Religious Tolerance in France: A Perspective of Maqasid Shari'a

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Abstract

This study examines religious tolerance in France from the perspective of Maqasid Shari'a. This study employed a qualitative approach with a case study design. The study was conducted in 2019, taking place in France. Data collection techniques were carried out using observation, in-depth interviews, and documentation also the informants were selected by purposive sampling and snowball sampling. Data analysis used the critical analysis method through in-depth interviews with religious leaders, organizational leaders associated with inter-religious harmony organizations, community leaders, and youth leaders. This study revealed France's position as a country which ready to accept religious pluralism and guarantees constitutional, historical and factual tolerance among religious believers. However, this encounters several obstacles that arise in the form of radicalism, Islamophobia and unpreparedness for dialogue related to religious issues. From these obstacles, various strategies emerged to create tolerance among religious believers, namely the laicite law, integration policies and supporting religious institutions such as the *Conseil Francais du Culte Musulman* (CFCM). Some of the French government's strategies turned out to be in line with the dimensions of *Hifz al-Din* which is one of the goals of Maqasid Shari'a. *Hifz al-Din* in this context, is interpreted repressively then it becomes *haq al-tadayyun* (religious rights), where this strategy can guarantee the continuity of religious people to worship and carry out religious values. Haq al-Tadayyun not only maintains the sanctity of religion but also creates a harmonious relationship pattern in practicing religion amidst religious diversity. This research has implications for the emergence of a form of tolerance among religious believers in France, therefore, it can be a policy reference for countries with Muslim majority populations in responding to the dynamics that occur due to religious diversity.

Keywords: France; Haq al-Tadayyun; Maqasid Shari'a; Relations; Tolerance.

Abstrak

Penelitian ini mengkaji toleransi beragama di Prancis dari perspektif Maqashid Syariat. Penelitian ini menggunakan pendekatan kualitatif dengan desain studi kasus. Penelitian dilakukan pada tahun 2019 bertempat di Perancis. Teknik pengumpulan data dilakukan dengan observasi, wawancara mendalam dan dokumentasi serta pemilihan informan secara *purposive sampling* dan *snowball sampling*. Analisis data menggunakan metode analisis kritis melalui wawancara mendalam dengan tokoh agama, tokoh organisasi yang terkait dengan organisasi kerukunan umat beragama, tokoh masyarakat, dan tokoh pemuda. Penelitian ini mengungkapkan bahwa posisi Prancis sebagai negara yang siap menerima pluralisme agama dan menjamin toleransi konstitusional, historis dan faktual antar pemeluk agama. Namun, hal ini menemui beberapa kendala yang muncul berupa radikalisme, Islamofobia dan ketidaksiapan untuk berdialog terkait isu agama. Dari kendala tersebut, muncul berbagai strategi untuk menciptakan toleransi antarumat beragama, yaitu undang-undang laicite, kebijakan integrasi dan lembaga-lembaga keagamaan pendukung seperti *Conseil Francais du Culte Musulman* (CFCM). Beberapa strategi pemerintah Prancis ternyata sejalan dengan dimensi *Hifz al-Din* yang menjadi salah satu tujuan Maqasid Syariah. *Hifz al-Din* dalam konteks ini dimaknai secara represif kemudian menjadi *haq al-tadayyun* (hak beragama), di mana strategi ini dapat menjamin kelangsungan umat beragama untuk beribadah dan menjalankan nilai-nilai agama. *Haq al-Tadayyun* tidak hanya menjaga kesucian agama, tetapi juga menciptakan pola hubungan yang harmonis dalam mengamalkan agama di tengah keragaman agama. Penelitian ini berimplikasi pada munculnya bentuk toleransi antar pemeluk agama di Perancis, sehingga dapat menjadi acuan kebijakan bagi negara-negara dengan penduduk mayoritas muslim dalam menyikapi dinamika yang terjadi akibat keragaman agama.

Kata kunci: Prancis; *Haq al-Tadayyun*; Maqasid Syariah; Hubungan; Toleransi.

INTRODUCTION

Religious pluralism is often considered to cause inter-religious conflicts (Armayanto, 2014; Sinha, 2005). This is evident in several conflicts that have disrupted inter-religious relations in France, including the attack on the Charlie Hebdo's office (Liepyte & McAloney-Kocaman, 2015; Nikmah, 2018; Vasilopoulos et al., 2018), the prohibition of the use of headscarves (Rafsitahandjani & Firdaus, 2017), the burning of a mosque in Strasbourg (Barsihannoor, 2014). In fact, diversity would bring benefits and can create tolerance between religious communities with a record that it can be managed properly, and this is in line with the results of research showing that religious pluralism is not only seen as a surefire way to maintain harmony and create harmony (Abdillah, 2019), but also as a solution to prevent inter-religious conflicts (Dzakie, 2014).

Many researchers on religious tolerance have conducted in the perspective of local wisdom (Eko & Putranto, 2019; Fadli, 2018; Pajarianto, Pribadi, & Sari, 2022; Purna, 2016; Zuhdi, 2018), religious teaching (Menchik, 2016; Mendus, 2010; Turner & Arslan, 2011), society and country (Brunn & Gilbreath, 2015; J Neusner, 2008; Verkuyten et al., 2014), as well as global politic (Vaezi, 2018). The results of those previous research indicated that the internalization of religious teaching could strengthen tolerance among religious adherents. This is because all religions, without exception, teach peace and respect to others. At a more global level, the issue of tolerance has been regulated by sovereign countries, especially countries with a democratic system. Likewise, no country wants to injure and disturb the peace of another nation.

Previous research discussed the issue of tolerance from an Islamic perspective, state and community wisdom, and global politic. From an Islamic perspective, previous research has only explained verses from the Koran and the prophet's hadith that support the issue of tolerance, while the discussion of tolerance in the *Maqasid Sharia* perspective in particular, is still completely ignored. *Maqasid Sharia* talks a lot about how a person has the right to maintain the five dimensions of *Maqasid Sharia*: religion, soul, lineage, property, and honor. The maintenance or care for the five *maqasid sharia* is important for a person so that peace of life and inter-religious harmony can be created. In addition, previous studies also discussed tolerance in several countries, such as tolerance in Malaysia (Ibrahim, 2013), Ethiopia (Assen, 2017), Persian Gulf (Fahy, 2018), South Korea (Jeong, 2017), China (Parekh, 2019), and Europe (Augenstein, 2008; Vichniac, 2018), while, this study examines the issue of tolerance in France.

France is one of the countries in Europe that is historically, constitutionally, and factually ready to accept differences. This is because French society consists of various religions, social and cultures that in its continuity, are constitutionally regulated by the principles of life, namely *liberte* (freedom), *egalite* (equality of rights), and *fraternite* (brotherhood). Historically, the emergence of the principle of life is a reaction against the power of the church which once dominated all aspects of life which made confined people to their freedom. Some of these characters can provide a mapping of the reality of inter-religious relations and how the state regulates these relations through various policies adopted.

Therefore, this study aims to discuss these issues by focusing on three main things : (1) inter-religious relations in France; (2) the inhibiting factors in fostering inter-religious tolerance; and (3) the strategy of building tolerance between religious believers in perspective of *Maqasid Sharia.* This study argues that the French government and society have a strong commitment to building tolerance between religious communities despite the factors that hinder it. Nevertheless, the concept of *Hifz al-Din* as one of the *Maqasid Syariah* can be used as a strategy to maintain tolerance and harmony among religious believers.

Maqasid Sharia has received serious attention from scholars and experts in Islamic law, both classical, such as Al-Gazali nd, Al-Syathibi (2003) as well as contemporary Al-Zuhaili (1986). These

theories and concepts, among others, state that the purpose of establishing Islamic law is to create benefit for mankind. The benefit of life is then understood as universal good values, including justice, equality, freedom, peace, prosperity, and ease of life as a reflection that Islam is a religion of love that is suitable for all places and times (Mawardi, 2016). If it is associated with the concept of tolerance between religious believers, *Maqasid Syariah* would be used as a conceptual basis for developing strategies for creating harmonious relations between religious believers.

RESEARCH METHOD

This study employed a qualitative approach with a case study design and examined the issue of inter-religious tolerance from the perspective of *Maqasid Sharia* in France. Data collection techniques were carried out using observation, in-depth interviews, and documentation. The selection of informants to be interviewed is based on their competence and not on representativeness (Bernard, 1995). Informants were selected by purposive sampling and snowball sampling. At the same time, In-depth interviews were conducted with religious leaders, organizational leaders associated with inter-religious harmony organizations, community leaders, and youth leaders. The purpose of in-depth interviews is to investigate data related to tolerance between religious communities, factors supporting and inhibiting the creation of tolerance between religious communities, and strategies for creating tolerance between religious communities. Documentation is used to explore data in the form of media coverage, both print and electronic media (internet), regarding the lives of religious people, notes on conflict cases owned by the government, and the results of research on inter-religious harmony that has been carried out. Data analysis was carried out using the critical analysis method (Jujun S. Suriasumantri, 2012) with the following steps : (1) describe the idea that is the object of research; (2) discuss or interpret the idea; (3) critique the idea that has been interpreted (conduct an analytical study); and (4) conclude.

RESULTS AND DISCUSSION

Concept of Religious Tolerance

Tolerance in the socio-cultural and religious context means attitudes and actions that prohibit discrimination against different groups in a society. Although the word tolerance is still controversial and has received criticism from various groups regarding the principles of tolerance, both from liberals and conservatives, tolerance between religious believers is an attitude of respect and appreciation for other religious groups (Abdul Rahman, 2012; Tan, 2008).

Tolerance as a universal value system that refers to the point of commonality needs to be created and functions as a form of recognition of cultural and civilizational diversity. If this concept is realized, religious understanding will not be manipulated for political and economic purposes and interests, which often lead to murder, destruction, and all forms of anarchist actions in the name of religion (Mabruk, 2014).

Religious tolerance includes issues of belief in humans related to the faith or divinity they believe in. A person must be given the freedom to believe in and embrace a religion (have a creed) of his choice and pay respect for implementing the teaching that he adheres to or believes in (Cassanova, 2008).

Michael Walzer points out several levels of meaning and practice of tolerance in history which are (1) passive acceptance of differences for the sake of peace ; (2) a lenient indifference to differences when at this level, the existence of others is already recognized, but their presence does not have any meaning ; (3) recognition of the different ; (4) not only acknowledge differences but also be open to others or mutual

understanding; and (5) not only acknowledge and open up, but also support, care for, and celebrate those differences (Walzer, 1997).

Interreligious Relations in France

France, as part of Europe, generally holds the principles of an individualistic and liberal philosophy of life (Hilmy, 2015; Spector, 2018) and refers to secularism which in Latin is known as *laicite* which is a reflection of the principles of *liberte* (freedom), *egalite* (equality of rights) and *fraternite* (brotherhood) (Spector, 2018). France has a strategic location seen from the rapid growth of Muslims in Europe (Marzuki, 2012). The population of France consists of various ethnic, cultural, and religious origins, which among other things, come from North Africa, such as Algeria, Morocco, and Tunisia. In addition, there are other immigrants from West Africa, such as Mali, Nigeria, and Senegal. Similarly, Turkish, Bangladeshi, Syrian, and Egyptian Immigrants are also in Paris. Besides, various religions and beliefs live and develop, such as Islam, Catholic Christianity, Protestant Christianity, Orthodox Christianity, Buddhism, Judaism, and Atheism.

With a population of 8.4 million Muslims in 2017, Islam occupies the position of the second-largest religion after Catholic Christianity (Intan, 2019). This figure is not official and is not released by the government because the French constitution does not allow for a population census based on race and religion. In addition, the State Constitution refers to secularism, Latin as *Laicite*. Constitutionally, Muslims get the same treatment as followers of other religions, but at the level of facts and reality, they experience ups and downs depending on the level of political stability and events experienced by Islam both on a local and global scale.

Moreover, France is the most open country and the readiest to guarantee inter-religious tolerance. This openness makes France the European country most inhabited by Muslims. A Gallup International report in 2009 noted that the Netherlands and France, as European countries, were most open to dialogue with people of all religions and beliefs. Also, John L. Esposito, as quoted by Barsihannor, mapped the Muslim community in France into four : (1) Muslim immigrants who have lived in Paris for a long time, such as those who came from North Africa such as Algeria, Morocco, and Tunisia ; (2) Algerians who chose to live in France and become French citizens ; (3) the New France (a new generation of Muslims) are Muslims who have the right to citizenship by birth or naturalization; and (4) the French community who embraced Islam (Barsihannoor, 2014). Of the four elements of this community, the new generation of Muslims are more prepared to practice tolerance because they have lived with followers of other religions at school, at work, and in the community (interview with Ahmed Jebullah, 7 August 2019).

This condition of openness and acceptance leads to the creation of inter-religious tolerance. Inter-religious tolerance appears in various forms, including the tradition of some Catholic Christians to make Eid al-Fitr greeting cards to be distributed to the Muslim community, visiting each other to mourn if someone dies, attending circumcisions, attending events breaking the fast together, donating to the construction of a mosque or mushalla (house of worship), attending interfaith weddings (interview with Jean Caoutudreu, 17 August 2019). Pastor Jean Caoutudreu made this parable of inter-religious relations:

> Faith is like many and many layers of stairs and everyone, both Christian and Muslim, chooses to live on that part of the ladder according to their respective religions and beliefs. All can go up through the stairs to reach His Lord. Every time he/she ascends, they feel closer to Allah. Every time they feel close to Allah, they feel closer to each other (interview with Jean Caoutudreu, 17 August 2019).

Several forms of activities strengthen tolerance between religious communities in the economic, social, political, education, arts, and sports fields. This activity takes place naturally and systematically. Sometimes, each religious community does not realize that what is happening is part of the glue of tolerance between religious communities. This is as stated by Ahmed Jebullah:

In the field of art, for example, when a calligraphy art competition is held, Muslim participants sometimes write texts sourced from the Qur'an and Hadith, as well as words of wisdom and then translate them under these writings using French. This made the participants and the audience curious about the content and substance of the writing. From interest, curiosity arises, a dialogue emerges, and inter-religious relations occur (interview with Ahmed Jebullah, 11 October 2019).

Likewise, with sports such as football, as stated by Abdel Haq:

In the field of sports, for example, Muslim soccer players show their character and the consequences for teaching the Islamic religion that is believed to be, such as fasting when playing football in the month of Ramadan. This makes other players and the audience curious about the characters shown. From interest, curiosity arises, then dialogue emerges, and in the end, inter-religious relations occur (interview with Abdel Haq, 13 August 2019).

According to Ahmed Jebullah, these two aspects, namely art and football, can be the glue of tolerance between religious believers because everyone likes art that contains beauty. Likewise, football is the most popular type of game in the world. In certain cases, football can minimize differences between religious communities (interview with Ahmad Jabullah, 11 October 2019). Abdel Haq, an activist for peace and inter-religious dialogue, emphasized:

Sports events, especially soccer games, are the most effective means of creating tolerance between religious communities as well as facilitating integration between community members. Many football players are of Arab descent and are Muslim. In a soccer game or championship, when one team wins and gets a trophy, the audience forgets the players' differences in religion and skin color. But because it succeeded in bringing France as a great country and a winner, it will be lauded. Even if the championship is not held every week or month, the sport will leave a deep and positive impression in creating inter-religious integration (interview with Abdel Haq, 13 August 2019).

Factors Inhibiting Tolerance Between Religion

In his research, Iksan said that tolerance between religious believers is like two interrelated currencies. On the one hand, some factors support the creation of tolerance, but on the other hand, there are factors that can hinder the occurrence of tolerance. Among the inhibiting factors for the realization of an attitude of tolerance is excessive negative prejudice against a religion which in Islam is known as Islamophobia. On the other hand, fanaticism towards religious teaching, be it, Islam, Christianity, Hinduism or Buddhism, considers other religions wrong and only their religion is true. In addition, the supporting factors for the implementation of tolerance among religious people are the kinship system factor or local wisdom of the local community that can reduce conflicts, internalize religious teachings (Iksan, 2015; Rusydi & Zolahah, 2018), and government support for religious institutions or the like (Rafsitahandjani & Firdaus, 2017).

Several factors considered to be obstacles to the realization of inter-religious harmony in France include a narrow understanding of religious teaching and value (radicalism), Islamophobia, and unpreparedness for dialogue.

Narrow Understanding of Religious Teaching

The biggest concern experienced by religious people is the emergence of a narrow understanding model of religious teaching. Adherents of this kind of understanding often claim that their own way of understanding is correct while the understanding of others is wrong. This attitude triggers blind fanaticism, stubbornness (rigid), exclusivity, and even radicalism. Jean Caoutudreu emphasized that this attitude certainly threatens the joint of social life and the values of tolerance:

> We have no problem living together and side by side with followers of other religions as long as they respect the principles of life applied by our country. Problems arise if a group of people or parties want to impose their will, way of life, the concept of thinking, or regulate our already established way of life (interview with Jean Caoutudreu, 17 August 2019).

Religious adherents who always claim to be right while others are wrong are factors that trigger conflicts. A number of academics remind religious people not to get caught up in this attitude. The development of religion and religious life should not lead to the growth of narrow religious thoughts and understandings because it will lead to conflicts between religious believers (Anggraeni & Suhartinah, 2018). Thus, in general, the model of a narrow understanding of religious teaching is an inhibiting factor for inter-religious tolerance in France.

Islamophobia

The rapid development of Islam in France raises some concerns. This concern arises because Islam is described as a force that will determine society's color and new direction in all aspects of life. Most people think that portraits like this arose and developed due to misunderstandings about Islam and Muslims. This misperception of Islam worsened with the September 11, 2001 terrorism incident that destroyed the WTC (World Trade Center) building in the United States, which Muslims are being suspected of. This action is increasingly cornering Islam and is considered the cause of acts of discrimination, anarchism, and racism that befell Muslims in Europe in general. This concern that plagues European society, in general, is known as Islamophobia.

After Charlie Hebdo's attack in 2015, a new meaning for Islamophobia occurred: Muslims are termed "others." From several phenomena, Husain Urid, an observer of Islamophobia, interprets that this phenomenon arises due to political narratives that are deliberately developed, especially by ultra-right-wing political parties that are hostile to Islam. The issue of Islamophobia has divided society into two, some can distinguish between Islam, Islamic movements, and radicalism. On the other hand, there are those who cannot distinguish between these three things, in fact, they consider Islam as a material that supplies ideological and thought materials for Islamic movements to carry out acts of radicalism and terrorism (Abidin, 2018; Mostofa, 2017).

This analysis is strengthened by the opinion which indicates that society is divided in responding to the existence of Islam and Muslims and cannot clearly distinguish between Arabs and Muslims. There has been a change in the public's perspective on several acts of violence and terror. If before the WTC bombing in 2001, people still considered immigrants are living in France to be Arab, but after that incident the naming changed gradually to Islam (Interview with Mourad Laghrari, August 13, 2019).

According to an IQNA News report, the French National Advisory Commission on Human Rights found that 44% of the French public perceive Muslims as a threat to their historical identity (Sanneh & Peters, 1981). In 2012, the 2018 CCIF Rapport data explained that 2012 there were 469 Islamophobic acts. In addition, Islamophobic acts based on data from the Collective Against Islamophobia in France Report 2016 stated that in 2013-2015 there was an increase of 18.5%. In 2013 there were 691 Islamophobic acts, then 764 acts in 2014, and in 2015 there were 905 Islamophobic acts (Barras, 2017).

Unpreparedness for dialogue

The principle of living in cultural, ethnic, and religious diversity is about readiness to accept differences. This indication appears as a willingness to communicate and dialogue with followers of different religions. Through dialogue, misunderstandings between religious communities can be minimized. With dialogue, social and cultural barriers can also be overcome. Tolerance usually begins with recognition, and then comes mutual respect, living together, and side by side. As JeanCaoutudreu said:

> The purpose of dialogue is to get to know each other because every time you get to know someone and their religion, you will have the preparation to tolerate (interview with Jean Caoutudreu, 17 August 2019).

Even though Jean Caoutudreu did not deny that some Christians are not ready to communicate and dialogue with Muslims or vice versa. This attitude certainly threatens the joints of social life and threatens the values of tolerance. as confirmed by Jean Caoutudreu:

> We have no problem living together and side by side with followers of other religions as long as they respect the principles of life applied by our country. Problems arise if a group of people or parties want to impose their will, way of life, the concept of thinking, or regulate our already established way of life (interview with Jean Caoutudreu, 17 August 2019).

Based on the classification, there are three groups in responding to inter-religious dialogue: (1) those who are passionate about dialogue ; (2) it is not enthusiastic but does not hinder the dialogue; and (3) groups who do not believe in dialogue as a solution and hope that conflicts or clashes between religious communities will occur (interview with Ahmed Jebullah, 7 August 2019).

In Jean's view, four forms of communication and dialogue must be developed by religious people: (1) dialogue in life, namely dialogue with the closest people, such as neighbors ; (2) activity dialogue, namely dialogue with followers of different religions in the same organization, such as nature lovers, environmentalists, co-workers, parents, political parties ; (3) dialogue in religious ceremonies and rituals, for example, attending circumcision events or conveying condolences to people who died, attending interfaith weddings (Muslim and non-Muslim); and (4) dialogue about sacred texts, namely dialogue by exploring the holy books of other religions such as the Qur'an and the Torah to find out other people's beliefs and religions and of course this is not possible for everyone because it requires scientific capacity and expertise (interview with Jean Catoudreu, 17 August 2019). Thus, the inhibiting factor for inter-religious tolerance in France appears as unpreparedness to communicate and dialogue with followers of different religions.

Strategy for Fostering Tolerance Between Religions

Laicite Act

Constitutionally, the state's life in France refers to the notion of secularism, namely the separation of the state from religion (church), commonly known as *laicite.* This concept contains three principles of life (Ministere De Linteriur Republique Francais 2016) which are *liberte* (freedom), *egalite* (equality of rights), and *fraternite* (brotherhood). In relation to the issue of religious diversity, the implementation of *laicite* is that the state gives freedom to every citizen to believe or not believe in a religion and even change religions, then, l*aicite* becomes the main requirement to be able to live in all forms of diversity including religious diversity at once implying the freedom or neutrality of the state either towards the existence of

religion or another belief system, including atheism.The description of the neutrality of the state in conditions of inter-religious life under *laicite* is recorded in this statement:

> The government does not give priority to certain religions but recognizes the existence of all religions. All citizens have the same rights and obligations in practicing their religion and belief" (interview with Jean Caoutudreu, 17 August 2019).

Socio-culturally, the concept of *laicite* also makes minority rights well protected. If *laicite* is not applied then it is possible that French society will adopt the Catholic legal system because of its position as the majority religion (interview with Ahmed Jebullah, 17 August 2019). Through the application of *laicite*, the government wants to provide equal opportunities for all citizens without discrimination, also educate them to live in peace, and reduce conflicts between adherents of different religions.

Historically, *laicite* appeared at the same time as the French revolution, which occurred on July 14, 1789. It emerged as a reaction to the actions of the church (the catholic church) at that time, which played an over-acting role in regulating all aspects of life; not only in the realm of religion but also in the realm of social and even state life. The feeling of disgust and boredom that had been buried for years with this inequality finally found the right momentum, namely by overthrowing the power of the church and carrying out revolutions, including changing the state constitution to *laicite.*

By applying *laicite,* conflicts between religious communities never occur because religious affairs are private rights that are left to each individual. Several conflict incidents reported in the mass media are actually not religious conflicts but political conflicts originating from right-wing politicians who are worried about the existence of the increasingly strong Islamic religion (interview withAnouar Kbibech, August 17, 2019). This is in line with Caoutudreu's statement that indicates t the mass media are sometimes disproportionate in presenting news:

> However, it is a shame that the mass media, both electronic and print, do not report on the friendly relations we foster every day with followers of different religions but prefer to publish news about terrorism which has been blow-up in such a way (interview with Jean Caoutudreu, 17 August 2019).

Contrary to the previous opinion, Barthelemy and Michelat (2007) conclude that *laicite* has not been able to create inter-religious tolerance fully, but on the contrary, this is the cause of the emergence of barriers to Islamophobic attitudes and stereotypical views about Islam that give rise to acts of discrimination. Theoretically, *laicite* is a principle of life that refers to universal values for caring for the life of the nation and state, but in practice, sometimes it does not reflect freedom. This phenomenon is what makes *laicite* like a "double-edged knife" (interview with Anouar Kbibech, August 17, 2019; with Ahmed Jaballah, 7 August 2019).

Similarly, Yusuf Al-Qardhawi considered that the French government was inconsistent in applying *laicite* among religious people, especially Muslims. In the case of the hijab ban, al-Qardhawi criticized the government, which according to him, touts freedom as a principle of life that must be respected, while on the other hand, prohibits someone from wearing religious symbols that are upheld by human rights.

Integration Policy

France's openness in accepting immigrants raises very complex social, cultural, and political problems. On the one hand, France needs the services of immigrants to facilitate industrialization in all fields, but on the other hand, it creates cultural, ethnic, and religious diversity. In order to maintain the life of the nation and state that stands on this diversity, an integration policy is implemented. The practical

form of implementing integration is that the state does not allow differences in citizens based on cultural, ethnic and religious identities. The form of integration of the socio-cultural life of the community is recorded in the following statement:

Based on the integration policy, it is not allowed to show religious symbols in public spaces. Likewise, it is not allowed to conduct a population census based on ethnicity, culture and religion. (Interview with Ahmed Jebullah, 7 August 2019)

Newspaper Journal *du Dimanche* citing research results from the *Institut Francais d'Opinion Publique* released that 56% of French people are confirmed to embrace Islam in accordance with the values applied by the country and nation where they come from. Other data from the Montaigne Institute report, which raised the title "A French Islam is Possible" in 2016, indicated that the integration of Muslims in France could happen, but there are many challenges, possible but challenging (Karoi, 2016). In an interview with The Atlantic, French President Emmanuel Macron said he wanted to create a comprehensive plan in which Islam in France could integrate (mingle) with non-Muslims without borrowing Islamic patterns from countries outside France (Cesari, 2002).

The phenomenon that happened was the silent majority of the people merged with French values in fostering inter-religious tolerance, then emerged a new alternative aimed at Muslims who still adhere to the general narrative. The new alternative narrative is a French-style Islamic narrative, not an Islamic narrative in France (Karoi, 2016).

CFCM Religious Institute

The state maintains constant communication with all religious organizations to discuss practical issues of worship and important issues concerning common life in society. Given the importance of communication channels, the government issued a policy to establish institutions for each religion and its representatives recognized by the government. In 2003, an institution or agency named *Conceil Francais de Cultu Musulman* (CFCM), and non-government institutions (NGOs) aimed to bridge communication between the government and Muslims. This institution is tasked with voicing the aspirations of Muslims to the government and vice versa. Even though this institution only exists at the national level and has an office in Paris in the sense that it does not have branch offices in the regions, the aspirations and absorption of information received by this institution are then conveyed to the government and vice versa from the government to Muslims.

Maqasid Sharia Perspective in Fostering Tolerance Between Religions

This study found that religious diversity in France is used as a concept to foster inter-religious tolerance. The social fact evidence that France is the most open country and the readiest to guarantee tolerance among religious believers compared to other countries in Europe. This is reinforced by several daily activities carried out by religious people in various aspects of life, such as arts (writing calligraphy) and sports (football). This activity takes place naturally and systemically without realizing that it is part of an effort to create tolerance among religious believers. However, this fact seems to face several obstacles that arise in the form of the emergence of a narrow understanding of religious teaching and value.

This study also indicated that some of the conflicts that occurred in France were not purely religious conflicts but conflicts with political nuances carried out by right-wing politicians to discredit Islam because of fears that Islam would emerge as a force that would color or dominate all aspects of people's lives in France. The activities of these right-wing politicians were then supported (blew up) in the name of

freedom by the mass media which was not one-sided with the interests of Muslims. From this, it seems that the mass media coverage of Islam and Muslims in France is often not objective and unbalanced.

Based on these obstacles, the French government offered a strategy to create inter-religious tolerance, including the *laicite* law, integration policies and strengthening the role of religious institutions through CFCM. Suppose it is associated with the concept of tolerance between religious believers. In that case, Maqasid Sharia can be used as a conceptual basis for developing strategies for creating harmonious relations between religious believers.

We are of the opinion that several strategies of the French government in creating tolerance among religious believers are in line with the concept of *Maqasid Sharia,* namely the dimension of religious maintenance *(Hifz al-Din),* which in its development is termed *Haq al-Tadayyun*. This emerges because the purpose of establishing Islamic law *(Maqasid Sharia)* is to create the benefit of life for mankind. This is in line with the opinion of Imam Al-Gazali, who asserts that the purpose of implementing the *Shari'a* is to realize the maintenance of 5 (five) main elements (Abu Hamid al-Gazali, nd), which are (1) *Hifz al-Din* (maintaining religion) ; (2) *Hifz al-Nafs* (maintaining the soul) ; (3) *Hifz al-'Aql* (maintaining reason) ; (4) *Hifz al-Mal* (maintaining the property); and (5) *Hifz al-'Irdh* (maintaining honor).

Elly Warti Maliki, as quoted by Ridwan Jamal elaborated the concept with the current problems faced by mankind and emphasized that its position is not only as a defensive effort for each individual, but more than that, it is a repressive effort that should be directed at improving the quality of human life, religion, economy, social, intellectual and cultural life.

The arguments built are: (1) *Hifz al-Din* (maintaining religion) becomes *haq al-tadayyun* (religious rights), the right to worship and practice religious teachings ; (2) *Hifz al-Nafs* (keeping the soul) becomes *haq al-hayat* (right to life), the right to create a better quality of life for oneself and society ; (3) *Hifz al-'Aql* (maintaining reason) becomes *haq al-ta'lim* (right to education),the fulfillment of intellectual rights for every individual in society, including the issue of copyright, works and someone's creations ; (4) *Hifz al-Mal* (maintaining the property) is a person's right to obtain property in a lawful and working way; and (5) *Hifz al-'Irdh* (maintain honor) becoming *haq al-ihtirom al-insani* (right to human honor), the right to maintain the preservation of custom and culture (Jamal, 2016).

Regarding tolerance between religious communities, haq al-tadayyun is not only to maintain the sanctity of religion but also to build worship facilities and create a pattern of healthy relationships in practicing religion, both between fellow religions and different religions. Indirectly, this right is used as a strategy to build tolerance values among religious believers. If we look further, the concept of *Maqasid Sharia* is relevant to the Muslim majority and the Muslim minority because the spirit of *sharia* is in line with the benefit of human life in general. There may be differences in terms used among religious people, but the point is that religious goals can be fulfilled. In the Islamic concept, it may be called Maqasid Sharia, while in France, it is called good universal values.

CONCLUSION

People in France evidently practice inter-religious tolerance. This practice can be found in people's daily lives in various fields and is reinforced by the expression of those who want to live in peace and harmony. Information sourced from the mass media which depicts Muslims in France as 'parasites' that must be avoided and shunned is not all based on objective reasons in viewing Islam and Muslims. However, it was deliberately developed by right-wing politicians and parties suffering from the 'disease' of Islamophobia who fear that Islam has emerged as a force that can color Parisian society. This group tries to present an unbalanced portrait of Islam and subsequently forms a negative stigma against Islam and

Muslims. Moreover, they developed this issue with several geopolitical events that cornered Muslims, such as the WTC bombing and other acts of terror. Several strategies that emerged in the form of making constitutions, laws, principles, values, mottos of life, integration policies, and supporting religious institutions seemed to have different approaches, characters, and history. However, it substantially refers to the same goal: to create a harmonious, peaceful, mutual help and cooperation life among religious believers, which is the core of the *Maqasid Sharia's* concept. France is the only country in Europe that is most open and ready to accept diversity and has the highest constitutional and social guarantee of inter-religious tolerance. Therefore, this country can be an entry point for cooperation and collaboration in the field of education and research, particularly in the socio-religious realm in further research.

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