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Religious Diversity and Freedom of Conscience in the Arabic Countries Facing Globalization and Migration

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Abstract: Muslim societies are facing the new challenges of cultural and religious diversity. They are experiencing migratory phenomena, or because they are countries of immigration (such as in the Persian Gulf monarchies and emirates) or countries that are becoming a new destination of migrants (such as Morocco and other North African nations). These challenges are increasingly urgent due to the effects of other globalization vectors such as new communication technologies that cross all boundaries and foster unprecedented conversions. The purpose of this contribution is limited to the religious aspect of the new forms of diversification faced by Muslim countries. The goal is to analyze to what extent this process biases traditional ways of managing religious diversity.

Keywords: globalization; migrations; Arabic countries; Islam

1. Introduction

Globalization has made the management of cultural and religious diversity more complex in contemporary societies. Whereas globalization seeks to ensure the free movement of two factors of production—goods and capital—it limits the free movement of the third factor—people—except when they are indispensable to profit maximization. Nevertheless, it is not possible to block mass migration for many other reasons (economic crisis, wars, climate change, epidemics, and other ecological disasters). In many cases, advancements in science and technology cannot prevent many of these phenomena. On the contrary, from time to time, they generate their own devastating effects.

Nation-state security strategies, international policies driven by human rights, or racism or xenophobia have all failed to stem migration. Fear, despair, and misery drive millions of people from their homelands, risking their lives in the hope of taking refuge in a land where they can enjoy a better life. These developments, which are often unwanted, unexpected, and uncontrollable, are upsetting the societies to which migrants move. These societies become increasingly cosmopolitan. People of different origins, languages, traditions, religions, cultures, and narratives are condemned to live more or less together, mixing in public spaces or in places to live and joint activities, or alternatively, in segregated communities closed to others, protecting their lifestyles, cultural models, and exclusive spaces. Previously separated stories intermingle. Values systems that were previously unknown are now discovered, competing within the same society. Boundaries shift or disappear altogether. The traditional ways of managing cultural and religious diversity are called into question (Saint-Blancat 2001; Lasseur and Mayrargue 2011).

Muslim societies are also facing the new challenges of cultural and religious diversity. They are experiencing migratory phenomena because they are countries of immigration, as in the Persian Gulf monarchies and emirates, or countries that are becoming migratory routes of passage, such as Morocco and other North African nations. Dealing with these challenges is becoming increasingly urgent due to effects of other globalization vectors such as new communication technologies that cross all boundaries

and foster unprecedented religious conversions. The purpose of this paper is to focus on the religious aspect of the new forms of diversification faced by Muslim countries. Our goal is to analyze to what extent this process impacts traditional ways of managing religious diversity. We begin by recalling the specificity and development of Muslim traditional rule regarding the status of religious minorities and freedom of conscience (Ferjani 1996, 2002, 2005). Then, we describe how the impact of migration and globalization affects the societies shaped by Islamic civilization

2. The Traditional Status of Non-Muslims

At the outset of Islam and the advent of the first community of Medina led by the Prophet Muhammad, Muslim societies had their religious minorities. They tried to manage relationships with those minorities in ways that were alternately and at the same time peaceful and refusing coexistence, relationships of dialogue and mistrust, recognition and discrimination, and tolerance and persecution. To understand this variety of relations, it is important to frame them in the historical conditions of their genesis and evolution. Islam emerged in a context in which the question of freedom of conscience depended—as has always been and is often these days—first of all on socio-economic and political issues, and second on the confrontations between various faith communities and within each community. Sometimes, the need for the other favored tolerance and openness. When fear of the other, intolerance, and closure prevailed, all these attitudes caused the worst attacks on freedom of conscience, including inquisition, persecution, or extermination of the infidel and heretic.

The Quranic text, gradually formed between 610 and 632, reflects this alternation between intolerance and calling to fight against infidels and heretics, on the one hand, and the pursuit of tolerance and respect for freedom of conscience, on the other. As regards the first dimension, we find verses calling on the faithful to kill “the unbelievers wherever they are (Q9:5) or to “fight on the path of God the friends of Satan” (Q4:67) and those “who fight you” (Q2:190), “the infidels” (Q25:52), “the wicked and the hypocrites” (Q9:73 and 66/9). Verses even call for the “extermination” of “those who make war against God and His Prophet, and spread the evil on earth” (Q5:33). As regard the second dimension, we remind verses like the following: “there is no compulsion in religion” (Q2:256). “Truth is from your Lord. Then whosoever will, let him believe, and whosoever will, let him disbelieve” (Q18:29). “If God wanted, he would have made a unique human community” (Q5:48; 11:18, 16:93). As regards non-believers, “You have your religion and I have mine”. The Prophet’s mission is to *remember* and not “force” (Q88:21). “If a polytheist grants asylum, guest him so that he can hear the word of God” (Q9:6).

The attitude of the first Muslim community with regard to its Meccan opponents evolved from the search for tolerance and compromise before 622—the date of Hegira—to the will to subdue the enemy by war between 622 and 629, the date of the final conquest of Mecca by Muhammad and his followers. Later, the relationship with the people of Arabia and neighboring countries, whether they be Christians, Jews, or of other faiths, has alternately been inspired by tolerance and conflicts that sometimes went to extermination, as was the case for Jewish Tribe of Banū Quraydha in Medina after 624.

The Quran’s ambiguity and the founding tradition of Islam on this issue, compared to other fundamental issues, have been the basis of the differences within Muslim community. The supporters of the intolerance against *infidels*, hypocrites, polytheists, Satan’s friends, and the enemies of God and his Prophet (including the legitimacy to killing them) aim at rendering all religion to God. According to Abu Bakr ibn al-‘Arabi, a prominent Muslim theologian, the verses (Meccan verses) concerning tolerance and respect for freedom of conscience have been abolished by the verses (Medina verses) that incite to fighting infidels and heretics by invoking the chronological priority of the latter over the former. Others Muslim scholars admit tolerance and peaceful coexistence with non-Muslims when the economic interest and political situation demand them. However, if there are no particular obstacles, it is necessary to fight for as long as the whole world does not embrace Islam or submit to the authority of Muslims by paying a particular tax (*jizya*). Rejecting this position, followers of tolerance and freedom

of conscience claim only the second category of verses. They do not ignore that there is a contradiction in the Quranic verses. They tend to relativize this contradiction as the product of specific historical circumstances, refusing to consider as a general rule the principle of intolerance against the infidels. In particular, they refute the view of Ibn al-'Arabi, arguing that the verses, which come chronologically after the verses clearly referring to the first tolerant vision of Muhammad, demand respect for the freedom of conscience. They confute the idea that the verses, which rule on specific circumstances, could abrogate those verses, which established a general rule. The verses that promote tolerance and respect for the freedom to believe or disbelieve, protect a universal value, meanwhile the so-called "fighting" verses reflect a historically contingent situation.

Since the Prophet's death (632), the conflicts between the contenders to succeed him as the head of the Muslim community had adverse consequences for tolerance and freedom of conscience. The first victims were the nomadic tribes who wanted to overwhelm the authority of the people of Mecca and Medina. They refuse to recognize the authority of the first Caliph (Abū Bakr, 632–634) and were considered apostates. Because of this, the Prophet's successor did not hesitate to institute capital punishment as a criminal offense. A Muslim cannot abjure. Those who publically do so are condemned to the death penalty. Muslims have forgotten the political origin of this rule, which political powers have used and abused over the centuries. The victims of this rule were often Muslims whose only crime was the refusal to endorse the policy of the ruling power.

Under the realm of the Caliph Abū Bakr, the nomadic tribes from Arabia were forced to transform the traditional practice of the raid into the fight on God's path against neighboring countries in order to spread Islam and submit them to the authority of the Caliph. The Caliphs and dynasties that succeeded Abū Bakr's reign in Medina, then in Damascus, Baghdad, and other capitals of the Muslim empires, perpetuated this dual tradition. On one hand, there were those who considered any dispute a heresy and apostasy, to which they applied the worst sanctions. On the other, there were those who justified the war of conquest or against any enemy, internal or external, as "fight in the way of God" to which Muslims must sacrifice everything, their lives as well as their property. In both cases, the first victims were, and are, Muslims. Sometimes, but rarely, during the expansion of Muslim empires, non-Muslim minorities suffered from the exploitation of Islam to legitimize the ambitions of this or that particular dynasty and of a particular dissenter.

In this context—and often by demand of the caliphs, sultans, and princes who had other concerns regarding legitimate authority via religion—theologians developed theories among others that it is possible to believe or not believe according to the different religious rules. The obligations and rights of each person depend on what he or she believes or does not believe. We can distinguish, according to these theories, the regime concerning the Muslims and the People of the Book that are different from the rule concerning polytheists, people of other faiths, and atheists.

3. Religious Rights and Obligations of Muslims

In Islam, there is no religious authority acting as an intermediary between the believer and God. A Muslim is not obligated to give account of what he or she does in the religious sphere. No one can be suspected of disbelief if he or she has witnessed the double truth of God's uniqueness and Muhammad's prophetic role. This also applies when the believer does not observe the rules of worship or obeys other ritual doctrines and rules. Muslims of all convictions in all societies claimed this right every time they were discriminated or persecuted by other Muslims who, taking advantage of their hegemony and eager to impose their domination in the name of God, resorted the methods of the inquisition (Fattal 1995).

In fact, because of the complicity between political power and theologians who have been able to legitimize power through religion, Muslims may be victims of many violations of freedom of conscience. It occurs nowadays, as in the past, in countries such as Saudi Arabia, Sudan, Iran, Afghanistan, and Pakistan, and where fanatical movements feel strong enough to act like what jihadist movements, such as Daesh and al-Qā'ida. Theologians justify the violations in the name of principles,

based on Quranic and Hadith's traditional exegesis. Their arguments converge on the limitation of the freedom of conscience for all, and especially for Muslims, sentencing capital punishment for apostasy. The right to change religion is denied to Muslims. In addition, they can be unjustly accused of apostasy, as has happened and continues to happen very often (Amor 1994; Botiveau 1993).

Today, Baha'i in Iran after the advent of the Islamic Republic were considered apostate and suffered the worst abuses that forced their survivors to choose exile. In other Muslim countries, victims of the accusation of apostasy are often intellectuals whose writings bother custodians of orthodoxy and Islamist groups. Persecution ranges from the censorship of scientific, literary and artistic works to the death sentence for apostasy or forcible divorce of previous marriages contracted by an apostate. In this case, the apostate should repudiate his wife on the pretext that he is no longer a Muslim and as such, he has no right to live with a Muslim. The list of prominent contemporary thinkers charged with apostasy is long, including Nasr Hâmid Abû Zîd (1943–2010), Mohammed Arkoun (1928–2010), Nawâl Sa'dâwî (1931), 'Abd Al-Karîm Khalîl (1930–2002), Sayyid Mahmoud Al-Qimanî (1947), Ahmet Kural Haydar (1982), Mohamed Choukri (1935–2003), and Youssef Chahine (1926–2008). In Sudan in 1985, the theologian Muhammad Taha Mahmûd, who did not share the same concept of *shari'a* as the power and its Islamic allies, was persecuted and sentenced to capital punishment under the Nimeyiri dictatorship. Nasr Hâmid Abû Zîd, an Egyptian academic sentenced for apostasy took refuge in Holland to continue living with his wife. Sometimes, the accusation of apostasy does not result into a condemnation to death, but instead exposes the victim to popular revenge or the fanatical anger. This happened to Egyptian intellectual and Human Rights activist Faraj Fûdhâ. In addition to charges of apostasy, Muslims have long suffered the accusation of heresy, the victims of which have mostly belonged to Islamic minorities. Intolerance toward them was, as in all religions, much higher than against non-Muslims. Indeed, the various forms of inquisition, some of which persist today, have primarily affected Muslims considered heretical by the hegemonic doctrines that claim the monopoly to speak on behalf of Islam and admit no deviation from their designs.

Moreover, in most Muslim countries, blasphemy remains a formidable weapon against freedom of conscience. In some countries (Saudi Arabia, Iran, Sudan, Afghanistan, and more recently in the simulacra of Daesh's caliphate), religious police (*Muhtasib*, Guardians of the Islamic Revolution, *Mutawwi*) discipline and punish any behavior judged not respectful of religious norms, which are often classified as blasphemy. This police continue to punish those accused of blasphemy because they do not observe worship obligations (such as fasting Ramadan and canonical prayer) and religious norms as interpreted by official doctrine (such as prohibitions against alcohol consumption, the way of dressing for women and men, etc.). In these cases, Muslim religious minorities that are different from the hegemonic Islam of the majority are the first victims of intolerance.

4. The Status of People of the Book: Between Protection and Discrimination

According to Quranic teaching and consecrated tradition, Muslim authorities should not interfere with beliefs of the People of the Book, in particular Jews, Christians, and Sabeans. Muslim conquerors very quickly granted this special status to those who venerated sacred text, "a book's semblance", such as Zoroastrians and Hindus. They have the same status and the same rights as Christians and Jews who, in particular, have the right to maintain their beliefs, to celebrate religious festivals, and retain their institutions, courts, and representatives of authority. They are not considered apostate or heretic. Despite the relative tolerance that guarantees the status of *dhimmi* (protected) for the People of the Book, this status soon became synonymous of discrimination. Some ritual practices are forbidden in some circumstances. Their places of worship should not be higher than mosques. Their calls to prayer should not interfere with that of Muslim prayer. A Muslim has the right to try to convert non-Muslims among the People of the Book, but the opposite is severely punished. The veneration of Saints is forbidden. The King of Saudi Arabia, whose rule has expanded since 1930 to the entire territory of the Peninsula, closed Nadjran, one of the oldest Christian archdioceses in the world. Over the centuries of decadence, and in connection with the conflict with the European countries involved in the crusades,

some theologians have suggested that discrimination in tax matters represented a form of humiliation for the People of the Book, a way to remind them their lower status. Under the Ottoman Empire, the sultans prohibited *dhimmi* to wear certain colors reserved only for Muslims and enforced the obligation to wear peculiar sign that identify them even in the Turkish bath (*hammam*).

Some forms of discrimination persist today. There is still the prohibition of access to certain functions, justified as sovereignty, that is different from one country to another. Similarly, in some countries, as in Egypt, Islamist groups and certain theologians have the right to denigrate the beliefs of non-Muslims, including Christianity. The Copts cannot respond to attacks against their religion. By law and according to the political authorities, responding to the detractors of their religion is assimilated to a form of proselytism that the status of *dhimmi* prohibits.

The worst is when non-Muslim minorities are accused of conniving with foreign countries simply because they share the same religion of the population of these countries, as is the case for Christians, perceived as Crusaders or agents of a certain Western country, or the Jews, who are conflated with Israel. These juridical shortcuts undermine the traditions of tolerance and are sometimes the cause of attacks, assassinations, and actions reminiscent of pogroms against minorities.

The rise of Islamist movements and the proliferation of jihadist groups in different parts of the Muslim world have led in some cases to extreme forms of endless intolerance that have brutally broken the peaceful coexistence with non-Muslim communities established in many countries for centuries. This has been the case for Asiro-Chaldean Christians in Iraq and Syria since the US wars against Iraq and the destabilization of the Syrian regime, especially after the rise of DAESH. Another example is the Copt Church in Egypt, which is a primary target of Islamist groups, as well as what remains of the Jewish communities in several Muslim countries, and the Baha'is and Shiites as well. Islamists and jihadists also target Sufi Brotherhood minorities in countries where hostile Salafi movements are growing that consider the mystical practices and the cult of the spiritual masters of the *turuq* to be heresy.

5. The Status of Non-Muslims Who Do Not Belong to the People of the Book

Some Quranic verses, coherent with the principle that there is not compulsion in religion, encourage Muslims to give asylum to idolatrous and polytheists if needed, recognizing everyone's right to believe or not to believe (Tawfik 1995). Some Muslims theologians, on the contrary, often considered those who are atheist or polytheist to be intolerable, invoking those Quranic verses that support their intolerance. Apart from a few episodes in which non-Muslims who were People of the Book benefited from tolerance, some Muslim thinkers express their point of views, even mocking religious dogma as in the case of Ibn al-Rawandi (VIII-IX c.), Abū Bakr Al-Rāzī (IX-X c.), or of the poet Abū al-'Ala al-Ma'arri (X-XI c.). However, there has always been a strong hostility toward polytheism and atheism in Islam, which are almost as unbearable as apostasy. Many theologians continue to regard it as a sacred duty to struggle against atheism in all its forms and against what they call "destructive ideologies". You can see this, for instance, the statutes of the *'ulama* Moroccan League, which is far from a fundamentalist organization.

Over the centuries, the situation of the freedom of conscience and the status of religious minorities have changed, sometimes in the direction of intolerance, sometimes in the direction of accepting differences. Since the end of the eighteenth century, the traditional way of managing religious diversity changed. During the political reform period of the nineteenth century, the first declarations of rights (like the Ottoman Gül-Hané, called the Hatti sharif, in 1830 and the Tunisian Fundamental Pact in 1857, followed by other national legislations) proclaimed the equality of the *subject* before law independent of religious affiliation. The prominent Egyptian writer and historian Rifa'a Tahtâwî (1801–1873) came up with a famous formula later adopted by secular nationalism to uphold the principle of equality of all citizens: "religion belongs to God and homeland is the common good of all". Syrian reformers 'Abd al-Rahman al-Kawâkibî (1858–1902), 'Abd Al-Hamîd Zahrâwî (1855–1916), and Rafiq Al-'Azhm (1864–1955) claimed equality between

Muslims and non-Muslims as a fundamental principle of political action against Ottoman rule. Kawâkibî, moving from this principle, argued the separation of political power established in every country from the religious authority common to all Muslims. 'Ali 'Abd Al Raziq (1888–1966) developed the boldest and most innovative perspective on the question of apostasy in his treatise on the foundation of power in Islam. He was one of the first Muslim scholars to denounce “historical injustices” against those the first caliph branded as apostates. In his denunciation of this “great injustice”, he showed that the “crime of apostasy”, set up for political reasons, was incompatible with Quranic principles. He evoked the verses relating to freedom of conscience: “No compulsion in religion” (Q2: 256), “The truth is from your God; everyone is free to believe or not believe” (Q18: 29), “Had Allah willed, he would have made one nation” (Q5: 48), and “You have your religion and I have mine” (Q16: 93). This daring theologian reopened the debate on this issue that was a taboo in Muslim thought for centuries.

During the colonial period, the reference to freedom of conscience and equality beyond religious was one of the ideological flags of nationalist movements in several Muslim countries. Therefore, most ONU member states in the Muslim world ratified, after independence, the Universal Declaration of Human Rights. Some countries have included the freedom of belief and conscience in their constitution, even if this freedom has been violated, like all other human rights.

With recent developments reflecting the acceleration of the globalization process and re-emerging “murderous identities” (Maalouf 1998), we are seeing the exacerbation of the contradictions between human rights defenders, who want more freedom and equality between the citizens independent from their religious affiliation, and fans of the traditional order. In “the time of the tribes” (Maffesoli 1988), the latter push extreme intolerance and rejection of any kind of diversity. Since the 1970s, we have seen the effects of the development of radical Islamic political movements in response to new attacks against the Southern World, including the Islamic world. We now examine one of the most relevant impacts of a globalization: the flows of migrants in Muslim countries.

6. Migration Flows, Religious Diversity, and New Challenges

Religious minorities that have lived for centuries in Muslim countries, even before the advent of Islam (like the Copts in Egypt, Asiro-Chaldean, Nestorians, and other Churches whose origins date back to the first four centuries of Christianity in the Middle-East) are experiencing challenges to traditional tolerance. Serious threats to the fate of religious minorities are a result of the rise of fanatical and violent Islamist movements. In addition, those countries that are lands of passage for migrants nourished by the hope of reaching the northern shores of the Mediterranean are facing unprecedented conversions, such as in Morocco, Algeria, and Tunisia, to new religious communities, especially Christian communities (Laurent et al. 2005).

In the countries of the Arabian Peninsula, the number of Christians has increased mainly due to the prevalently Christian migration to Bahrain, the United Arab Emirates (UAE), Kuwait, Oman, Qatar, and to Saudi Arabia and, to a lesser extent, Yemen.

Among the Christian migrants, there are Lebanese, Syrians, Egyptians, Filipinos, Indians and Pakistanis, and more expatriates from Europe and the Americas, who often settled with their families. They have schools (often international) for the education of their children.

In the absence of accurate official data, the Christians in the Gulf area are estimated to number about four to five million. The majority are Catholics (or other Latin rites) organized in two apostolic sees: one of Southern Arabia (UAE, Oman, and Yemen) and the other of the North (Kuwait, Qatar, Bahrain, and Saudi Arabia). The situation varies from country to country, depending on various factors.

Saudi Arabia accounts for about 1.5 million Catholics (one million Filipinos). In a population estimated in 2014 to be nearly 30 million inhabitants, nearly 10 million are foreigners. Most of the national population is believed to be 85–90% Sunni. The Shiites, who represent 10 to 15 percent of the population, are discriminated against and exposed to ever-greater persecution in relation to the wars that rocked the region amid the tensions and rivalries between Saudi Arabia and Iran. There are

estimated to be 93% Muslims, 4.4% Christian, and 2.6% of other religions. Saudi Arabia is the country of the region where non-Muslims and followers of other Islamic minorities are deprived of their fundamental rights more than elsewhere in the Islamic world. All non-Muslim worship sites are forbidden. Thus, one of the oldest archdiocese of the world, Najran, was closed after the conquest of the Northern region of Yemen by the Saudi Arabia. The Saudi authorities do not allow the construction of new places of worship for non-Muslims and they also invite the kings and emirs of the other countries in the region to do the same.

In Oman, despite a tolerance policy that conflicts with most Arab countries, the issue of the religious composition of the population is a taboo. The visitor may notice, especially on Friday—the weekly rest day, the great religious diversity of Oman—especially in non-Muslim places of worship. According to various sources, including the Observatory of Religious Freedom, in a population of 4.3 million (in 2016), the percentage of foreigners in Oman is 45%, comprised of people from Egypt, Jordan, South Asia, and the Philippines, in addition to an old Baloch immigration area (from the southwest of Pakistan), that has long been part of Oman. Omanis are 75% *ibadis*.¹ Oman is the only country in which this branch of Islam prevails. The rest of the Muslims belong to Sunni and Shi'a, and there was a Jewish minority, estimated to be between 5000 and 10,000, who migrated to Israel between 1947 and 1960. The foreign population consists mainly of Hindus, Sikhs, and Buddhists. There are three Hindu temples (*Mandir*) and two Sikh places of worship (*Gurdwara*). Christians are numbered around 180,000 (including 80,000 Catholics) and are distributed among the various churches; about 60 groups are registered with the authorities. The Ministry of Religious Affairs recognized Catholicism and Protestantism. There are four Catholic parishes in Oman: two in Muscat, one in Sohar, and one in Salala. In 2014, a new Protestant church opened in the presence of State representatives. Omanis can change religion without incurring the criminalization of apostasy but lose their rights to their children.

In the UAE, Christians are about 650,000, or 9%, of the population. In 2010, there were almost 8,260,000 Muslim-majority people, 19% are nationals, 23% coming from other Arab countries and Iran, 50% from South Asia, and 8% from Europe or North America. Islam is the religion of 86% of the population, in addition to 9% Christians, and the remaining 5% are mostly Hindu.

In Qatar, with a population of nearly 2.6 million (2016), 59.4% were nationals and 40.6% foreigners. Qatar Muslims are mostly Sunni, with a significant Shiite minority (10%) in a Muslim population that is nearly 75% of the total. Christians, with a population estimated by some sources to be about 300,000 (other sources only give from 150,000 to 200,000), account for between 10% and 15% of the population. Until 2008, eight recognized Christian minorities lived in Mesaymeer, a religious compound located around 40 kilometers from Doha comprised of a series of anonymous buildings surrounded by a parking space accessible only after a security check. Since then, the situation has begun to change, with the opening of a resort hosting the great church of the *Our Lady of the Rosario* (2000 seats) surrounded by Coptic, Anglican, Greek Orthodox, and various Indian places of worship, including one for Pentecostals. To crown this opening of various places of worship, it is worth mentioning the establishment of a permanent conference for Christian-Muslim dialogue in 2004, expanded in 2006 to include Jews. The conference has led to the building a center for interreligious dialogue limited to the participation of representatives of the three Abrahamic religions.

In 2016, Bahrain had about 1.38 million inhabitants, 46% national and 54% mostly from southern Asia, with a large percentage of non-Muslims (between 250,000 and 300,000), among whom Catholics are estimated to be about 88,000. Muslims represent nearly 70% of the population, and non-Muslims about 30% (including 14.5% Christians and 9.8% Hindu). The national population is majority Shiite, and most of the power is in the hands of the Sunni minority. In the late 1930s, Bahrain became one of

¹ The school derives its name from 'Abdu al-Lāh ibn Ibād (d. 708), who led the group that broke off from the wider dissenter Kharijite movement around the time that 'Abd al-Malik ibn Marwan became the fifth Umayyad caliph (note from the translator).

the first countries in the region to allow the construction of churches. In 2014, King Sheikh Hamad bin 'Issa Al Khalifa authorized the construction of the first Catholic church in the country.

Kuwait had a population of 4.13 million, of whom 45% are nationals, 35% are from other Arab countries, 9% are Asians, 4% are Iranians, and 7% are from Europe and North American. Immigrants are mostly Sunnis, but Shiite Muslims are numbered around 150,000. There are also 600,000 Hindus, 450,000 Christians, about 100,000 Buddhists, and around 10,000 Sikhs in Kuwait. Seven Christian Churches are officially recognized: the Roman Catholic Church, the Greek Catholic Church, the Greek Orthodox Church, the Orthodox Coptic Church, the Armenian Apostolic Church, the National Evangelical Church, and the Anglican Church. Other churches have de facto recognition. According to local Catholic sources, the Catholic Church is the main one, with around 350,000 Catholics of various rites. Sunni Islam is the majority, comprising 59.5% of the population. Shiites represent 25.5%, and other religions (Christians, Hindus, Pars, and others) represent around 15%. The Shiite situation deteriorated with the invasion of Iraq in 2003, followed by the Shiite revolt in Bahrain in 2011. With Bahrain and Oman, Kuwait is one of the few Gulf countries with non-Muslim citizens, but non-Muslim naturalization is not allowed. The number of foreigners in the country far exceeds the number of citizens. Kuwait was the first member of the GCC (Gulf Cooperation Council) to establish diplomatic relations with the Vatican in 1968, but the Apostolic Nunciature opened in the country only in 2000. The purchase of land is reserved for Kuwait citizens, but recognized religious groups can rent space for the needs of their worship. In any case, they have the right to bring members of their clergy and religious staff from abroad. Catechism teaching is forbidden in Christian schools, but is allowed in private homes or in church compounds. Conversely, Islamic education is mandatory if there is a Muslim student, but not imposed to non-Muslim (Bava and Boissevain 2014).

In the overwhelmingly Sunni countries in North Africa, where Sunnis comprise more than 95% of their population, have become a corridor between sub-Saharan Africa and Europe for migrants (Sylvie and Pliez 2005; Sylvie 2009). These are not immigration destination countries, like those of the Arabian Peninsula. Migrants and African students, like officials of particular Pan-African institutions such as the African Development Bank, are exposed to anti-black racism, whether Muslim or not. This racism sometimes takes violent and dramatic turns for African migrants escaping from wars and poverty. They are frequently exposed to insults, inhuman treatment, and violence from the local population and the political authorities who continue to associate them with black slaves. They share the same attitude as the chief of staff of the Algerian President, Ahmed Ouyahia, who on 8 July 2017 on the TV channel An-nahar said the illegal presence of foreigners was a source of crime, drugs, and many other ills. Criticized by Amnesty International, the Minister and President of the Democratic National Rally (RND) persisted in their opinion, saying, "When they speak about the human rights, we reply: we are sovereign at home". The party's spokesperson added that, "It is not Amnesty International who will dictate our rules", reaffirming that migrants are a source of all kinds of crimes. Migrants, discriminated against for the color of their skin and their status as illegal migrants, also suffer from the failure to respect their religious rights when they are not Muslims, despite the recognition of freedom of belief or conscience as in Tunisia. There are many differences between the three countries of Maghreb. It depends on the number of migrants, the duration of their stay, their confession, and their relations with the local population. In addition, official statistics do not provide reliable data on the number of the overseas and confessional population.

Morocco, with a population of about 35 million, has an estimated population of African origins of around 10% and of EU citizens of almost 5%. The number of foreigners in Morocco is between 86,000 and 90,000, mainly from sub-Saharan Africa (Goldschmidt 2004; Timera 2009). In religious terms, Jews represent 1% of the population. The leaders of the Jewish community believe that the number of Moroccan Jews is around 4000. Christians, according to the Catholic Church, reaches the number 25,000 from all the churches. They are mostly foreigners and have places of worship mostly built during the French protectorate. They find it difficult to build new places of worship or renovate older buildings that need repair. Evangelicals, many of whom are of sub-Saharan origin, celebrate their worship in

private apartments. It is difficult to estimate the number of Moroccans converted to Christianity; it may be between 8000 and 10,000 people. It is the same for the Baha'i and for the Shiites who sometimes dare to visualize their adhesion from time to time through various forms of expression or through publications. This is also the case for atheists and agnostics. One of the biggest problems concerns marriage between non-Muslim Saharan men and Muslim Moroccan women who have the right to convey their nationality as mothers to their children, who are of the same religion as their fathers. This is an unprecedented case that the authorities should find a solution to, because it questions the traditional ban of marriage between a Muslim woman and a non-Muslim man. The public debate on the freedom of conscience aroused by issues of conversion and proselytizing. Among migrants, many Evangelicals were expelled from 2014 to 2016. This was the case for 16 volunteers for the orphanage in the Middle Atlas in 2014, accused of proselytism among miners and their poor families (Coyault 2014, 2015). Religious leaders seem to no longer know how to handle these developments and instead adopt attitudes ranging from inherited reflections to traditions condemning apostasy, Muslim marriage with non-Muslims, etc., and respect for freedom of conscience. Thus, against the reaffirmation of the apostasy condemnation by the 'Ulama Supreme Council in 2012, six members of the same council issued in 2016 a document titled *Sabil al-'Ulama* (Way scholars). They focused on the difference between political apostasy (according to Muslim tradition, always punishable by the death penalty) and "intellectual apostasy", the expression of individual choice in religious matters, recalling the verses of the Qur'an that assert that freedom. This document is a continuation of the position of political authorities who consider the *fatwa* issued in 2012 as a mere opinion of the authors. It is important to note that the publication of this document came after the January 2016 meeting in Marrakech, a conference of Muslim scholars to promote the rights of religious minorities. The Moroccan Minister of *Habous*² and the Peace Promotion Forum in Muslim societies based in the United Arab Emirates organized this meeting. These developments suggest that Morocco, in spite of its hesitation, is moving toward the recognition of the freedom of conscience, as Tunisia finally admitted in its 2014 new constitution.

Algeria has almost 40.5 million inhabitants, 98% of whom are officially Muslims, with a significant minority of *ibadi* living in the Valley of Mzab. With the development of political Islam since 1990, this minority has been the victim of increasing intolerance and forced conversion. As in Morocco, there are converts to Shiism targeted by the same intolerance. The Jewish community was very important before independence; today, only a few hundred remain. The restoration of places of worship and cemeteries face the hostility of those who dream of a monochromatic Algeria. According to sources, the Christian population is estimated to range from 20,000 to 100,000. Most are foreigners, many of whom are from sub-Saharan Africa. There are several Christian communities, and the most important is the Catholic Church, which is organized in four dioceses, but there are also Evangelical communities, especially in Kabyle (Direche 2009). We find mostly converts in these communities, unlike the Catholic Church, which does not seek to proselytize among Muslims. Despite this, the presence of Christianity and every other religion provokes the intolerance of the most fanatical Islamists and even of the authorities. The Catholic Church and its various communities have heavily paid for the rise of this intolerance, with horrible murders that left twenty victims dead, among them the Archbishop of Oran, Pierre Claverie (Prennes 2000), seven Tibhirine monks, six sisters, and a dozen from other religious orders.

In Tunisia, in a population of 11.2 million, the vast majority are officially Sunni. There are no figures for the *ibadi* community, whose presence dates back to the eighth century, and whose existence continues in the "dissimulation" (*kitman*) since the Rustumid dynasty in the tenth century. They generally live in the Mzab valley in Algeria, in the Jerid region, and Djerba Island in Tunisia and the Jebel Neffoussa in Libya. As in Algeria, the increase of intolerance, with the development

² Charitable foundation under Islamic law.

of political Islam and, above all, with the Salafi groups (close to the En-nahda Party), has disturbed the life of this community by anathematizing the members of this sect and the take over of their mosques in Djerba. When the Islamists of En-nahda were ruling the country, freedom of action was left to the Salafist groups. The same has been the case for the minority of converts to Shia since 1980. During a recent book fair in Tunis, a Shiite group closed their stands because of a protest organized by Salafists. Similarly, in 2012–2013, a Shiite community in Gabès was attacked for publicly showing its religious faith. Regarding the Jewish community, which was once very important in Tunisia, the number began to decline after the establishment of the State of Israel. The acceleration of the decline started just after the independence of Tunisia in 1956, with the politics of collectivization in the early 1960s, and then with the Israeli-Palestinian conflict (the Six-day War in 1967, Sabra and Shatila in 1982, and the various waves of Israeli expansionism in the occupied territories since 1967). Today, the Jews in Tunisia number about 1500, many left the country after the establishment of the State of Israel. There are two small communities of Jews, one in Tunis and the other on the island of Djerba, where they have their well-protected and maintained synagogues and their religious and cultural institutions. The rabbi is paid by the state, likely as ministers of Muslim worship. As far as Christians are concerned, according to the Catholic Church, they are about 25,000, including 20,000 Catholics. Small Protestant and Orthodox communities, with their places of worship and schools and cultural and social activities, attract sympathy despite periodic attacks. They are targeted by the most fanatical Islamic movements. Christians in Tunisia, as in neighboring countries, are mostly foreigners settled for studies, work, or are waiting to embark for Europe. A lot are of sub-Saharan origin. The installation of the BAD (Banque Africaine du Développement) in Tunis after its forced departure from Côte d'Ivoire in 2003 resulted in the arrival of hundreds of Christians who remained with their families in Côte d'Ivoire (Boissevain 2013).

The pluralist societies affected by globalization and migration are far from ending any private discrimination against religious minorities and threats to freedom of conscience. In the Arabian Peninsula, where the *Shari'a* is still the basis of legislation, Muslims have the right to proselytism and to convert followers of other religions. Reciprocal activity continues to be banned and severely punished. Non-Muslims have no right to respond to attacks on their beliefs, and their traditions are targeted on the pretext that they are a form of proselytism. Muslim men can marry non-Muslims women; the opposite is not allowed. The crime of apostasy persists in most of the countries of the Arabian Peninsula, and blasphemy and non-respect for cultic obligations result in persecution that severely restricts the freedom of conscience. In the three countries of North Africa, the attacks against freedom of conscience also concern Muslims, especially during the fasting in the month of Ramadan. Those who do not observe the duty of fasting are persecuted (and sometimes even jailed) despite the fact that not observing fasting is not expressly forbidden. The authorities refer to unclear provisions such as “public decency”, respect for traditions and popular sensibility, the obligation to ensure “respect for the sacred”, and “threat to public order”. To justify these attacks, however, unlike what is happening in the Arab Peninsula, violations of religious freedom and freedom of conscience in the three North African countries cause indignation among at least part of the public. Some have mobilized and taken actions that oblige the authorities to intervene against the perpetrators of these attacks. These reactions are often in close cooperation with international organizations and the Maghreb organizations of human rights defenses, including those who fight for Muslims to be able to enjoy the same rights as all other citizens.

7. Conclusions

Muslim societies, including Arab societies, belong in various ways to the global village, with all the contradictions inherent in the double process governing the evolution of our world.

- An ultraliberal globalization that goes hand in hand with the withdrawal of “murderous identities” and the return to “tribe time”: the questioning of the universality of human rights on

behalf of “religious and mercantile fundamentalism”, to quote Sophie Bessis (2014), all together presented as a fatality of so-called “post-modernity”.

- An aspiration to a global and planetary life in a world that really belong to everyone without excluding anyone and without discrimination on the basis of origin, language, religion, opinion, gender, or sexual orientation, respecting the fundamental freedoms and rights invoked by all.

When and where the first process prevails, we witness ethnic cleansing, the return of the wars of religion, the development of terrorism, and the outburst of hatred and new forms of intolerance, including the barbarity of those sustained and practiced by Daesh, al-Qâ’ida, Boko Haram, and other various jihadist groups (Elguédri 2016). They exploit the weakening of the United Nations, which can continue to guarantee the minimum of solidarity needed to maintain social ties and to live together. It is a premise to redefine the social role of the State as an obstacle to wild competition between financial and economic powers aimed at achieving the highest degree of unscrupulous profit.

The absence of a real world alternative to the challenges of neo-liberal globalization benefits movements such as the new versions of political Islam since the first invasion of Iraq in early 1990, who adapt their “religion” offer to globalization by disconnecting cultural ties, as Oliver Roy (2004) says. Barbarians “mercantile fundamentalism” brings the mill’s water to “religious fundamentalism” and takes advantage of it to complete what remains of solidarity in the context of ONU. This is the source of threats to freedom of conscience, including freedom of religion and human rights.

Voices cry out everywhere against the horrors caused by the conjunction of “religious traders” and “fundamentalism”, even in the Muslim world. Resistance movements have arisen, international co-ordination is set up to defend the universality of human rights and assist the victims of mortal conflicts generated by this process (Ferjani 2015). All these social and political movements act to help the minorities exposed to extermination, to promote new forms of solidarity, and to demand respect for freedom of conscience. Even Muslim societies, including Arab societies and their States, are affected by the process of globalization and have to take into account the demand for the justice and the defense of human rights. The Arab States and Muslim societies cannot have any credibility, lamenting the attack against their sacred boundaries and against the rights of citizens or companions, while religious minorities are persecuted and repressed within their societies and while they continue to tolerate these abuses in their countries, to participate in them or encourage them. It is important to consider the other side of reality with which we must strike the new solidarity necessary to build a globalism protected from the excesses of the neo-liberal globalization. In this sense, the protection of the world’s cultural diversity means a “tribal” resistance, such as that described in Benjamin Barber’s book (1996) *Jihad Against McWorld* (Barber 1996).

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