the [NHS](#), prime minister [Boris Johnson](#) and health secretary [Sajid Javid](#). There were also repeated calls for Benjamin to be fired:

"You are a racist pure and simple. For that you should be fired. But you won't will you? That's black privilege. in modern society."<sup>6</sup>

" @BorisJohnson @sajid-javid help save the nhs and get rid of racist like Aishnine Benjamin I really can't believe that such a job exist, god knows what her salary is, but a total waste of money what ever it is."<sup>7</sup>

In the wake of this backlash, a Change.org petition was launched demanding Benjamin's suspension from the British Medical Association. The petition is still live, and has so far managed to gain (at the time of writing) 632 signatures out of its target of 1,000. What is most interesting, though, is that the petition cites the 2010 Equalities Act, [claiming](#):

"Aishnine Benjamin published a racist. anti-white blog post entitled "Dear White People in The UK" which facilitates inequality and hatred.

The Equality Act 2010 says you must not be discriminated against because of your race.

In the Equality Act, race can mean your colour, or your nationality (including your citizenship)."

Fortunately for Benjamin, neither the backlash from the Daily Mail article nor the petition appears to have jeopardised her

employment with the NHS. However, this doesn't diminish the impact of the harassment and abuse she faced online, thanks to being targeted by a tabloid. Moreover, the reaction from hundreds of people to Benjamin's blog post demonstrates two things. First is the obvious fragility of white people when confronted with their whiteness. Too many people are convinced that not only can white people be victims of racism, but merely referring to whiteness is a racist act.

A well-known example of this is when, in March 2019, British Channel 4 presenter Jon Snow [said](#) while reporting on a pro-Brexit rally in Westminster that he'd "never seen so many white people in one place". No fewer than 2,644 people complained to Ofcom about Snow's remark. In response, former UKIP leader Nigel Farage went on LBC radio and said Snow "should be attacked" for his "terrible condescending bias". Farage's comment that Snow deserved to be "attacked" received only five complaints. While Ofcom investigated both Snow and Farage's remarks, a spokesperson responded on the matter as though both incidents were comparable and held equal weight, saying "We're investigating whether comments made by the presenters [Snow and Farage] on these programmes broke our rules on offensive content." Channel 4 went as far as to issue an apology, saying:

"...this was a spontaneous comment reflecting [Snow's] observation that in a London demonstration of that size, ethnic minorities seemed to be significantly under-represented. We regret any offence caused by his comment."

In addition to white fragility, Benjamin's case shows how the framing of the 2010 Equality Act, and race as a protected characteristic within it, actively contributes to a fundamental and widespread misunderstanding of what does and does not constitute racism. This, in turn, has led to feelings of victimisation among white people who have been confronted with their privilege – a theme that is particularly evident in petition [comments](#). Some examples of this sentiment are below:

"As usual, American politics sneezes and we catch the cold. This is very simple to 3rd reichs agenda . Just were the ones getting racially cleansed. This is our country we built it,we made it we deserve it. Everyone like this idiot are just ungrateful destroyers,bitter, evil sinister destructive people. Why can't they just leave and take the racists like them with them and never come back ???"

"Seems like we are second class citizens in our own country, if it was a white person they

would of been sacked straight away. Fed up with all the box ticking. Those promoting race equality urgently need to think again and get involved in the discussion of whiteness!!!”

“Sick to death of Marxist racists accusing white people of racism.. Need to look in the mirror to see who the real racist are”

Ultimately, further perpetuation of this misunderstanding of racism undermines the purported aims of the Equality Act, rendering it effectively useless for marginalised racial groups.

## White privilege

Pointing out white privilege, as Benjamin’s case demonstrates, is a particularly fraught exercise. In October 2021, Tory MP Jonathan Gullis was [reported](#) to have said the term ‘white privilege’ comes from “extremist ideology”, and people who use it should be reported to Prevent. He claimed:

“It’s racist to actually suggest that everyone who’s white somehow is... riddled with privilege”

Gullis went on to say that teachers who use the term should face disciplinary action. While Gullis reportedly received criticism for the comments, he remains in his position as MP and faced no action for making them. It’s also safe to assume that he isn’t alone amongst his colleagues in holding these views – he may have only said out loud what many politicians, white, Conservative, or otherwise, have been thinking.

Indeed, in June 2021, a watered-down version of Gullis’s comments appeared in a parliamentary [report](#) entitled ‘The forgotten: how White working-class pupils have been let down, and how to change it’. Kehinde Andrews, Professor of Black Studies, [described](#) the report as “complaining about those poor so-called White working-class boys being left behind by multicultural Britain” – a sentiment not dissimilar to the comments on the petition targeting Benjamin. Andrews said that in the report:

“We are warned that terminology like ‘White privilege’ is alienating the poor souls and that the usage of such terminology may even be breaking equality law.”

Again, this demonstrates the perpetual problem with the way equality legislation treats racial discrimination. Citing W.E.B. DuBois, Andrews touches on how “the ‘psychological wage’ of Whiteness” allows white people to maintain a feeling of superiority even while they feel victimised. He concludes:

“There is no crisis of the White working-class in the school system separate from the issues facing all children from a deprived background. The only difference is that White children are neither poor nor struggling in schools because of the colour of their skin, and in a racist society that is a privilege.”

The report on white working class pupils again shows how sorely, and perhaps wilfully, misplaced and ignorant popular understandings of race and racism are. But moreover, along with the case of Benjamin and Gullis, it demonstrates the real-world impact of this ignorance on racially marginalised groups.

## Case study: Colin Kaepernick

Cases so far have considered popular notions of racism in the UK. But I would argue that these notions bear much similarity to other parts of the West, including the US where a similar model of race as a protected characteristic is applied in legislation. A renowned and obvious example is that of American footballer Colin Kaepernick and the treatment he has received from the American [football industry](#), American media, and the wider public. Regarding the latter, an examination of [responses](#) to Kaepernick on Twitter shows that those who believe ‘All Lives Matter’ invariably also believe saying ‘Black Lives Matter’ is racist. Accusations of racism hurled at Kaepernick must easily number in the thousands.

It was reported in 2018 that Alex White, a lawyer and Republican candidate who ran for Senate in Kentucky, [said](#) “Kaepernick is by definition racist”. White posted the comment on his campaign Facebook page; and although it was later deleted, he repeated the sentiment in an interview with the Courier Journal. One can only guess what definition White was referring to, and it’s probably safe to assume that it was a reference to racial discrimination in American law. White’s comment was apparently in response to a T-shirt with a picture of Malcolm X and Fidel Castro which Kaepernick had worn at a post-game press conference. In the same interview, he said “all lives matter”, and added:

“We need to treat members of minorities or any groups whether religious or ethnic, whatever the identity may be should be treated equally under the law and by law enforcement — period”

The same article goes on to mention how then-president Donald Trump instrumentalised Kaepernick’s protests “as a culture war weapon to energize his base”. In 2017, Trump openly [called](#) the ire of his

supporters, renowned proponents of the ‘All Lives Matter’ edict, upon Kaepernick. While speaking at a rally in Alabama about players who take the knee, Trump said the response to them should be:

“Get that son of a bitch off the field right now. Out! He’s fired. He’s fired!”

In case there was any doubt as to the racism inherent in Trump’s sentiments, he later went on to [say](#) that maybe players who kneel during the anthem “shouldn’t be in the country”. This was in 2018, in response to the National Football League (NFL) introducing a ban on players kneeling during the national anthem and a fine for players who don’t comply. Unsurprisingly, Trump’s targeting of Kaepernick had a knock-on [effect](#) on his career, making teams reluctant to sign him on.

It’s worth noting that the response to Kaepernick has been motivated as much by the ‘un-American’ act of him taking the knee as it has by his activism and politics in general. In December 2020, Senator Lindsey Graham [called](#) Kaepernick ‘a racist’ for criticising US military attacks on Iran. This was in the aftermath of Iranian general Qasem Soleimani’s execution by US air strike, when Kaepernick [tweeted](#):

“There is nothing new about American terrorist attacks against Black and Brown people for the expansion of American imperialism.”

Many right-wing politicians and media commentators joined in the criticism. Graham called Kaepernick’s response “un-American”, saying:

“He’s a racist. If you’re looking for racism in America, Mr. Kaepernick, look in the mirror. Your country is not the problem. It’s the Iranians and you’re so blinded by your hatred of Trump that you can’t see the difference between who we are and who the Ayatollah is.”

Most recently, right-wing commentator and former Fox News host Megyn Kelly [called](#) Kaepernick “racist” in response to his Netflix documentary ‘Colin in Black & White’. Speaking on her YouTube-aired show, views for which tend to number in the tens of thousands, Kelly said:

“I can’t believe somebody at Netflix didn’t get up and walk their asses out over this bullsh\*t propaganda about our country, the NFL, White people in general. This is outrageous.”

Kelly’s outrage was purportedly based on a comparison Kaepernick made between



## Anti-racism legislation in "post-racial" societies

the way players undergo physical checks for the NFL and the way slave traders examined slaves. The sentiment is similar to outrage expressed for the term 'white privilege'. It stems from a deep-seated unwillingness to accept that colonialism never ended, that the exploitation and inequalities it brought forth persist to this day, and that white-run systems and institutions play a key role in their perpetuation.

### No justice, no peace

*"We can't reform white supremacy. Visualize yourself writing 'we will reform white supremacist systems & institutions to make them value our lives' on a piece of paper. Now visualize ripping it up & then opening your hand to let the bits of paper carry away on the wind. Let it go."*

*Letting go of reform & recognizing it as a fool's errand will allow us to imagine a whole new world of possibilities & devise actual solutions to societal problems instead of restricting ourselves to what our enslavers forced upon us." – Bree Newsome Bass*

While laws involving protected characteristics are intended to address inequality and racism, they ring hollow if they fail to take into account the very real social structures within which these characteristics are situated. And ultimately, in seeking radical, transformative justice, groups facing one or more forms of oppression need to look far beyond the limitations of legal systems. There's strength in numbers, and joining hands, combining forces, and working in solidarity with other oppressed groups can form a model for engagement not just in a political context but also in a community one. In doing so, we don't just reject the colonial 'divide and rule' tactic – we form a sustainable, holistic model for political engagement that takes into account both individual and collective wellbeing.

It was Assata Shakur who said, "Nobody in the world, nobody in history, has ever gotten their freedom by appealing to the moral sense of the people who were oppressing them". This is particularly relevant for marginalised groups who have sought to assimilate, enter the fold and become 'model minorities' despite the oppression they face. Falling in line with the system will not achieve justice, because the system is neither equipped nor willing to deliver justice. Rather than falling in line, disruption, no matter how uncomfortable it may be, is the only recourse. Demanding the jus-

tice to which we are entitled, not just within the bounds of the laws that exist but in spite of them. In order to do so requires constant critical engagement with, rather than uncritical acceptance of, the power structures that govern us.

### Afroze Fatima Zaidi

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<sup>1</sup> <https://twitter.com/EvelKeevil/status/1433623942342881281?s=20>

<sup>2</sup> <https://twitter.com/USCriticalMess/status/1434302307483758592?s=20>

<sup>3</sup> <https://twitter.com/CalamityClaire4/status/1433811214610599976?s=20>

<sup>4</sup> <https://twitter.com/LeaveUnitedOrg/status/1434264484131057664?s=20>

<sup>5</sup> <https://twitter.com/SaraJane101/status/1434314892539047937?s=20>

<sup>6</sup> <https://twitter.com/DionysusIX/status/1434050160091406339?s=20>

<sup>7</sup> <https://twitter.com/AndyBuxey/status/1434961955995934731?s=20>

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# The Repeat Cycle of US Militarism and Western Imperialism in Afghanistan

The Taliban takeover of Afghanistan, whilst deeply humiliating for the US, is in and of itself not enough to dent US interfering or ambitions in the region argues **Faisal Bodi**. Understanding the longer history of the US and its allies meddling in the country is essential if the country and those trying to counter US hegemony in the region want to find a way forward.

The graveyard of empires, Afghanistan, has claimed another victim. As the mighty US military licks its wounds following the lightning Taliban takeover, the world is once again reminded of the fragility of western imperial power. It's all a stark contrast to the braggadocio and bellicosity that pervaded the White House and Pentagon in the immediate aftermath of the 9 September 2001 attacks on the United States when the neo-liberal dominated administration promised the world a misleadingly framed war on terror that would "drain the swamp" that fed so-called Muslim extremism. Amidst the cacophony of battle cries from seasoned warmongers, egged on by an emotionally charged but cynically exploited public, the voices of reason and restraint warning of dire consequences stood little chance. No one likes a "told-you-so". Yet here we stand, 20 years later, counting the cost and repeating the same refrains that we did after the debacle of Vietnam. And while we recount the double standards, subterfuges, false pre-

texts, demonisations and outright lies which informed the military intervention, we remain painfully aware that despite the humiliating defeat in Afghanistan, elsewhere US gunboat diplomacy rumbles on as usual, unimpeded by the lessons of that misadventure.

## History of American Intervention

On August 16 2021, in an [address to the American people](#), President Biden reiterated the US mission in Afghanistan as an anti-terrorism endeavour necessitated by the attacks of 9/11. Such has the American invasion been framed that the public has been conditioned into believing that US political and military involvement in Afghanistan only started with that provocation. What Biden conveniently failed to mention was that the history of US meddling in Afghanistan's internal affairs goes back much further and has contributed to the rise of the forces confronting Washing-

ton today, not just in Afghanistan but all over the world.

At the dawn of the 1980's, Afghanistan found itself the site of a new battleground between the Soviet Union and the West. Soviet forces invaded the country giving rise to a mass insurgency led by an ethnically and politically diverse array of Islamically inspired freedom fighters. In line with the Cold War logic that the enemy of my enemy is my friend, the US poured billions of dollars into Afghanistan to train and arm the mujahideen. Washington's efforts would bear fruit eight years later when the mujahideen succeeded in forcing the Soviet Union to withdraw. But it came at a cost. The alliance with the mujahideen was always a marriage of convenience. While they shared a common aim in ousting the USSR, the US was motivated by an imperialist/capitalist desire to achieve and maintain global hegemony while the mujahideen were inspired by religious ideals, particularly Islamic governance, something that would naturally place the two in conflict where Washington was backing

## ON OFFER

**Political Islamophobia at American Policy Institutes:  
Battling the Power  
of Islamic Resistance**  
by Hakimeh Saghaye-Biria

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and [amazon.co.uk](http://amazon.co.uk).



Looking at the RAND corporation, the Brookings Institute and the Washington Institute for Near East Policy, Saghaye-Biria overviews these three think tanks' obsession with Islam and Muslims since the Islamic Revolution in Iran in 1979. She discusses the implications for Muslim societies of the direction of travel proposed.

**Hakimeh Saghaye-Biria**  
is an Assistant Professor at  
University of Tehran, Faculty of Islamic  
Knowledge and Thought.

secular autocratic, oppressive regimes in the Muslim world.

Unlike the Taliban whose focus was purely domestic and which from the outset was funded (and in some cases [it is argued created](#)) by the British, Saudis, the Americans and the Pakistani military (Washington wanted a peaceful country that could house oil and gas pipelines from Central Asia and a counterweight to Iran), the ideologues of Al-Qaida had a global outlook.

Under the protection of Pakistani intelligence and under the influence of Arab ideologues like Ayman al-Zawahiri, the man accused of planning the 9/11 attacks, Osama Bin Laden, spearheaded the transition from a local to a globally focussed jihad that increasingly targeted US interests, such as the destruction of the U.S. embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania in 1998, a kamikaze bomb attack against the U.S. warship Cole in Aden, Yemen in 2000 and most spectacularly the aircraft attacks on the World Trade Centre and the Pentagon in 2001.

It seems unlikely that in supporting the mujahideen, US planners genuinely failed to foresee that they would also be helping to develop the capabilities of their own future enemies. After all, less than a decade earlier they had watched in utter astonishment as ally turned antagonist Saddam Hussein invaded and occupied Kuwait. Up to that point the despotic military ruler had also been a staunch partner, even fronting a devastating but ultimately unsuccessful proxy war against Iran that aimed to reverse the 1979 Islamic Revolution. Saddam went rogue after he failed to secure western support in a border oil dispute with Kuwait. The subsequent charge to war led by the West to remove his forces from Kuwait followed by 12 years of crippling sanctions designed to punish and weaken Saddam Hussein's rule exposed the moral bankruptcy of western foreign policy. The bitterness and animosity engendered by those sanctions, which caused the deaths of hundreds of thousands of Iraqis, primarily children, provided a fertile climate for the birth of the Islamic State of Iraq and the Levant (ISIS). In Iraq, as in Afghanistan, US forces would face increasing hostility from their erstwhile anti-Saddam allies leading to a decision in July 2021 to withdraw combat troops from the country by the end of the year. And in both countries, US military action has failed to achieve its stated objective of preventing them from being used as centres for planning or launching of attacks against the US and its interests. To the contrary, the US-led invasions of Afghanistan and Iraq spawned countless reprisals all over the world including the US itself.

## US response to 9/11

If the 9/11 attacks were intended to make Washington pause and reflect on its widely detested activities in the Muslim

world, they failed abysmally. Rather than see 9/11 as an act of protest, Washington viewed it as a challenge to its global supremacy. Thus, the US response was to stick to its guns and shore up the cracks that had appeared in its global hegemony; in other words, double down on a failed policy. "Regime change", the act of removing the rulers in Afghanistan and Iraq and replacing them with ones willing to do the US' bidding, was a big buzzword at the time. Indeed, just hours after the first plane had been crashed into the World

**The irony that in prosecuting an open-ended war against Muslim adversaries the world's most powerful army was killing civilians while claiming to be saving and liberating them (especially women) was lost on few**

Trade Centre, neo-liberal hawks in the US administration including Defence Secretary Donald Rumsfeld, his deputy Paul Wolfowitz and Defence Policy Board chairman Richard Perle were all clamouring for military action against Iraq, even though it had absolutely no involvement in the attacks. What the warmongers spied was actually a favourable climate that presented an opportunity to widen US militarism unencumbered by judicial checks. On September 14, 2001, Congress passed the Authorization for the Use of Military Force (AUMF) bill authorizing the president to use military force against those responsible in any way for the attacks of 9/11. The Authorization has served as a carte blanche for the US to use military force.

By 2016, according to the Congressional Research Service, it had been used to justify 37 distinct military operations in 14 different countries and at sea. In short, it was a green light for the US to strike anywhere.

**"The vast majority of the people killed, maimed, or displaced in these operations had nothing to do with the crimes of September 11. Successive administrations have repeatedly ignored the actual wording of the authorization, which only authorized the use of force against those involved in some way in the 9/11 attacks."**

Figures released by civilian harm mon-

itoring group [Airwars](#) ahead of the 20th anniversary of 9/11 show that US drone and air strikes alone have killed at least 22,000 civilians and perhaps as many as 48,000 since 2001 in Afghanistan, Iraq, Syria, Yemen, Libya, Pakistan and Somalia. Shockingly, the US itself has never sought to calculate a total of civilian deaths ascribed to actions under its aegis according to Airwars. In 2019, research published by the [Watson Institute of International and Public Affairs](#) found that more than 801,000 people had died as a direct result of fighting in the US-led war on terror. Of those, more than 335,000 were civilians. Another 21 million people had been displaced due to violence. 9/11 has also been an excuse for the US to extend its military power overseas. Neta Crawford, who authored the study wrote that the post-9/11 wars in Iraq, Afghanistan, Pakistan and Syria have expanded to more than 80 countries and cost the US taxpayer \$6.4 trillion. The irony that in prosecuting an open-ended war against Muslim adversaries the world's most powerful army was killing civilians while claiming to be saving and liberating them (especially women) was lost on few.

## Global consequences of the war on terror

The so-called war on terror also degraded and undermined international law to a degree perhaps not seen since the Second World War. The joint US/British attack on Afghanistan after 9/11 was carried out unilaterally without even the cover of a UN resolution authorising force. They dismissed efforts by Afghanistan's rulers, the Taliban, to avoid conflict rejecting an offer to supply evidence so that the suspects could be arrested and [tried in an Afghan court](#). They also rejected an offer by the Taliban to hand over Bin Laden to a third country [if the bombings stopped](#). In December 2001, the Taliban's spokesman even offered an [unconditional surrender](#), which was rejected by the United States which continued pounding fighters and civilians alike, despite a Pakistan brokered agreement to allow the Taliban to retreat to their villages and the US to install a leader of its choice in Kabul. Washington threatened to bomb Afghanistan's neighbour, Pakistan, [back to the Stone Age](#) if it didn't comply with demands such as turning over border posts and bases to US forces, forcing Islamabad to abandon its support for the Taliban government in Kabul and allow US overflights of Pakistan. The Bagram airfield which served as the largest US military base in Afghanistan became a byword for torture where those caught in the US dragnet would be routinely subjected to violence and abused under so-called "enhanced interrogation techniques" authorised by the US Department of Justice.

It mirrored Guantanamo Bay, the detention facility in Cuba, where suspects



were transported and held without charge or trial. Those captured were classified as enemy combatants and thereby immediately flung into a legal no man's land where fundamental protections did not apply. Over 700 people have passed through Guantanamo Bay with the majority eventually released without charge. Some 39 inmates remain, dubbed "forever prisoners". Then there was Abu Ghraib in Iraq, where reports of torture first surfaced to alert the world to the real face of the war on terror. According to the Red Cross, between 70-90% of those passing through its walls in the first year after the 2003 US invasion of Iraq were **mistakenly detained** with many subjected to physical and sexual abuse, torture, rape and sodomy. Those who managed to avoid these facilities became victims of "extraordinary rendition", whereby they would be taken by the US friendly countries to be incarcerated and tortured. Some 54 countries cooperated in what was effectively an **organised kidnapping campaign**.

The unilateralism displayed by the US and the abuses it has carried out has given other oppressive regimes a green light to wage their own internal wars against dissent. The Chinese Communist Party (CCP) defined Uighur resistance as part of the worldwide "terrorism" emergency and not as a local issue of "separatism" as it used to in the past. Israel redefined the occupation of Palestine as its own war against terror. In Myanmar the de-facto ruling generals used the 'war on terror' to sanitise violence against the Rohingya. Egypt's military leader has similarly invoked the war on terror to justify imprisoning and silencing the opposition. In the same vein, India's hard-line nationalist leaders framed the Kashmir freedom struggle as a terrorist scourge. These are just a few examples and by no means an exhaustive list.

At the same time as countries were tearing up international law, they were also rewriting their own statute books to extend executive power and criminalise dissent, especially of the Islamist kind. Britain presents a case in point. In the wake of 9/11, the UK government hastily rushed

the Anti-Terrorism, Crime and Security Act 2001 (ATCSA) through parliament (these were in addition to two highly controversial pieces of anti-terror legislation enacted since New Labour's rise to power in 1997). It confers greater powers on law enforcement authorities to counter terrorism but severely limits civil liberties and human rights. In 2003, Parliament voted in the Extradition Act which gave authorities the power to approve extradition requests from designated states for UK

**After the 2005 London attacks, the government set up a Preventing Extremism Taskforce tasked with drawing up a strategy aimed, it was claimed, at winning the hearts and minds of Muslims by promoting a narrative that would counter extremist violence carried out in the name of Islam**

residents without the need for the receiving jurisdiction to provide any prima facie evidence. The Act has been widely employed to remove from the UK Muslim dissidents and activists whose presence the government deems undesirable. After the right to hold suspects without trial, brought into force by the Anti-Terrorism, Crime and Security Act 2001, was struck down in 2004 by the House of Lords as incompatible with Britain's obligations under the European Convention on

Human Rights, Parliament wasted little time in replacing it with the Prevention of Terrorism Act 2005. Its defining feature was that it substituted internment with control orders that allowed for restrictions to be imposed on the movements, associations and communications of terrorism suspects (whether British or 'foreign' nationals). None of these legislative tools were successful in deterring the July 7, 2005 terrorist attacks on London commuters (in fact the heightened sense of grievance they created may even have been a contributing factor to the attacks). In their aftermath Parliament rushed through the Terrorism Act 2006, which widened the definition of terrorism to include expressing support for the use of violence to achieve political objectives. Under its terms it was now illegal to call for the violent overthrow of an oppressive military dictatorship or to support an armed insurgency. The Counter-Terrorism Act 2008 unsuccessfully attempted to extend the pre-charge detention period from 28 to 42 days. However, the Act introduced more prohibitions including on the publication of material that could compromise the security of British security services and armed forces at home or abroad. It was followed in 2010 by the Terrorist Asset-Freezing etc. Act which made it possible for the executive to designate as terrorist individuals or entities they "reasonably believe" to have been involved in terrorism. The act does not require that the person or entity be charged, convicted or even arrested for terrorist offences.

Running parallel to the enactment of legislation has been an exercise of 'soft power' by successive British governments to engineer a change in the political attitudes of Britain's Muslims. After the 2005 London attacks, the government set up a Preventing Extremism Taskforce tasked with drawing up a strategy aimed, it was claimed, at winning the hearts and minds of Muslims by promoting a narrative that would counter extremist violence carried out in the name of Islam. Those discussions culminated in the birth of CONTEST, and within it the PREVENT

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programme, the so-called community engagement component of this four-pronged counter terrorism strategy. PREVENT was predicated on the idea that British Muslim society lacked an effective counter narrative to 'extremist' ideological positions that were proving increasingly appealing to young Muslims affronted and angered by the effect on their co-religionists of western governments' foreign policies, in particular the invasions of Afghanistan in 2001 and Iraq in 2003. Tapping into widespread British Muslim revulsion to the London attacks it claimed to seek to build a consensus around defeating the extremist narrative. However, over time PREVENT has been exposed as a surveillance tool and has expanded into a de-tested social engineering exercise seeking to liberalise Muslims and make them compliant to the state.

The US also expanded executive power immensely in the aftermath of 9/11. Just six weeks after the September 11 attacks, Congress passed the "USA/Patriot Act" that vastly expanded the government's authority to spy on its own citizens, while simultaneously reducing checks and balances on those powers like judicial oversight, public accountability, and the ability to challenge government searches in court. "Most of the changes to surveillance law made by the Patriot Act were part of a longstanding law enforcement wish list that had been previously rejected by Congress, in some cases repeatedly. Congress reversed course because it was bullied into it by the Bush Administration in the frightening weeks after the September 11 attack", according to the [American Civil Liberties Union](#). In the 10 years after the Patriot Act, only 1% of cases using its "sneak and peek provision" were terrorism related. In 2002, Congress created the Department of Homeland Security (DHS) bringing immigration under the umbrella of national security, furnishing the author-

**it is wishful thinking to expect the US to change course. The militarism to which the US has nailed its colours since the end of the Second World War will continue regardless of the failure of the "war on terror"**

ities with a legal basis to profile and target minorities, mainly Muslims.

In fact, Islamophobia has been a key driver of policy in western states post 9/11. With Muslims increasingly perceived and labelled as "the enemy within", 9/11 spawned a huge multi-million-dollar industry led by well-financed think tanks in the US pursuing neocon interests whose goal is to undermine Islam and Muslim political causes. It provided the racist right and far right with a new punchbag and legitimised discrimination against Muslim minorities in many countries. Fanned by an equally Islamophobic mainstream media, European states scrambled to ban women from wearing the hijab in public. Security panics were engineered over Islamic institutions, with governments seeking to control religious teaching and organisation. Governments the world over poured funds into new organisations they created to lead Muslims from their "disloyal conservatism" to compliant liberalism.

## Conclusion

Just as it was in the early 20<sup>th</sup> century, the failure of imperial powers to leave Afghanistan to hew its own course in the world has brought it untold suffering and damage. However, the fallout has not been confined to the borders of this landlocked mountain nation. Instead of a eliminating a single identifiable threat, the "war on terror" waged in the interests of imperialism spawned dozens of new attacks and militant groups all over the world. It degraded the global human rights architecture creating a free for all where states could ignore international law and launch attacks in sovereign nations at will. It eroded domestic civil liberties under the pretext of national security, extending executive power to dangerous levels. It gave a boost to Islamophobia, legitimising attacks on Muslims on all levels and rendering them second class citizens where they form minorities. It diminished the value of life by killing and maiming many hundreds of thousands of people. Over the past 20 years alone, the US has spent \$8 trillion on the "war on terror" according to the [Costs of War](#) project at Brown University. But regardless of the cost, it is wishful thinking to expect the US to change course. The militarism to which the US has nailed its colours since the end of the Second World War will continue regardless of the failure of the "war on terror". As of July 2021 the US still had around 750 bases in at least 80 countries with about 173,000 troops deployed in 159 countries (the actual number may be even higher as not all data is published by the Pentagon.) Afghanistan may have dented US pride but it is unlikely to change its foreign policy.

### Faisal Bodi

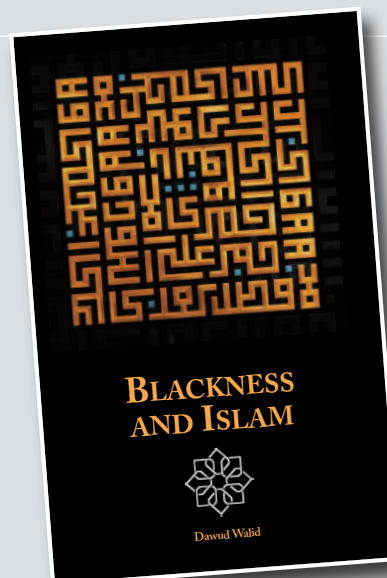
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Associate Professor of West Africa, Islamic Knowledge & Spirituality, African Diaspora at the University of California – Santa Barbara

Back in Sight:

# Deflating Genocide to Dissolve Bosnia and Herzegovina

As international attention is now slowly turning to the Balkans once more, **Demir Mahmutćehajić** argues that the ongoing actions of Milorad Dodik and his supporters have brought the country to the brink of dissolution.

A recent [view from the British daily The Guardian](#) on Bosnia and Herzegovina is very helpful. After a very long time it once more puts Bosnia and Herzegovina back in the international spotlight. The attention gives rise to concern however as conversations, analysis and rhetoric suggest a return to conflict. Such is the momentum that many people in Bosnia fear that international action will be same as in the early 1990s - "too little too late".

The wider context of various activities undertaken by high ranking actors in the entity of Republika Srpska (RS), one of the federal entities that make up Bosnia and Herzegovina, is being presented by the ruling majority in the National Assembly of RS (NARS), as a response to the outlawing the denial of genocide by [the previous High Representative, Valentine Inzko](#). One of the first acts of incoming Milorad Dodik, the member of the BiH Presidency from the RS, was to pull Republika Srpska representatives out of central institutions in July. By October, Dodik was proposing taking back powers and transferring land owned by the central state to RS.

Dodik is still being guarded in comments about the 1995 genocide in Srebrenica: "No one denies that there was crime there," he said. "But it's also true that the story that was told is not the whole truth. An almost identical number of Bosniak Muslims and Serbs were killed. There is no decision there that says genocide was committed by the Serbian people." This is neither correct nor moral, but it obviously continues the attack on the relevance of the International Criminal Tribunal rulings. Further stepping up his dehumanizing tactics Dodik is no longer using the accepted name for Bosnian Muslims (Bosniaks) but simply the term 'Muslims'. The aim is to portray, again, Bosniaks as aliens in Europe, the West, and in the Balkans, invoking long running regional and current Westernised forms of Islamophobia.

## Croatian president also downplays genocide in Srebrenica

When asked by a reporter if the Srebrenica massacre was a genocide, Croatian president, Zoran Milanović said that "grave crimes with elements of genocide" were committed.

According to Arnesa Buljusic-Kustura, a genocide researcher and expert, Milanović's comments point to a growing trend amongst Serb and Croat nationalists in the Balkans to underplay crimes that were committed during the violent breakup of Yugoslavia.

"His (Milanović's) rhetoric is not much different than that of the rabid & more openly fascist genocide denialism, but it does also point to a much larger problem," said Buljusic-Kustura in a [Twitter thread](#).

The problem, as Buljusic-Kustura sees it, is that "this rhetoric is so widespread because the International Community has done its best to divorce Srebrenica from the rest of the horror that occurred in Bosnia, making it an isolated act of genocide which is not at all the case."

This attitude is in part reflected in Milanović's comments when he added that there were "different types of genocide", before putting Srebrenica at a lower level than those committed during the Holocaust.

The increasing problem of genocide denial in the region is the main factor behind Valentin Inzko, the Austrian diplomat who served as the High Representative for Bosnia and Herzegovina from 2009 to 2021, imposing a law in the country recently making it illegal to deny the Srebrenica genocide.

In a recent interview, Željka Cvijanović, the president of Republika Srpska, one of the two entities that make up Bosnia and is representative of Serbs, said that it was important to remember there were victims on both sides of the conflict.

Cvijanović's comments form part of a narrative amongst Serb politicians in the region that seeks to relativize the Srebrenica genocide. The ire of Serbian figures at attempts to check this trend is evident in e.g. Serbian President Aleksandar Vučić, earlier this year, lashing out at Montenegro after it passed a law that outlawed denial of the Srebrenica genocide.

## Multiple players, multiple poles, small playground

There are many 'players' in our small playground. They all have their own interests at heart in the first instance, from very unambiguous Turkish activities to deep Israeli connections with the government of the entity of Republika Srpska, all of which require focused analysis. What can be presented at this point is a very interesting interview that the president of the entity of Republika Srpska, Željka Cvijanović, gave to the Israeli news outlet [Haaretz](#) on 6 December, 2021, just four days before the special session of the NARS that set about the process of transfer of powers from the national entity to RS on 10 December. Her visit to Israel, and meetings with senior Israeli officials, including Finance Minister Avigdor Lieberman and Housing Minister Zeev Elkin were also used to deny the genocide in Bosnia and Herzegovina. According to Prof. Jelena Subotić, a political scientist at Georgia State University, Cvijanović and various RS officials have been consistent and instrumental in genocide denial, from outright denial to arguments over numbers: "It is specifically President Cvijanović's position that the Srebrenica events were 'retaliation' against Bosniak anti-Serb violence," she is quoted in the article as stating. Cvijanović's highly controversial 'Independent International Commission of Inquiry on the Sufferings of All People in the Srebrenica' recently published its report on the Srebrenica genocide, defying the international consensus. The report claims that instead of



## The acceleration of Serbian chauvinism in Bosnia

the genocide of 8000 or more unarmed Muslim civilians, 3000 military prisoners had been executed by Serb forces. The report's main author is renowned Israeli Holocaust academic Gideon Grief. So controversial was this report that the German government suspended an award it had scheduled to give Grief for his Holocaust work. In response, Grief raised another Islamophobic trope, namely that of 'Muslim anti-Semitism':

"Where did all this come from? ... As far as I know, it comes from Muslim circles. Bosnia is a Muslim country and so we can say, if we analyse it, that it's a Muslim attack on a Jewish scholar – you can find there even anti-Semitic characteristics."

The hypocrisy of this is impossible to measure, but it is further proof for all citizens of Bosnia and Herzegovina that 'our' leaders are capable of all kinds of miserable twists and turns, lies and deceptions. This realization and awareness is all the more worrying because it shows that everything is possible and that they cannot be trusted with their words and deeds.

### From genocide denial to state dissolution

In a special session on the evening of 10 December 2021, NARS passed a set of conclusions. This marked a further step towards the transfer of competencies from the state level of Bosnia Herzegovina to the entity level of Republika Srpska. These conclusions refer directly to judicial institutions, defense and security and indirect taxes.

This session of the NARS was very heated and before voting most of the opposition MPs left. At the end 52 parliamentarians (out of a total of 83) cast their votes and adopted all four conclusions. It is very indicative that these initiatives were named conclusions because as such, by law, they do not need to be approved by the Council of Peoples of Republika Srpska (the entity's upper body), where representatives of Bosniaks, and possibly Croats, have power to block them.

Among other decisions, NARS withdrew the consent of the RS entity for the formation of central institutions in these sectors and tasked the Government of the RS to send into parliamentary procedure law proposals that would regulate them at the entity level. In effect the judicial institutions of RS would no longer be controlled centrally by the federal government of BiH, but by RS.

Similarly, the conclusions concerning the defense and security sectors tasked the RS government to send to parliamentary procedure within a six-month period a law treating these sectors at the entity level, while the Law on Defence of BiH, Law on Service in the Armed Forces of BiH, the Law on Intelligence-Security Service and the Law on State Investigation and Protection Agency would cease to apply in RS.

Finally, the conclusion on indirect tax-

ation tasked the RS Government to draft a law on value added tax and law on excises of RS in similar fashion, making state-level laws redundant in RS.

NARS also adopted the Declaration on Constitutional Principles. The opposition MPs had left the session earlier in protest.

**All the threats, warnings and announcements so far have not prevented them (Dodik and his allies) from working on collapsing state institutions. What stands in their way to continue towards complete secession from BiH?**

### Demolishing Bosnia

What happened in the NARS is being presented by Milorad Dodik and his loyalists as the "peaceful and dignified demolition of Bosnia and Herzegovina". They are taking as an example the dissolution of Czechoslovakia – into the Czech Republic and Slovakia in 1993, as their intended path. The population of the entity of the Republika Srpska is not being informed about the consequences of these actions whose intention is to pave the path for secession.

Even though the actions of NARS constitute a direct attack on peace in Bosnia and Herzegovina the response from the international community – BiH institutions on their own are too weak to stop these secessionist activities – was, and still is, either non-existent or very lame.

Previous announcements and threats by Dodik regarding the unilateral return of competencies from the state to the entity are slowly, but surely, beginning to materialize. From those verbal threats they have moved to practical steps to create the collapse of BiH institutions. Despite numerous warnings, the ruling elites in the entity of RS do not seem to be giving up on this very clear plan. There is a general consensus in Bosnia and the region that this is a game involving the lives of the citizens of the whole country. Unfortunately, all this is not being taken seriously by the international community, the OHR and judicial institutions in BiH. More worrying are the number of voices dismissing Dodik's secessionism

saying he is not serious and that he is just ramping up the nationalism ahead of elections.

### Turning down the threat volume

The first direct undermining activity was the adoption of the [Law on Medicines and Medical Devices](#) of Republika Srpska. This was presented as a response to the Covid-19 pandemic in which technical oxygen was being used for treating COVID-19 patients instead of medical oxygen. This transfer of competencies from state level to federal entity level should have been a step too far, but instead it is being presented as a political tactic. This is wrong in many ways.

Although the adopted conclusions do not have direct legal effect, this does not mean that they are insignificant. On the contrary, they are part of a series of attacks on the state and its institutions, led by Dodik and his SNSD party. Dodik's adoption of the conclusions in NARS was needed as proof that he is not alone in this adventure and that the institutions of Republika Srpska and his political associates are behind him and prepared to accept the risk of criminal responsibility and other sanctions announced by the USA, Great Britain and many EU countries.

The fact that the opposition in the entity of Republika Srpska has decided not to follow Dodik in this adventure is encouraging, but it is neither enough to stop Dodik nor are they recognised by the public in the entity of Republika Srpska as an alternative. One of the first tests for the opposition's public support were elections for the mayor of Prijedor. They were held just three days after the adoption of the abovementioned conclusions in NARS amid hopes that Dodik's candidate would lose. Even though the opposition contested these elections in a united manner with a single candidate they did not manage to win. The very low turnout of approximately 30% was indicative of the lack of support for both sides in the entity of Republika Srpska.

Dodik and his SNSD, with coalition partners, have the required majority in NARS. All the threats, warnings and announcements so far have not prevented them from working on collapsing state institutions. What stands in their way to continue towards complete secession from BiH?

### Kremlin involvement

In an interview with [The Guardian on 29 November 2021](#), Milorad Dodik said he would not be deterred by the outcry at his actions from London, Washington, Berlin and Brussels. He continued by saying that sanctions and cuts to EU funding would only force him to take up offers of investment from China, and he expected to see

Russia's leader "pretty soon". Just a few days later he met with Russian President, Vladimir Putin.

Dodik's populism is evident in this interview:

"And I even think that I like that," Dodik said. "When I go to Putin there are no requests. He just says, 'what is it I can help with?' Whatever I discussed with him, I've never been cheated on it. I don't know what else to base trust upon, if not that. With [China's leader] Xi Jinping, he also says, 'if there is anything I can help with I am there.'"

On a visit to Moscow, **Dodik said he had agreed with Putin** the current price of gas for the entity of RS would remain unchanged. Also, he stressed that the Russian leader supported the idea of extending the Balkan Stream gas pipeline into the entity of RS. In the same visit to Moscow in early December 2021, Dodik also met with Gazprom PJSC Chief Executive Officer Alexey Miller in St. Petersburg to discuss cooperation, in particular over Russian gas supplies. Dodik used these high-level meetings to present the argument that he has the support of Russia for his secessionist activities. In an interview to RTRS on 3 December Dodik said: "Russia has a series of objections about disregard for the Dayton peace agreement..." (the Dayton Agreement formally ended Bosnia's conflict in 1995). According to Dodik, Putin prefers preserving the original provisions of the deal negotiated in Dayton, Ohio, "as opposed to liberal concepts from the West" to overhaul the arrangements.

## Making Bosnia impossible

All of these activities, and many more, aim to attenuate the genocide in Bosnia and Herzegovina. In his article on the portal *tacno.net*, **Boris Paveli** explains that this is a strategy to 'prove' that it is impossible for Bosnia to exist. Put simply, once the genocide in Bosnia and Herzegovina is so degraded, devalued and relativized there will be no moral obligation to strive to preserve Bosnia and Herzegovina. When that happens, all those efforts will make it possible to divide Bosnia and Herzegovina between Serbia and Croatia leaving, possibly, a small central area for unwanted 'Muslims'.

Feminist activists Gorana Mlinarević and Nela Porobić Isaković wrote an analysis of the current situation on 19 November. In it they discuss the fact that the voices of people in Bosnia and Herzegovina are made irrelevant. They argue that Bosnia and Herzegovina is being used as a playground for the global geopolitical struggles between NATO/EU and Russia, US and China, and that if this is stopped war can be averted. The people of Bosnia and Herzegovina do not want it. They want decent lives, clean air and water, affordable food and housing. They want to plan their vacations. They want to leave the war years behind.

Through their field work Mlinarević and Isaković concluded:

"...if you listen closely to what some of the people of BiH are saying the few times they are given space to talk, you will

hear they do not want to wage war, that Bosnians and Herzegovinians are not ever again willing to pick up a gun. But it is like the international community (along with their ethno-nationalist and regional counterparts) is deaf to what we are saying. Instead, they keep repeating, almost chanting: war, war, war. It is deeply traumatizing. But more than that, it is deeply enraging."

Unfortunately, in the geopolitical struggle, the reshaping of power balances, a full blown Cold war between the USA and its loyalists on one hand, and Russia, China and their allies on the other could heat up in places like Bosnia and Herzegovina. Direct parallels are being drawn between the situation in Ukraine and Bosnia and Herzegovina. The interests of world powers are overwhelmingly more dominant than those of ordinary people. Even though people do not want war it does not mean that war will not be thrust upon them.

## Demir Mahmutćehajić

is from Stolac in Bosnia. After some years in the UK where he helped found the Islamic Human Rights Commission in 1997, and later became the president of the London Islamic Community of Bosnians, he returned to Bosnia. Since 2005 he has been constantly engaged in the civil rights movement in the Bosnia and Herzegovina, at one time leading the DOSTA! (Enough!) movement. He has written and spoken about genocide in Bosnia, its causes and consequences over the last 25 years. Many of these speeches, reports and articles can be found on the IHRC website. Find him on Twitter @stolac92.

# HOW STATES SANITISE GENOCIDE AND GENOCIDAL ACTS

#GMD2022

Sunday, 16<sup>th</sup> January 2022  
On-line at 1pm UK time

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## Remembering Man's Inhumanity to Man

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


of Canada, it is perhaps Anglicised dominant culture or society. Such can be perceived as a part of waves of migration to Canada, some through bloody literature devoted to the communities, including Muslims, normative questions about 'assimilation' or 'integration' into the Canadian norm. While the authors

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POLITICAL ISLAMOPHOBIA AT AMERICAN POLICY INSTITUTE

In recent years, some movement has occurred in the areas of Islamic law, Islamic constitutions, and the more interesting work of Muslim jurists, where they took an eclectic approach, restricting themselves to just one of the law, but blending Islamic laws and interpretations from a variety of countries and sources with civil law, moral norms, and new looks at orthodox concepts. This work has taken place in many locations. It should be centrally collected and made available to jurists and other interested parties across the Islamic world." (Benard, 2003, p. 5)

(2003) examination of the issue of *hijab* as it relates to Islam is also noteworthy. She urges the US to treat the issue of *hijab* not from the vantage point of freedom or pluralism. She makes several assertions in the larger context of what the practice of *hijab* means

such as consuming alcohol and partying, dating and premarital relations (Zine, 2009: 39).

Shakeri (2000) argues that Muslims, particularly women, want to keep their religious identity, while adopting the other aspects of (what Shakeri describes as) the host culture such as language, educational system, employment patterns, and civic life. For them integration means acceptance by the larger Canadian society of their separate identity, including their distinctive religious practices, patterns of family relationship, and mother tongues (Shakeri, 2000: 129).

For those Muslims who live in Canada but may also feel that their loyalties belong at least partly to an Islamic community, however fragmented or distant that community may be, it is relevant to examine

## Islamic Human Rights Commission



### Chapter 9:

#### The Mine of Struggle



We now enter the Mine of Struggle. Within this mine we shall look at the struggles of the Prophetic household, including Sayyidah Fatimah and Sayyiduna Ali, and how it shaped their lives. Sayyidah Fatimah witnessed all of the early Qurayshi oppression towards her family and the believers in general.

During the first year of revelation in 610 CE, after hearing about the Prophet Muhammad ﷺ receiving revelation, many prominent members of Makkah society became Muslim and submitted themselves to the religion of Islam.

### BATTLING THE POWER OF ISLAMIC RESISTANCE

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views to be countered by the opposing argument that "many Muslim women oppose and resent *hijab* and that its religious validity is the subject of a major ongoing dispute" (Benard, 2003, p. 59). She strongly endorses some European countries' treatment of *hijab* as a symbol of militant Islam, finding the ban on headscarf as a positive move.

The frame that Benard (2003) uses in her report *Civil Democratic Islam* is best described in the following statements:

- "Contemporary Islam is in a volatile state, engaged in an internal and external struggle over its values, its identity, and its place in the world." (p. ix)
- "It therefore seems sensible to foster the strains within it that call for a more moderate, democratic, peaceful, and tolerant social order." (p. 1)
- "It is no easy matter to transform a major world religion. If 'nation-building' is a daunting task, 'religion-building' is immeasurably more perilous and complex." (p. 3)

### WORLD AFTER 9/11 AND BUILDING MODERATE MUSLIM NETWORKS

subsequent RAND reports, *The Muslim World After Building Moderate Muslim Networks*, expanded on the instigating reform in Islam. The frame of war of ideas was again put forward. The overarching conflict in the Middle East is framed as "a struggle within the world between tendencies associated with liberal Islam and, on the one hand, and radical and violent tendencies, on the other" (Rabasa, 2004, p. 60). It is stressed that the conflict is not about a clash of civilizations between the Muslim world and the West. This assessment is

individuals specifically selected and invited because of responses that play to his portrayal of Muslims as hypersensitive.

Even seemingly benign and respected mainstream news networks, in their zeal to fill 24-hour cycles with "breaking news" exclusives, often present images of violent extremism as committed by a Muslim actor, so that the motivation for such acts is religiously inspired. It seems to be the only religious tradition to which such violence is ascribed; no other suspect is identified by his religious affiliation, even when explicitly stated, as in the case of Christians, Hindus or even Buddhists of late. This is manifest in the use of the word, "terrorist," almost exclusively when concerning a potential Muslim actor.

While recently, i.e. since the start of the Trump Administration, outlets have begun to "expand" the scope of "terrorism" to include white supremacists, whom law enforcement agencies now acknowledge as a greater threat to American society than Muslim extremists. The presumption that Muslims have to rebut the charge for the act in question. This internalization of a "problem" and/or existential threat to America is felt by Muslim Americans, who shudder at the thought of an act of extremism and mass killing. It is not only to pray that the suspect is not a Muslim, but also to pray that the suspect will occur via toxic media policy.

Anti-Muslim

Seeing negative or insulting stereotypes of Muslim people in the media (news, TV, etc.)  
Witnessing politicians philosophise that Islam and Muslims are innately problematic  
Hearing Islamophobic comments made in particular by politicians or high ranking officials  
Witnessing or hearing about Islamophobia  
Your religious beliefs being challenged by work colleagues/school/college peers

Diagram 3: The intensity of the experience experienced by Muslims in the US (in %)

The extent to which Islamic values are being challenged, along with

Only Canadian

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upon what is told to them by the media; (ii) the extent to which they are affected in the long term by the images and stereotypes encoded in media representation of Muslims. Amman (2007) argue that:

"It is possible for viewers to adopt negative or even oppositional readings using the selective perception (which according to perception theory is never as selective, random or privatised as term suggests) but 'cognitive balance theory' suggests people avoid absorbing information which contradicts or conflicts with knowledge already held (Graber, 1988). Conversely, it follows that by absorbing information which resonates with their previous learning; people reinforce their opinions and in a cyclical process (re)confirmation find their views endorsed in media discourse.

"In applying these ideas to the examination of media descriptions of Islam and Muslims, if the meaning is not articulated in practice, no effect (Hall, 1975). However, if it is consistently articulated, Islamophobic discourse has a significant impact on the way non-Muslims perceive and interact with Muslims. If terms such as 'jihadist', 'fundamentalist', 'hijab' etc are encoded in negative and threatening meanings then they have real possibilities for definable social effects resulting from the circulation of these ideas. The social effects of these ideas are

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