

HISBA IN

# HISBA IN EUROPE?

## ASSESSING A MURKY PHENOMENON

Lorenzo Vidino, Ph.D.  
June 2013

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### **About the Author**

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# EXECUTIVE SUMMARY



In the summer of 2011 various areas of East London were flooded with bright yellow posters with the puzzling and ominous header: “You are entering a *Sharia*-controlled zone – Islamic rules enforced.” The signs identified the allegedly prohibited activities: “No Alcohol,” “No Gambling,” “No Music or Concerts,” “No Porn or Prostitution,” and “No Drugs or Smoking.”

The posters were the work of Muslims Against Crusades and Islam4UK, two offshoots of the banned extremist group al Muhajiroun. Interviewed by the media, Islam4UK leader Anjem Choudary stated that the East London area of Waltham Forest was about to become Britain’s first *sharia*-controlled zone. “We have hundreds, if not thousands, of people who are willing to go out and make sure our laws are obeyed,” stated the London-born former lawyer. He explained that the group was “run[ning] the area as a *Sharia*-controlled zone to put the seeds down for an Islamic Emirate in the long term.”

The events in East London follow a long pattern of publicity stunts from al Muhajiroun legacy groups. Despite their leaders’ claims, there are no indications that members of these groups actually coerced citizens to abide by their rules. City council and police officials, together with local citizens and members of local Muslim communities, took down the posters and the issue was quickly forgotten.

## *Hisba*: Imposing Islamic morality in Europe

The events in East London, however, should not be dismissed. Over the last few years, authorities in various European countries have witnessed occasional instances in which small clusters of radicals sought to police local Muslim communities and impose strict interpretations of Islamic morality. Unlike in the case of Choudary’s pretend “*sharia*-controlled zones,” some individuals and groups have used a combination of social pressure and violence to enforce their views.

The phenomenon is rooted in a fringe interpretation of the concept of *hisba*, a divinely-sanctioned duty for Muslims to intervene when another Muslim is violating God’s law. Most Islamic jurists agree that only the ruler has the right to coercively “command right and forbid wrong.” Yet some, particularly within the Salafist movement, argue that performance of *hisba* is a duty incumbent on all Muslims.

## Informing policymakers about *hisba*

Research from this study indicates that coercive *hisba* is a rare occurrence in Europe. Nonetheless, when and where it happens, it has important security and social implications. Coercive *hisba* is an infringement on the rights of citizens and a challenge to the rule of law. Moreover, it can severely dam-

age the cohesion of Europe's multicultural societies, as it contributes to the perception held by many Europeans that Muslims (most of whom are the victims of this behaviour) are unwilling to integrate.

Despite these risks, most European policymakers have acquired very little knowledge about *hisba* and have not devised policies or practices to confront this challenge. This report is designed to inform policymakers about *hisba* in Europe. It is divided into three chapters.

- ▼ Chapter one describes the theology of *hisba* and its application today in the Muslim world.
- ▼ Chapter two provides a general overview of *hisba* throughout Europe.
- ▼ Chapter three is an extensive case-study of *hisba* in Catalonia, Spain.

### Measuring *hisba*-related incidents in Europe

Measuring the frequency and severity of *hisba*-related incidents is a monumentally difficult task. Many European Muslims are reluctant to divulge "internal matters" to outsiders, largely for fear of reprisals. And, unlike al Muhajiroun activists, those who actually perform *hisba* rarely seek publicity. Journalistic investigations in several countries claim to have uncovered instances of *hisba*, but often the evidence is limited to hearsay. Scholars have not undertaken systematic or empirical studies on the subject.

Interviewees for this study repeatedly expressed the view that in many Muslim communities *hisba* is a poorly kept secret: most people are aware that it happens on some scale, but few report it. One official compared the phenomenon to organised crime in areas of southern Italy.

Despite these difficulties, the author maintains that *hisba* is a relatively rare occurrence in Europe. It indeed exists, but not on a large scale. It is also important to note that trying to gauge the phenomenon on a continent-wide basis is an almost futile effort, as there are enormous differences from country to country and even from town to town.

### Categorising *hisba* in Europe

The author identified three forms of *hisba* in Europe:

***Hisba through advice:*** by far the most common, it occurs when pious Muslims urge co-religionists to adopt appropriate Islamic behaviour. It is for the most part unproblematic, as it does not infringe on individual rights.

**Hisba by pressure:** occurs when small groups use psychological and social pressure to impose certain behaviours. Tactics range from spreading rumours to boycotts. As one Muslim kebab shop owner in Catalonia recounted, “I was never threatened, not even in a veiled way, but when those four bearded men with stern faces told me it was un-Islamic to sell beer, I knew I had to stop.”

**Hisba by coercive force:** occurs when individuals or small groups resort to intimidation or actual violence to correct “un-Islamic” behaviour. While circumstances differ significantly from place to place, there are sporadic and anecdotal indications that in various European cities individuals or small groups of Islamists have engaged in what can be termed religious policing, albeit on a small scale.

Coercive *hisba* can be:

- ▼ Organised: when groups participate in pre-meditated coercive *hisba*, threatening “offenders” and occasionally meting out punishments. These episodes rarely occur in Europe.
- ▼ Spontaneous: when an individual or group engages in coercive enforcement of *sharia* without premeditation.

It is important to note that there are many “borderline” phenomena which cannot be identified as coercive *hisba* with certainty because of the presence of concurring factors and motivations or because of lack of complete information about the specific circumstances of the case.

## Policy recommendations

- ▼ Authorities throughout Europe should familiarise themselves with the existence and the dynamics of this issue. (Local police forces, social workers and teachers could be aware of the problem without even knowing it).
- ▼ Authorities should conduct outreach to Muslim communities to build trust with community leaders and citizens in order to increase reporting of *hisba* related incidents.
- ▼ Authorities should avoid stigmatising Muslim communities by relating to Muslims as regular citizens who need protection.



# INTRODUCTION

In the summer of 2011, various areas of East London were flooded with bright yellow posters and leaflets with the puzzling and ominous header: “You are entering a *Sharia*-controlled zone – Islamic rules enforced.”<sup>1</sup> Posted on walls, bus stops and poles in Waltham Forest, Tower Hamlets and Newham, all East London boroughs with large Muslim populations, the slickly designed signs also identified the allegedly prohibited activities: “No Alcohol,” “No Gambling,” “No Music or Concerts,” “No Porn or Prostitution,” and “No Drugs or Smoking.”

The leaflets were the work of Muslims Against Crusades and Islam4UK, two offshoots of the banned extremist group al Muhajiroun.<sup>2</sup> In typical al Muhajiroun fashion, its leaders were unapologetic about their initiative and hungry for media attention. Claiming that up to 50,000 leaflets had been printed, Islam4UK leader Anjem Choudary stated that the area of Waltham Forest was about to become Britain’s first *sharia*-controlled zone. “We have hundreds, if not thousands, of people who are willing to go out and make sure our laws are obeyed,” stated the London-born former lawyer. “This is the best way of dealing with drunkenness, loutishness, prostitution and the sort of thug life you get in Britain.”<sup>3</sup> He also added that his group aimed at “run[ning] the area as a *Sharia*-controlled zone and really to put the seeds down for an Islamic Emirate in the long term.”<sup>4</sup>

Muslims Against Crusades leader Abu Izzadeen hinted that the initiative was just the first step in a larger campaign called the Islamic Emirates Project. “Twenty-five areas around Britain have large Muslim populations, including Bradford, Dewsbury, Leicester and Luton,” stated the London born convert, who in 2008 was sentenced to four and half years in jail for terrorism-related offences. “We want to turn them all into Islamic Emirates, where the excesses of Western civilisation are not tolerated.”<sup>5</sup>



Muslims Against Crusades and Islam4UK posted these fliers throughout East London in the summer of 2011 (The Daily Mail, 28 June 2011)

<sup>1</sup> Rebecca Camber, “No porn or prostitution”: Islamic extremists set up *Sharia* law controlled zones in British cities,” Daily Mail, July 28, 2011.

<sup>2</sup> For a relatively comprehensive and updated history of al Muhajiroun and its spinoffs, see Catherine Zara Raymond, *Al Muhajiroun and Islam4UK: The Group Behind the Ban*, International Centre for the Study of Radicalisation and Political Violence, May 2010.

<sup>3</sup> Sue Reid, “As Islamic extremists declare Britain’s first *Sharia* law zone, the worrying social and moral implications,” Daily Mail, July 29, 2011.

<sup>4</sup> Rebecca Camber, “No porn or prostitution”: Islamic extremists set up *Sharia* law controlled zones in British cities,” Daily Mail, July 28, 2011.

<sup>5</sup> Sue Reid, “As Islamic extremists declare Britain’s first *Sharia* law zone, the worrying social and moral implications,” Daily Mail, July 29, 2011.

The British media alarmingly reported the introduction of “Britain’s first *Sharia* law zone,” triggering strong condemnation from politicians and intellectuals of all political persuasion and faith. In reality, the campaign by Islam4UK and Muslims Against Crusades was similar to what most of the groups’ actions are: publicity stunts aimed at attracting and provoking media attention. Despite their leaders’ claims, there are no reports of any of the groups’ members – let alone the thousands of people invoked by Choudary – enforcing the dicta of the leaflets.<sup>6</sup> City council and police officials, together with local citizens and members of local Muslim communities, took down the leaflets and the issue was quickly forgotten.

### Authorities in various European countries have witnessed scattered forms of religious policing from a small cluster of radicals

Nevertheless the phenomenon of forcefully imposing Islamic codes in some European cities warrants attention. In the previous example, it turned out to be nothing more than empty statements made by a publicity-hungry, fringe group. But, over the last few years, authorities in various European countries have witnessed

scattered forms of religious policing from a small cluster of radicals. The actions of these self-appointed enforcers of Islamic morality range from exerting psychological pressure to the use of violence.

The phenomenon finds its roots in a fringe interpretation of an Islamic concept known as *hisba*, a doctrine based on the Quranic injunction to enjoin what is good and forbid what is wrong. *Hisba* is enforced with varying degrees of intensity by a range of actors in Muslim-majority countries. In places like Saudi Arabia or Aceh in Indonesia, governmental or para-governmental entities forcefully reprimand behaviour considered un-Islamic, such as improper mixing of the sexes or consumption of alcohol. In many other Muslim-majority countries, the task is implemented by small groups of self-appointed enforcers of morality that act independently, triggering reactions from the state that vary from tolerance to harsh repression.

Muslim scholars have long debated various aspects of the divine command to forbid evil, from its application to its modalities. Most scholars are firm in stating that, while it is the duty of all Muslims to attempt to stop evil with words, only the established authority of an Islamic state has the duty stop forcefully or prevent deviations from Islamic norms. Yet some disagree, arguing that when authorities fail to act upon their duty to enforce Islamic morality, individual Muslims should act. A small number of European Islamists of various theological and political shades argue that such dynamics apply not only to Muslim-majority countries, where authorities fail to enforce the *sharia*, but also to areas where Muslims are a minority, such as Europe. It is a divine duty, argue such fringe elements, to enforce God’s law wherever there is a Muslim community, irrespective of the political order.

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<sup>6</sup> Interviews with various law enforcement and local officials, London, July and October 2012.

The phenomenon should be put in perspective. Episodes like al Muhajiroun's pretend "sharia zones" have been used by some politicians and commentators as evidence of "creeping Islamisation" in Europe. Having built a narrative based on an alleged threat coming from a growing and increasingly assertive Muslim population in European cities, (along with the increased usage of Islamic law), some media outlets and right-wing blogs argue that cases of *hisba* are extremely common and that entire areas of Western European cities have *sharia*-controlled and de facto "no-go zones" for Europeans.

The picture painted by these voices is politically motivated and far from reality.<sup>7</sup> Yet there is evidence demonstrating that, in at least some parts of Western Europe, lone individuals or small groups of radicals are indeed engaged in some form of religious policing in local Muslim communities. Throughout the continent, there are not just individuals and organisations such as al Muhajiroun, that would like to engage in religiously motivated coercion, but there are also those who are in fact already engaged in activities that can be described (and are seen by those who perpetrate them) as *hisba*.

Gauging the size of this phenomenon is a monumentally difficult task. The main reason behind this problem is the reluctance of victims to speak to the authorities or to the media because they fear reprisals and lack trust. Although circumstances vary from case to case, many European Muslim communities remain somewhat insular and reluctant to divulge "internal matters" to outsiders. Journalistic investigations in several countries claim to have uncovered instances of *hisba*, but in many cases the evidence was limited to hearsay. Moreover, in many cases those who actually perform *hisba*, unlike al Muhajiroun activists, do not seek any external attention or publicity. Most people who practice *hisba* like to keep their activities under the radar.

For all these reasons, it is extremely difficult to determine how widespread the phenomenon is. Despite these difficulties, the author maintains that *hisba* is a relatively rare occurrence in Europe. It indeed exists, but not on a large scale. As the report will show, there are incidents of *hisba* throughout the continent, but at the same time, many of the experienced law enforcement and intelligence officials from across Europe who were interviewed for this study are adamant that this issue does not occur within their jurisdiction. At this point, it would be unwise to talk about anything more than a marginal phenomenon. It is also important to note that trying to gauge the phenomenon on a continent-wide basis is an almost futile effort, as there are enormous differences from country to country and, even from town to town.

Due to the abovementioned reasons of marginality and difficulty in obtaining data, *hisba* in Europe remains relatively obscure. There are no systematic and empirical studies on the subject and only a few (and often

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<sup>7</sup> A noteworthy exception is the analysis of the situation in some French suburbs provided by Gilles Kepel. See, most recently, *Banlieue de la République: Société, Politique et Religion à Clichy-sous-Bois et Montfermeil* (Paris: Gallimard, 2012).

of poor quality) journalistic reports on individual cases. In most cities, regions or countries where these episodes have either occurred with more frequency, or have obtained media relevance, there has been a debate over the issue. But one would be hard pressed to find European authorities, at any level, that have acquired substantial knowledge or devised policies and practices to deal with the phenomenon.

Yet the issue has important security and social implications. Although, as said, the phenomenon does not appear to be very extensive, the prospect of small bands of individuals seeking to establish a policing system parallel to the state's and use violence and intimidation to enforce it should cause concern to any government. It obviously represents an infringement on the rights of those who are victimised and a challenge to the state's primacy. Moreover, *Hisba* can severely damage the cohesion of Europe's multi-

cultural societies. It contributes to the perception that Muslims are unwilling to integrate.

Hisba can severely damage the cohesion of Europe's multicultural societies. It contributes to the perception that Muslims are unwilling to integrate.

This report seeks to provide an inevitably superficial and incomplete overview of the phenomenon of *hisba* in Western Europe. It is divided into three chapters. The first chapter outlines the theology of *hisba* and explains

how it is applied today in various parts of the Muslim world. The second chapter provides a general overview of cases of *hisba* throughout Europe. The third chapter is an extensive case-study of *hisba* in the Spanish autonomous region of Catalonia. Given the number of cases that can be categorised, albeit with several caveats, as *hisba* that have publicly surfaced over the last few years, this Spanish region will be the report's main case-study. In the conclusion, this study offers brief policy recommendations.

In essence, the report seeks to explain the phenomenon of *hisba* and how it is present (or not) in Catalonia and in various European cities. The author is fully aware of the limitations of the study. As said, the phenomenon appears to be, *prima facie*, limited, and it is also true that, when it occurs, it rarely becomes public knowledge. The author sought to conduct a 360-degree investigation, interviewing community leaders, social workers, local politicians, law enforcement and intelligence officials. He also reviewed, when available, court cases, police reports and media coverage. He is fully aware that even broader research and anthropological work can only scratch the surface of this complex subject.

It must also be said that circumstances vary significantly from one geographic area to another. The author selected Catalonia because there have been public reports of cases of (loosely defined) *hisba* taking place on its territory. It goes without saying that it could be that similar dynamics are replicated in other areas of the continent but it could also well be that in other parts of Europe there is no *hisba* whatsoever. Despite these limitations, the report offers a general framework and some anecdotal evidence of *hisba* in Western Europe, aimed at informing readers about a phenomenon that, where it does exist, is unquestionably worrisome.

ER 1

IS HISBA

CHAPTER 1

**WHAT IS HISBA?**



# CHAPTER 1

# WHAT IS HISBA?



## Theology

The idea of “commanding right and forbidding wrong” is a prominent concept in Islamic theology.<sup>8</sup> It traces its origins to primary sources, and more specifically to three distinct Quranic verses.

- ▼ Verse 3:104: “Let there be one community of you, calling to good, and commanding right and forbidding wrong: those are the prosperers.”
- ▼ Verse 3:110: “You are the best community ever brought forth to men, commanding right, forbidding wrong, and believing in God.”
- ▼ Verse 9:71: “Believing men and believing women are the protecting friends of each other: they command right and forbid wrong.”

As with most Quranic verses, the three verses above are vague. Unsurprisingly, scholars have debated their meaning for centuries, disagreeing among themselves on key issues.<sup>9</sup> Yet the one aspect over which virtually all Islamic scholars agree is that the three verses indicate a precise injunction to command right and forbid wrong. It is thus a divinely sanctioned duty for Muslims to intervene when another Muslim is violating God’s law.

The term *hisba* does not appear in the Quran. It was popularised by Islamic scholars from Abu al-Hasan al-Mawardi to Taqi ad-Din Ahmad ibn Taymiyyah.<sup>10</sup> Abu Hamed al-Ghazzālī, a medieval Persian scholar

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<sup>8</sup> The issue of *hisba* in Islamic theology has been masterfully examined by Michael Cook, one of the most prominent contemporary Western scholars on Islamic history. In 2001 Cook published a massive and extremely informative volume titled *Commanding Right and Forbidding Wrong in Islamic Thought* (Cambridge: Cambridge University Press, 2001). In 2003 he released a shorter version titled *Forbidding Wrong in Islam* (Cambridge: Cambridge University Press, 2003). The notes throughout the rest of the report refer to this latter edition.

<sup>9</sup> This report does not seek to be a primer on the extremely complex issue of *hisba*. Rather, this chapter aims at outlining and summarizing, with inevitable oversimplification, some core debates regarding it in order to clarify some of the dynamics taking place in Europe.

<sup>10</sup> Al-Mawardi, a jurist of the the Shaff’i school who lived during the Abbasid empire, dealt extensively with the issue of *hisba* in his book *The Ordinances of Government*. The works of Ibn Taymiyyah, a scholar who died in early 14<sup>th</sup> century, are significantly more popular with Islamists.

and one of the most celebrated Islamic scholars of all time, created a complete terminology for *hisba*. The person who performs *hisba* is the *al muhtasib*, the person to whom *hisba* is done is *al muhtasibalayhi*, and the matter over which *hisba* is performed is the *al muhtasabfihi*.<sup>11</sup>

Other than agreeing that the three abovementioned Quranic verses sanction a duty to command right and forbid evil, Islamic scholars have for centuries disagreed over who and how to perform *hisba*. The first important issue is the object of *hisba*, i.e. determining what behaviour constitutes wrong and should therefore be challenged by the *al muhtasib*. Scholars tend to agree in identifying all violations of the *sharia* as improper behaviour warranting intervention, albeit making differentiations according to their significance. This behaviour ranges from improper ways of praying to sexual promiscuity; from consuming alcohol to playing musical instruments; from dishonesty in commercial enterprises to wearing improper attire.

Subsequently, the logical issue is then determining how a good Muslim witnessing a deviation should act. In essence, how does one “command right and forbid wrong”? The answer to this question has split scholars for centuries, but most build their answer upon a very important *hadith* (a saying ascribed to the prophet Mohammed) which states: “Whoever sees a wrong, and is able to put it right with his hand, let him do so; if he cannot then with his tongue; if he cannot then with his heart. That is the bare minimum of faith.”<sup>12</sup> The *hadith* sketches out the escalatory nature of *hisba*, outlining a progression from mental condemnation to the use of coercive measures.

The *hadith* explains that the minimum required of any Muslim, even those not capable of performing any other kind of *hisba*, is to disapprove mentally of incorrect Islamic behaviour. That internal condemnation will not physically change the situation, but God will know that the person is a good Muslim and, given the opportunity, would have done more to stop it.

But the *hadith* is clear in stating that, if he can, a good Muslim should not limit his *hisba* to mental disapproval. The tongue is indeed the default mode of forbidding “wrong” and Islamic history is filled with countless episodes of pious Muslims speaking out against wrong behaviour.<sup>13</sup> Most scholars argue that people should perform “*hisba* by the tongue” according to the circumstances. Most adhere to the escalatory method outlined by Ghazzālī. At first the *al muhtasib* should simply inform the wrongdoer that



The Quran includes several verses that indicate a divinely sanctioned duty for Muslims to intervene when another Muslim is violating God's law.

<sup>11</sup> Cook, pp. 4-5.

<sup>12</sup> Cook, pp. 3-4, 11-12.

<sup>13</sup> Cook, page 28.

he is violating God's law. Then the wrongdoer should be exhorted to stop, if necessary in a harsh way. Scholars debate whether the admonishment should be done privately or publicly.

But the *hadith* is clear in stating that: "Whoever sees a wrong, and is able to put it right with his hand, let him do so." Coercion is the third level of *hisba*, and is used when verbal warnings have not worked. Ghazzālī argues that, when possible, one should not engage in physical attacks. If the behaviour in question is playing an instrument or drinking alcohol, two Islamically forbidden activities, the actions required should be limited to smashing the musical instruments and the bottles containing alcohol. The *al muhtasib* should do everything in his power to avoid the use of violence but, if forced, should act with the necessary degree. If there is no other means to prevent or stop the immorality, violence against the offender is justified. It is the actual duty for all those capable of performing it. Ghazzālī then outlines an additional level, which entails organising a group of men to perform *hisba*. Individuals should take such an action only when circumstances require it and when the *al muhtasib* could not perform *hisba* by himself.

## Who should perform *hisba*?

The practice of *hisba* dates back to the early days of Islam. But *hisba* is a flexible concept that has been interpreted in different ways according to the circumstances. In modern Islamic parlance the term *hisba* has come to signify various phenomena and, particularly in the West, it has often acquired an undue negative connotation. A Muslim simply telling a fellow Muslim he is acting immorally and kindly advising him to change his behaviour is performing *hisba*. A Muslim seeking to stem corruption or report a crime is also performing *hisba*. The term *hisba* frequently refers to the actions of individuals or, more often,

collective bodies that enforce Islamic law through coercion. This is the definition used for this report.

Some political and religious groups have sought to find an answer to the cultural and material decline of the Muslim world by rediscovering a pure and

almost mythical Islamic past. Various Islamist groups have strongly encouraged Muslims to use *hisba* to restore the Muslim world to prosperity.

The political realities of the modern world, however, are quite different from those of the medieval Islamic empires. These differences have major implications for the way Islamists frame their discourse and their goals. Islamic texts and classic scholarly literature are based on the assumption that there was an Islamic state, led by a Muslim leader, who ruled according to the *sharia*. Yet in the contemporary world not only has the caliphate been abolished, only a handful of Muslim-majority countries are ruled by *sharia*. From an Islamist perspective, virtually no contemporary state is purely Islamic.

Hisba is a flexible concept that has been interpreted in different ways according to the circumstances.



This situation has important practical implications in several ways, including the crucial debate over who should perform *hisba*. Most Islamic scholars, in fact, had traditionally agreed over an interpretation of the abovementioned *hadith* regarding *hisba* that outlined a “tripartite division of labour” when it came to the enforcement of the duty.<sup>14</sup> According to them, while forbidding wrong with the heart is a duty for all Muslims, doing so with the tongue is for scholars and those who know the *sharia* well. Most scholars agree that physical *hisba* is the responsibility of established authorities alone. According to mainstream views, individual citizens witnessing a deviation from the *sharia* should inform the authorities and not take matters into their own hands. Scholars argue that the state’s monopoly over the enforcement of *hisba* is necessary to prevent anarchy (*fitna*).

Yet several respected scholars, both from medieval and contemporary times, disagree with the view that the state has monopoly over *hisba*. They argue that individual Muslims have not only a right, but a duty to perform *hisba* independent of their ruler.<sup>15</sup> And if that is true in an Islamic state, *a fortiori*, individuals should apply *hisba* in environments where the authorities do not enforce it. The issue is particularly relevant in today’s political circumstances, where, according to Islamists, there are virtually no authentic Islamic states. What are the consequences for rulers of Muslim-majority countries who do not perform *hisba* and tolerate, if not promote, activities that are clearly against the *sharia*?

“Whoever sees a wrong, and is able to put it right with his hand, let him do so.”

The legitimacy of rulers in Muslim-majority countries who do not enforce the *sharia* has been at the centre of the battle with Islamists over the last forty years. It could actually be considered the movement’s *raison d’être*. Do such rulers lose their legitimacy? And, if so, should pious Muslims remove them, even by force? According to some, a ruler’s refusal to enforce the *sharia* and perform *hisba* warrants such a reaction. Should Muslims living in a nominally Muslim state, where its ruler refuses to enforce the *sharia*, physically perform coercive *hisba*?

Islamist scholars and activists have been split on the issue since the movement’s origins. In the early days of the Muslim Brotherhood in Egypt, some of the group’s members carried out physical *hisba*, forcefully acting against those who violated Islamic dicta. Other members and the group’s founder, Hassan al Banna, adopted the traditional division of labour, stating that violence is only for the ruler and believing that a “good admonition” fulfils the duty of a good Muslim facing wrong.<sup>16</sup> Several contemporary Salafist scholars, especially those directly affiliated with states, similarly affirm the duty of Muslims to speak out against evil, but

<sup>14</sup> Cook, page 17.

<sup>15</sup> Cook, pp. 70-1.

<sup>16</sup> Cook, page 119.

## Some Islamist groups began enforcing *hisba* upon populations, more or less seizing swaths of territory within unstable or failed states.

simultaneously uphold the obligation not to encroach upon the rights of the state.<sup>17</sup>

Other influential contemporary Islamist leaders disagree. Said Hawwa was one of the Syrian Muslim Brotherhood's most important ideological leaders of the 1960s and 1970s. He argued that Muslims living

in Muslim countries ruled by leaders who did not enforce the *sharia* should organise themselves and perform *hisba*.<sup>18</sup> For practical reasons, argued Hawwa, they should act in ways that do not lead to confrontation with the authorities. Ali Belhadj, one of the spiritual leaders of the Algerian Islamist movement in the 1980s, similarly praised Algerian activists that routinely attacked dance parties, bars and liquor stores. He argued that when the ruler fails to fulfil his duty to forbid evil, Muslims have to act, even by force.<sup>19</sup>

## *Hisba* in Muslim-majority countries today

The debate over who should perform *hisba* is relatively muted in a handful of Muslim-majority countries where the authorities have created ad-hoc entities to perform *hisba*. Arguably the first modern state to create a structure to do this is the Kingdom of Saudi Arabia, which in 1926 established the Committee for Commanding Right and Forbidding Wrong.<sup>20</sup> Later renamed the Committee for the Promotion of Virtue and Prevention of Vice, but better known as the *mutawwa*, it employs some 3,500 staff and a larger number of volunteers who enforce observance of prayers, dress codes, separation of men and women and, generally, public morality throughout the country.<sup>21</sup> Similar forces exist in Iran, Sudan, some northern Nigerian states and the Indonesian autonomous region of Aceh. Although rules vary, in most cases the *mutawwa* does not have arresting powers, but is supposed to stop or prevent offences, identify perpetrators and refer cases to the police.<sup>22</sup> These forces have often been criticised for their aggressive actions and have repeatedly been at the centre of controversies.<sup>23</sup>

<sup>17</sup> That is the position, for example, of several Saudi Salafist scholars. It must be noted that the Salafist movement is hardly a homogenous movement and on this, as on several other issues, is riddled with internal divisions. Scholars and activists commonly use terms such as Jihadist Salafists, Wahhabi Salafists, Madkhali Salafists, quietist Salafists or political Salafists to identify, with inevitable oversimplification, the various trends.

<sup>18</sup> Cook, page 123.

<sup>19</sup> Cook, page 115.

<sup>20</sup> Nabil Mouline, *Les Clercs de l'Islam: Autorité Religieuse et Pouvoir Politique en Arabie Saoudite, XVIIIe-XXIe Siècle* (Paris: PUF, 2011).

<sup>21</sup> Cook, 126-7.

<sup>22</sup> That is the case, for example, in Aceh. See: *Islamic Law and Criminal Justice in Aceh*, International Crisis Group, Asia Report 117, July 31, 2006. Page 8.

<sup>23</sup> One of the most famous controversies surrounding religious police is the one that involved the Saudi *mutawwa* in 2002, when it prevented young schoolgirls from exiting a burning building in Mecca because they were not wearing appropriate Islamic dress. Fifteen girls died in the blaze.

But few countries exist in which authorities enforce a strict interpretation of the *sharia* and have devised systems to perform *hisba*. In most Muslim-majority countries, legal systems are only based on, or inspired by the *sharia*, and there is no governmental body deputed to perform *hisba*. This reality has triggered an important debate within contemporary Islamist movements. As seen, traditional Muslim scholars and contemporary Islamist militants are divided over whether Muslims have a duty to perform “*hisba* by hand” when the ruler does not act. Some Islamist scholars and groups argue that pious Muslims should substitute themselves for the negligent ruler and enforce *hisba* themselves. The issue is not simply academic. During the last forty years, in several instances throughout the Muslim world various groups generally belonging to some of the most radical currents of Islamist ideology have taken it upon themselves to enforce *hisba*, often in direct confrontation with established authorities. It is possible in this regard to identify three different dynamics.

Some Islamist groups began enforcing *hisba* upon populations, more or less seizing swaths of territory within unstable or failed states. That is the case, for example, of the Taliban, who during the mid-1990s, after seizing most of the territory of Afghanistan established the Ministry for the Promotion of Virtue and Prevention of Vice to implement the harsh version of *sharia* codified in the penal code promulgated by Mullah Omar.<sup>24</sup> Over the last few years, various jihadist groups linked to varying degrees with al Qaeda have similarly created state-like structures of *hisba* and *sharia* courts in failed or weak states. That was the *modus operandi* of al Qaeda in Iraq upon establishing extensive control in the so-called Sunni Triangle in the mid-2000s and al Shabaab after it controlled much of Somalia in the late 2000s. More recently this dynamic was replicated in areas of southern Yemen taken over by offshoots of al Qaeda in the Arabian Peninsula (AQAP) in the spring 2012 and by various groups that took control of northern Mali in the summer of the same year. In all these cases, jihadist groups sought to establish *de facto* Islamic emirates and exert forms of social control by enforcing *hisba* and meting out harsh *sharia*-based punishments for offenders.<sup>25</sup>

A different dynamic of *hisba* takes place when Islamist groups do not enforce it after seizing control of a territory, but take advantage of a state’s weakness. This often takes place as the state undergoes a severe political crisis that prevents it from fully exercising its internal monopoly on force. In Indonesia, for example, following the 1998 overthrow of the Suharto regime, various Islamist groups such as the Front Pembela Islam, Hizb ut-Tahrir and Majelis Mujahidin, started carrying out *hisba* actions in the form of raids on casinos, bars, clubs and brothels, taking advantage of the relative anarchy that followed the dictator’s fall.<sup>26</sup>

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<sup>24</sup> Amy Waldman, “No TV, no Chess, no Kites: Taliban’s Code, from A to Z,” *New York Times*, November 22, 2001.

<sup>25</sup> It should be noted that all these experiences have been characterised by widespread human rights abuses. See, for example, Amnesty International’s report on Yemen (*Conflict in Yemen: Abyan’s Darkest Hour*, December 2012) and Human Rights Watch’s on Mali (*Mali: Islamist Armed Groups Spread Fear in North*, September 25, 2012).

<sup>26</sup> Noorhaidi Hasan, “Ambivalent Doctrines and Conflicts in the Salafi Movement in Indonesia,” in Roel Meijer, ed., *Global Salafism: Islam’s New Religious Movement* (New York: Columbia University Press, 2009). Page 183.

Similar dynamics were observed more recently after the overthrow of the regimes in Egypt and Tunisia during the Arab Spring. Exploiting the disarray of law enforcement agencies and the general state of chaos that characterised the immediate downfall of the two regimes, small bands of Salafists began to attack individuals, businesses and gatherings that, according to them, violated Islamic standards of morality. In Egypt there have been several reports of liquor storeowners being threatened and women dressed “immodestly” being severely chastised. In what is likely the most significant case, in July 2012 an engineering student in Suez was attacked and killed by a vigilante group that called itself Promotion of Virtue and Prevention of Vice while walking hand in hand with his fiancée.<sup>27</sup> Similarly, since the downfall of Ben Ali, Tunisian Salafists have attacked art exhibits, bars and movie theatres, assaulting those in attendance.<sup>28</sup> Trucks transporting alcohol and electronics stores have also been attacked.<sup>29</sup> It is apparent that the weaker the state the stronger the actions of *hisba* are performed by Islamist groups.

Finally, there are many cases in which Islamist groups have performed *hisba* with the state still fully in charge, therefore triggering a swift reaction. From Morocco to Indonesia there are frequent cases

Since its early days as a student group, the Gamaa argued that not only Muslims have a right to perform hisba when the ruler does not does act, but in these circumstances the duty becomes even more important, as it is necessary to maintain the Islamic identity of the community living under such an impious regime.

of small bands of Islamists that decide to perform “*hisba* by hand,” openly challenging the state’s monopoly over the use of coercive force. Instances of these dynamics are not uncommon, but no better example can be used to outline the dynamics of Islamist groups challenging the state’s monopoly over violence and forcefully performing *hisba* than that of the Egypt’s Gamaa Islamiya in the 1970s.<sup>30</sup>

The official charter of the group argued that *hisba* is “one of the most important obligations of the Islamic movement,” since *jahiliyya* (pre-Islamic ignorance) is “all around us” and “we can only oppose it by *hisba*.” It is a way of bringing society “as close as possible to an Islamic society, and to realise one of our goals

[...]: to make man submit to his master.”<sup>31</sup> A society where an Islamic code of ethics is not enforced incurs the risk, according to the Gamaa, of becoming un-Islamic and if the ruler failed in his duty to perform *hisba*, it was up to pious Muslims to act.

<sup>27</sup> Tom Perry and Tamim Elyan, “In Power, Egypt’s Muslim Brotherhood Seeks Balance on Islamic Law,” Reuters, July 25, 2012; Jeffrey Fleishman, “Egypt Unnerved by Rising Religious Fervor,” Los Angeles Times, July 29, 2012.

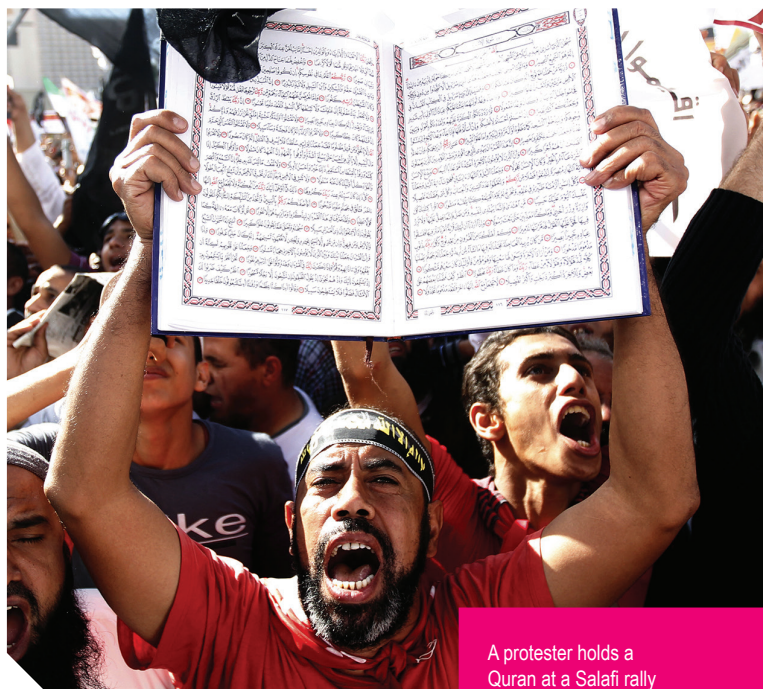
<sup>28</sup> “Protestors Damage ‘Offensive’ Artwork in Tunisia,” AFP, June 11, 2012; “Tunisia Salafis Riot to Protest an Arrest,” Associated Press, May 26, 2012.

<sup>29</sup> “Tunisia: Salafis Attack Cities, 86 Arrested,” ANSAMed, June 12, 2012.

<sup>30</sup> For a comprehensive analysis of the use of *hisba* by the Gamaa Islamiya, see Roel Meijer, “Commanding Right and Forbidding Wrong as a Principle of Social Action: The Case of the Egyptian al-Jama’a al-Islamiyya,” in Roel Meijer, ed., *Global Salafism: Islam’s New Religious Movement* (New York: Columbia University Press, 2009).

<sup>31</sup> Roel Meijer, “Commanding Right and Forbidding Wrong as a Principle of Social Action: The Case of the Egyptian al-Jama’a al-Islamiyya,” in Roel Meijer, ed., *Global Salafism: Islam’s New Religious Movement* (New York: Columbia University Press, 2009). Pp. 105-6.

Driven by their convictions, by the end of the 1970s the Gamaa began using coercive tactics against what they perceived as un-Islamic behaviour. Its members began attacking liquor stores and video shops; disrupting music and theatre performances; intimidating people into gender segregation in schools and university campuses. In some parts of the country they even started exacting taxes (*jizya*) on Copts and carried out robberies against individuals and businesses involved in immoral behavior: actions that only under a loose interpretation could be characterised as *hisba*.<sup>32</sup> In the 1970s these activities were mostly focused on university campuses, but by the 1980s they switched to villages and neighbourhoods, where specifically formed sections of the Gamaa introduced forms of religious policing.



A protester holds a Quran at a Salafi rally for the enforcement of Islamic Sharia law last fall in Cairo's Tahrir Square. Repressed during the rule of President Hosni Mubarak, the country's ultra-conservative Salafis have seen a resurgence since the Arab Spring uprising (National Public Radio, 28 January 2013).

There is no doubt that the Gamaa saw its *hisba* not only as an important part of its goal to Islamise Egyptian society, but also as a criticism and a direct challenge to the Egyptian state. Roel Meijer writes: "The argument to usurp the right to exert *hisba* by force, by the hand (*bi-l-yad*), and the tongue (*bi-l-lisan*) from the state, is the tipping point where a conservative political doctrine is turned into an activist one: because the present rulers do not rule in accordance with the *Sharia* and as such they have lost their legitimacy to exert the right themselves, or to give this right or to withhold it."<sup>33</sup>

The Gamaa's challenge to the Egyptian state soon escalated from *hisba* to terrorism, as throughout the 1990s members of the group engaged in countless acts of violence against various targets that culminated with the 1997 slaughter of 58 foreign tourists visiting the Temple of Hatshepsut in Luxor. The Gamaa is arguably the most notorious, but not the only example of an Islamist group that perceives a ruler not enforcing the *sharia* as an apostate. Thus, it attempted to perform *hisba* in his guise and, once it challenged the state's monopoly on violence, it escalated its actions to topple it. While many Islamists—including members of the Gamaa itself, (which by the late 1990s began to re-examine its own doctrine) —disagreed with these actions, their approach and *modus operandi* have been embraced by several individuals and groups over the last three decades.

<sup>32</sup> Ibid. Pp. 196-7.

<sup>33</sup> Ibid. Page 205.



CHAPTER 1  
WHAT IS HISBA?

In most Muslim-majority countries, and occasionally in some non Muslim-majority countries with substantial Muslim populations (like India or Russia), it is possible to find examples of individuals or small groups that challenge the state's monopoly over violence and perform coercive *hisba*. In some cases, these episodes are simply the isolated actions of a lone individual outraged at what they see as un-Islamic behaviour. In other cases, *hisba* is performed by organised groups, such as the Gamaa in Egypt. And in most cases, the actions of these groups become bolder when the state is perceived to be either unwilling or unable to stop them.

ER 2

IN EUROPE

CHAPTER 2

**HISBA IN EUROPE**



# CHAPTER 2

# HISBA IN EUROPE



Do the dynamics hitherto described apply to Western Europe? And, if so, how? The centuries-long debate about *hisba* among scholars and activists has always referred to instances in which society is entirely or predominantly Muslim and the ruler is Muslim. There is virtually no scholarship from classical sources about *hisba* where Muslims find themselves living as minorities in non-Muslim societies.

Yet, over the last few years, a few Islamic scholars dealing with minority *fiqh* (Islamic jurisprudence specific to Muslims living as minorities in non-Muslim majority societies) have devoted some attention to the issue. The consensus appears to be that non-coercive *hisba* is a duty for all Muslims, no matter where they find themselves. Yet if coercive *hisba* is, as the majority of scholars believe, the exclusive domain of the state in Muslim societies, *a fortiori*, individual Muslims should not perform it in non-Muslim societies. Even some very conservative and Salafist scholars interviewed for this study confirm this view. For example, Haitham El Haddad, one of the leading Salafist scholars in the United Kingdom, firmly believes that Muslims in the West have a duty to admonish other Muslims about their wrongdoings but have no right to stop them forcefully.<sup>34</sup>

◀◀ ***Hisba* in Europe can manifest itself in three possible ways: through advice, pressure, or force.** ▶▶

Virtually all Islamist groups operating in Europe, from those inspired by the teachings of the Muslim Brotherhood to various Salafist trends, embrace the view that European societies are morally bankrupt and that Muslims living in them face severe challenges

in the form of sexual promiscuity, drinking, gambling and other un-Islamic behaviour. Like many conservative Muslim organisations, Islamists of all stripes urge European Muslims to behave ethically and in accordance with the tenets of the *sharia*, even while living in a secular, non-Muslim society. Many organise conferences and disseminate literature guiding European Muslims on a path to good and away from sin.

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<sup>34</sup> Interview with Haitham El Haddad, London, July 2012.



The vast majority of these groups limit their activities to lecturing, exhorting and admonishing. Yet throughout Europe there are small numbers of individuals and groups that believe it is their very duty, even in a non-Muslim majority society, to enforce coercive *hisba* and violently punish those Muslims who violate Islamic law. The report seeks to highlight and analyse these dynamics.

## What is *hisba* in Europe?

*Hisba* in Europe can manifest itself in three possible ways: through advice, pressure, or force. The first form is by far the most common. For example, members of the Tablighi Jamaat, a missionary movement with millions of followers worldwide and a solid presence in Europe, roam the streets preaching their interpretation of Islam and urging Muslims to abide by the tenets of the *sharia*. But *hisba* through advice, the “*hisba* by the tongue” theorised by Ghazzālī, is also commonly performed by many ordinary, unaffiliated European Muslims when they spot un-Islamic behaviour. Most pious Muslims would see it as their duty to remind a co-religionist about appropriate Islamic behaviour.

Although it is significantly less frequent than *hisba* through advice, *hisba* using pressure is not uncommon. In Europe *hisba* through pressure manifests itself when small groups of conservative Muslims seek to create conditions that incline fellow Muslims to respect certain tenets of the *sharia* (as they interpret them), lest they face certain familial, social or economic consequences. In these cases, those enforcing *hisba* do not resort to violence, but enact forms of pressure to make individuals comply. This includes bad-mouthing and spreading rumours about an individual within the community, and putting the person under stress. A man whose wife does not wear the veil, for example, is often accused within the community by those seeking to perform *hisba* as weak and submissive. In some cases his business is boycotted and his children are mocked at school. All these actions - or simply the threat of them – are directed at making individuals cave in and accept the will of those seeking to perform *hisba*.

*Hisba* through pressure is sometimes difficult to differentiate from *hisba* through advice, as the line between friendly advice and social pressure is not always clear. Similarly blurred at times is the line between *hisba* through pressure and forceful *hisba*, which takes place when individuals seek to coerce fellow Muslims to abide by the tenets of the *sharia* through physical means. And, adopting this definition, it must first be said that episodes of *hisba* by force in Europe are infrequent. In substance, violent *hisba* in Europe is present, but is a marginal phenomenon that differ from many Muslim-majority countries.

*Hisba* through pressure and *hisba* by force are the two forms of the phenomenon that will be herewith termed coercive *hisba*. When it comes to Europe it is possible to identify three forms of coercive *hisba*: organised, spontaneous, and a series of activities that could be qualified as borderline. Organised coercive *hisba* takes place when small groups of activists decide to intimidate segments of the local Muslim population, threatening and occasionally meting out punishments for those who violate *sharia* tenets.

Rumours about these dynamics are not infrequent, but verified episodes of organised coercive *hisba* in Europe are few and far between. One such episode took place in the 1990s around London's Finsbury Park mosque. Originally founded as a mainstream, moderate mosque for the large Muslim community of north London, Finsbury Park was forcefully taken over by the notorious Egyptian cleric Abu Hamza al Masri and a small group of followers in the mid-1990s.<sup>35</sup> After having intimidated the mosque's trustees, Abu Hamza turned the place into what intelligence agencies from various countries at the time considered the undisputed headquarters of jihadist activities in Europe.

But, aside from engaging in various terrorism-related activities, Abu Hamza and his closest followers also enforced some form of *hisba* in the immediate vicinity of the mosque. According to senior British counterterrorism officers and local residents, from the late 1990s until his arrest in 2004, Abu Hamza and his men intimidated the neighbourhood Muslim barbers not to give "inappropriate haircuts"; Muslim newsagents not to display and sell "immoral publications," and Muslim restaurant owners not to serve alcohol.<sup>36</sup> It is unclear whether or not Abu Hamza and his followers ever physically attacked anybody who disobeyed their orders, but there is no question that the men, most of whom were veterans of combat in Algeria, Afghanistan and Bosnia, exercised a widespread and convincing intimidation campaign.

To some degree, similar dynamics have allegedly taken place in Catalonia, as the next chapter will analyse in detail. But it must be said that these are extreme and isolated episodes and that organised *hisba* is a rare phenomenon in Europe. It is not remotely comparable in terms of frequency and severity to *hisba* in Muslim-majority countries. To be clear, even the actions of Abu Hamza's followers in the "Londonistan" of the 1990s pale in comparison with those carried out by the members of the Gamaa Islamiya in Egypt.

What is more common in Europe is spontaneous *hisba*. This takes place when an individual or a small group of individuals engages in coercive enforcement of *sharia* without premeditation. These instances occur when the individual or the group, more or less accidentally coming across a behaviour they deem as un-Islamic, decide to take coercive action. The individuals performing spontaneous *hisba* may be involved with Islamist groups and/or possess knowledge of *hisba*, and will decide to take the matter into their own hands. But, unlike those performing organised *hisba*, they generally act on the spur of the moment and not systematically.

Occasional episodes of spontaneous *hisba* are relatively common in most European countries, but the London borough of Tower Hamlets can provide a useful example. Located in the eastern part of the city,

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<sup>35</sup> Sean O'Neill and Daniel McGrory, *The Suicide Factory: Abu Hamza and the Finsbury Park Mosque* (London: Harper Collins, 2006), pp. 34–52.

<sup>36</sup> Interview with Bob Lambert, former senior official at Scotland Yard's Muslim Contact Unit, Wimbledon, July 2012; interviews with local residents and business owners, London, October 2012.

Tower Hamlets is home to one of Britain's largest Muslim communities (36% of the borough's residents are of Bangladeshi descent) and, at the same time, several groups of various Islamist persuasions.<sup>37</sup> Over the last few years authorities in Tower Hamlets have witnessed several incidents that could be characterised as spontaneous *hisba*:

- ▼ In 2008, a 20-year-old patron of the George and Dragon, a local gay pub, was attacked by a group of young Muslims outside the pub and left permanently paralysed. In 2010 the pub itself was stormed by a mob

of some 30 Muslims who attacked the patrons. The attacks are part of a wave of anti-gay activities in the borough. In 2011 police arrested a local Muslim man who was found in possession of stickers that had been posted throughout the area. The stickers called the borough a "gay-free zone" and stated that: "verily Allah is severe in punishment."<sup>38</sup> The man, who pleaded guilty to a public order offence, included among his interests on Facebook Khalid Yassin, a preacher who has often spoken at Tower Hamlets' East London mosque and who has called for the killing of homosexuals.

- ▼ In July 2010, four local Muslim residents attacked Gary Smith, the head of religious education at Central Foundation Girls' School with a Stanley knife, an iron rod and a block of cement, slashing his face and fracturing his skull. The police had made secret recordings of the men's plans and heard them say they wanted to attack Smith for "teaching other religions to our sisters." At the trial the prosecution alleged that the evidence "points overwhelmingly to a religious motive for this attack."<sup>39</sup> In sentencing them to at least 19 years in jail the judge told the men: "Your belief is that you carried out a duty to your God and you did so with no mercy."<sup>40</sup>

Organised *hisba* in Europe is not even remotely comparable in terms of occurrence and severity to *hisba* in Muslim-majority countries.



The London Borough of Tower Hamlets between Whitechapel and Aldgate has one of the UK's largest Muslim communities (*London Evening Standard*, 20 February 2013).

<sup>37</sup> Focus on Ethnicity and Religion, National Statistics, 2006. Page 66.

<sup>38</sup> Andrew Gilligan, "Police 'Covered up' Violent Campaign to Turn London Area 'Islamic'," *Sunday Telegraph*, June 12, 2011.

<sup>39</sup> "Four Men Slashed Teacher's Face and Left him with Fractured Skull for 'Teaching other Religions to Muslim Girls,'" *Daily Mail*, February 22, 2011.

<sup>40</sup> "Battered and slashed by a Muslim gang just because he taught RE: Four jailed over their 'dangerous extreme religious beliefs'," *Daily Mail*, May 27, 2011.

- ▼ During Ramadan in 2010, a Bangladeshi man, Mohammed Monzur Rahman, was severely beaten by a mob of Muslim men in the Shadwell section of Tower Hamlets for smoking at a time when Muslims are not supposed to.<sup>41</sup> “Two guys stopped me in the street and asked me why I was smoking. I just carried on, and before I knew another dozen guys came and jumped me,” recounted Rahman. “The next thing I knew, I was waking up in hospital.”<sup>42</sup>
  
- ▼ In April 2011, the owner of a local chemist’s shop was threatened because one of his employees, a young Asian woman, did not wear the veil. The owner was first approached by a man in his 40s who said that “if she keeps working here and continues to dress like that, we will boycott you because this is a Muslim area.” Later a younger man entered the store and shouted at the woman: “If you keep doing these things, we will kill you.” Several other women, including local Muslim councilor Shiria Khatun, have been subjected to similar pressure and intimidation for not wearing the veil or wearing Western clothes.<sup>43</sup>
  
- ▼ In January 2012, a group calling itself Muslim Patrol uploaded on its YouTube channel several videos showing hooded young men harassing passers-by in East London.<sup>44</sup> In one clip the youths forced two men to put away the cans of beer they were drinking while walking through what the self-appointed vigilantes called a “Muslim area.” In other videos they verbally attacked women they considered immodestly dressed and a man they accused of being gay, urging them to leave the “Muslim area.”<sup>45</sup> Another clip showed posters for the clothing store H&M’s lingerie covered with black spray paint. The voiceover stated “the Muslims have taken it upon themselves to command good and forbid evil and cover up these naked women.”<sup>46</sup> In the videos the men spoke of “Muslim areas” and used the language of *hisba*, often referencing the “commanding good and forbidding evil” formula and describing themselves as “vigilantes implementing Islam upon your own necks.”<sup>47</sup> A few days after the video surfaced London’s Metropolitan Police arrested two men “on suspicion of GBH [Grievous Bodily Harm] and Public Order offences.”<sup>48</sup>

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<sup>41</sup> Interview with Ansar Ahmed Ullah, community activist and head of the Swadhinata Trust, London, October 2012.

<sup>42</sup> Andrew Gilligan, “Police ‘Covered up’ Violent Campaign to Turn London Area ‘Islamic,’” Sunday Telegraph, June 12, 2011.

<sup>43</sup> Tom Rawstone, “Tower Hamlets Taliban: Death Threats to Women who Don’t Wear Veils. Gays Attacked in the Streets. And All in the Borough at the Heart of Britain’s Capital,” Daily Mail, May 13, 2011.

<sup>44</sup> Martin Robinson, “Hooded ‘Muslim Patrol’ Vigilantes Remove Alcohol from Drinkers and Tell Women to Cover up as they Stalk London Suburb,” Daily Mail, January 17, 2013.

<sup>45</sup> [http://www.liveleak.com/view?i=8ea\\_1358700563](http://www.liveleak.com/view?i=8ea_1358700563), accessed January 21, 2013.

<sup>46</sup> [http://www.liveleak.com/view?i=beb\\_1358359911](http://www.liveleak.com/view?i=beb_1358359911), accessed January 21, 2013.

<sup>47</sup> Ben Quinn, “‘Muslim Patrol’ Investigation Leads to Double Arrest,” Guardian, January 22, 2013.

<sup>48</sup> *Ibid.*

Episodes similar to those which have taken place in Tower Hamlets have been witnessed, albeit in most cases with less frequency, in several parts of Western Europe. They are some of the most common manifestations of *hisba* in Europe or, at least, of a fringe interpretation of the concept. The individuals behind them do not apparently act as part of a purposefully-established group, but tend to be young men who are members, sympathisers or have absorbed the ideas of various Islamist groups that denounce “immoral” behaviour. Most of these Islamist groups stop short of urging Muslims to correct physically such behaviour, but it is arguable that it is easy to see why certain individuals, imbued with such ideology, might take it upon themselves to act. In truth, there seems to be no organised group in Tower Hamlets and in most European cities which follow the example of Abu Hamza and his followers from Finsbury Park.<sup>49</sup> But a narrative that strongly condemns certain behaviour is widespread and occasionally motivates individuals to act when given the opportunity.<sup>50</sup>

Occasional episodes of spontaneous *hisba* are relatively common in most European countries.

## Borderline *hisba*

But is it accurate to characterise these incidents as proper *hisba*? It can be legitimately argued that other factors might motivate, at least partially, the actions of the men behind them. Some argue that culture, rather than a strict interpretation of religion, might be the motivation behind them. Many neighbourhoods throughout Europe with substantial Muslim populations are characterised by a certain pressure to conform to conservative customs. Women not wearing conservative attire, homosexuals and Muslims who drink or do not fast during Ramadan are often the first victims of this social pressure. This can manifest itself in certain ways, from dirty looks and offensive comments to threats and physical attacks. But is this *hisba*? Or is it a manifestation of a conservative culture, of which religion is just a component? Moreover, pressure to conform to conservative mores is hardly exclusive to Muslim populations, as other immigrant and indigenous communities exert it as well.

The debate on how to consider this phenomenon is common throughout Europe. In January 2009, Norway’s main newspaper, *Aftenposten*, published an extensive investigative report over the presence of what it called “morality police” in the Oslo neighborhood of Grønland.<sup>51</sup> The impetus for the article came following an attack against a gay couple by conservative Muslims in this predominantly immigrant neighbourhood. The journalists interviewed several local residents and community leaders on the topic. Most agreed that

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<sup>49</sup> Interviews with police and council officials in Tower Hamlets and Newham, London, July and October 2012.

<sup>50</sup> That is the view of several Muslim leaders and intellectuals, such as Usama Hassan, Rashad Ali and Ansar Ahmed Ullah, familiar with the dynamics of East London.

<sup>51</sup> Stein J. Bjerge, “Moralkontroll i Oslos Innvandrergater,” *Aftenposten*, January 9, 2010.

occasionally individuals or small groups of men, mainly from the Somali and Pakistani community, perpetrated “public attempts at social control.” Yet some members of the public criticised what they perceived as an attempt to demonise an entire community and sought to characterise such behaviour as simply manifestations, albeit inappropriate, of social conservatism.<sup>52</sup>

Throughout Europe it is not uncommon to find cases of Muslim individuals that carry out violent acts that are painted by the media and commentators as motivated by a fundamentalist interpretation of Islam. At times incidents of coercive behaviour adopted by some European Muslims, such as forced marriages and “honour killings,” are characterised as motivated by extremist religious views and even portrayed

as forms of religious policing. How much of this phenomenon is motivated by religious views and on the other hand, how much cultural factors play a role, is debatable. But in any case it is incorrect to identify this behaviour as *hisba*.

Similarly, many have expressed concerns over the relative growth of Islamic courts in Europe. In some countries, like the United Kingdom, Islamic

arbitration courts are recognised by the government. These courts are voluntarily available to those who want to resolve issues according to Islamic law. In many European countries there are reports of informal courts or mediators that help Muslims solve civil matters and, in some rare circumstances, deliver judgments on criminal matters, while operating outside the law of the country.<sup>53</sup> While in some circumstances there might be some overlap, the activities of these courts cannot be qualified as *hisba* as previously defined.

Other phenomena, while still borderline, are closer to being properly characterised as *hisba*. In several neighborhoods of European cities with large Muslim populations, it is not uncommon for advertisements displaying naked or scantily clad bodies to be ripped up, blacked-out or covered up. For example, some British newspapers reported that the occurrence is quite common throughout the country.<sup>54</sup> The same problem has been reported in The Netherlands. In 2012, Radio Netherlands reported that in Kanaleiland, a predominantly Muslim area of Utrecht, a poster showing a scantily clad woman was covered by a black bag. A message plastered across the bag read “La ilaha il Allah [There is no God but Allah]

▲▲ In some countries, like the United Kingdom, Islamic arbitration courts are recognised by the government. These courts are voluntarily available to those who want to resolve issues according to Islamic law. ▲▲

<sup>52</sup> Sindre Bangstad, “The morality police are coming! Muslims in Norway’s media discourses,” *Anthropology Today*, Volume 27, Number 5, 1 October 2011, pp. 3-7.

<sup>53</sup> See, for example, the German case: Joachim Wagner, “Islamic Mediators and Germany’s ‘Two Legal Systems’,” *Der Spiegel*, June 20, 2012.

<sup>54</sup> “Censored! Bikini advert blacked out with spray paint by ‘Muslim extremists who object to women in swimsuits,’” *Daily Mail*, May 13, 2011.

– No Sexually Tinted Advertising In Our Suburbs. Stand Up And Fight Against This Case To Protect Our Children!”<sup>55</sup> Was this protest just cultural? Or, was it an example of *hisba*? How can we know?

Religiously-motivated vigilantism is another difficult case. In some predominantly Muslim neighbourhoods in European cities, there have been instances in which groups of Muslim men, often from the same mosque, form vigilante groups with the aim to maintain law and order in their area. As with any vigilante group, the authorities tend to have mixed feelings on the methods used by these groups. If the patrols limit their actions to reporting crimes and cooperating with police, then their actions are perceived as laudable examples of successful police-community cooperation. But authorities tend to be opposed to the actions of groups that decide to substitute themselves for the police and take the law into their hands.<sup>56</sup> But there is an additional concern related to religiously-tinged vigilantism, as some of these patrols target perfectly legal activities. In various northern English towns, for example, there have been reports of vigilante groups led by individuals with an Islamist background targeting not only drug dealers and prostitutes, but also legitimate businesses that sell alcohol or allow gambling.<sup>57</sup> While every situation needs to be evaluated individually, the line between vigilante and *hisba* group could be, at times, a fine one.

In 2005, the British public was made sadly aware of a similar phenomenon following the July 7 attacks in London. Police and journalistic investigations revealed that three of the four suicide bombers had belonged to a vigilante group that had formed years before in the dilapidated Leeds suburb of Beeston. Mohammed Siddique Khan, the attackers’ ringleader, was a leading member of a group of mostly second generation Pakistanis who called themselves the Mullah Boys.<sup>58</sup> Some 15 to 20 individuals belonged to the group, which had come together to fight the presence of drugs in the community. Its members would chase drug dealers out of the area and carry out “cold turkey” drug interventions, kidnapping (with the consent of their families) young Muslims who were addicted to drugs and holding them in a flat near their Salafist-leaning mosque until they were cleansed of their addiction. The group soon outgrew its purpose of watching the neighbourhood and some of its core members became involved with jihadist activities.

Finally, another phenomenon that for various reasons is difficult to identify as proper *hisba* are publicity stunts by former members of al Muhajiroun or like-minded groups. There have been a handful of episodes throughout Europe in which groups that gravitate towards the now defunct group and, more loosely, Hizb ut-Tahrir, have publicly announced their desire to enforce *sharia* in certain urban areas with

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<sup>55</sup> Jannie Schipper, “Muslim censorship or just plain decency?” Radio Netherlands Worldwide, April 14, 2012.

<sup>56</sup> For an example of these dynamics see “Residents Tackling Drug Dealers,” BBC News, August 27, 2008; confirmed in email exchange with Greater Manchester Police’s Public Relations Office, July 2012.

<sup>57</sup> Interviews with various British officials and Muslim community leaders, July and October 2012.

<sup>58</sup> Shiv Malik, “My Brother the Bomber,” Prospect Magazine, Issue 135, June 2007.





The bikini model's body and face have been obscured by spray paint on this street in Birmingham (*The Daily Mail*, 13 May 2011).

large Muslim populations. Similarly to the aforementioned Islamic Emirates Project in Great Britain, for example, a group in Denmark calling itself Call to Islam in 2011 announced its plan to introduce patrols of areas of Copenhagen in order to prevent local Muslims from engaging in “un-Islamic behaviour.”<sup>59</sup>

There is no question that these initiatives fall under the realm of *hisba* in the intentions of their promoters. But the problem is that in most cases these initiatives are little more than hollow declarations designed by these groups to attract media coverage. There is little to no evidence confirming these groups have followed up on their promises to carry out *hisba*. It can be said that, somewhat paradoxically, groups that have loudly announced their desire to carry out *hisba* have not performed it, while those who actually carry out *hisba* do so spurning media attention and denying what they do.

All these dynamics point to the difficulty in assessing this murky phenomenon. Incidents of *hisba* do exist, but are often either under- or over-reported. The first instance occurs in the frequent cases in which the community does not report to authorities instances of *hisba*. Law enforcement officials, politicians, journalists, social workers and community leaders in various European countries interviewed for this study have repeatedly expressed the view that in many Muslim communities *hisba* is a poorly kept secret: most people are aware that it happens on some scale, but almost nobody reports it, mostly out of fear of retribution or to avoid bringing shame to the community. One official

compared the phenomenon to the *omertà* that surrounds the activities of organised crime in areas of southern Italy.<sup>60</sup>

## ▲ Certain incidents involving the Muslim community are erroneously categorised as instances of “religious policing” or “sharia enforcement.” ▶▶

Not all violent episodes involving Muslims are examples of *hisba*. Certain incidents, however, involving the Muslim community have been falsely categorised as “religious policing” or “*sharia* enforcement.” This erroneous reporting is due to a number of factors including poor reporting, sensationalism and political manipulation.

<sup>59</sup> Line Prasz, “Borgmester: *Sharia*-Zoner Er Uacceptable,” *Politiken*, October 18, 2011; “Islamister Vil Indføre *sharia*-zoneri København,” *Jyllands Posten*, October 17, 2011.

<sup>60</sup> Interview with Spanish official, Barcelona, September 2012.



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CHAPTER 3


A CASE STUDY:  
CATALONIA



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# CHAPTER 3

## A CASE STUDY: CATALONIA



*Hisba* does not occupy an important position in European debates because it occurs rarely and is difficult to identify. Catalonia is a relative exception to these dynamics. Over the last few years, authorities and media have frequently identified episodes of religious policing within the local Muslim community. Is Catalonia unique in Europe, since it witnesses *hisba*-related phenomena with greater frequency than other regions? And, if so, why? Or is it a matter of the local authorities and the media simply focusing more on the issue than their counterparts elsewhere? And do they exaggerate the phenomenon? The answers to these questions are, almost impossible to give. But this chapter seeks to describe the dynamics of what the local media and authorities in Catalonia have dubbed *hisba*-like activities

The autonomous Spanish region of Catalonia is home to some 400,000 Muslims, approximately one quarter of Spain's Muslim population.<sup>61</sup> As in the rest of Spain, most Muslims arrived in Catalonia over the last three decades and were attracted by the region's growing economy. Moroccans constitute by

far the largest group, but there are also sizeable communities of Pakistanis, sub-Saharan Africans and Algerians. When interacting with the authorities at the local, regional and national level, a few organisations compete to represent Muslims, but the community is highly fragmented and no organisation can claim to represent more than a small cross section of Catalonia's Muslims.



Over the last few years, authorities and media have frequently identified episodes of religious policing within the local Muslim community.

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<sup>61</sup> *Musulmanes en España*, a booklet published by Casa Árabe (Madrid, 2009, page 12), puts the number at 350,000. Catalan authorities, also considering the number of illegal immigrants, think the number is slightly higher.

Both Spanish and Catalan authorities have long raised the alarm over the spread of extremism among segments of the Catalan Muslim community. A 2007 U.S. State Department cable succinctly summarised these views. In regards to the fear over Catalan Muslims, the cable stated: “They live on the edges of Spanish society, they do not speak the language, they are often unemployed, and they have very few places to practice their religion with dignity. ... Individually, these circumstances would provide fertile ground for terrorist recruitment; taken together, the threat is clear.”<sup>62</sup> The cable concluded “there is little doubt that the autonomous region of Catalonia has become a prime base of operations for terrorist activity. Spanish authorities tell us they fear the threat from these atomised immigrant communities prone to radicalism, but they have very little intelligence on or ability to penetrate these groups.”<sup>63</sup>



The autonomous Spanish region of Catalonia is home to some 40,000 Muslims, approximately one quarter of Spain's Muslim population.

In reality, Catalonia has seen a relatively small number of terrorism-related cases. In November 2003, a suicide bomber who blew up an Italian military base in Iraq had allegedly been recruited in the Catalan coastal town of Vilanova i la Geltru.<sup>64</sup> And in January 2008 authorities dismantled a local cell linked to the Pakistani Taliban (TTP) which was planning an attack against Barcelona's metro system.<sup>65</sup> But overall, in comparison to many other European regions, Catalonia has not seen a high number of terrorism cases. What have markedly been more common are non-terrorist related incidents linked to mostly Salafist groups that have often grabbed the attention of both authorities and the media.

## Salafism in Catalonia

The first Islamist networks were established in Catalonia in the late 1970s, when a handful of Muslim Brotherhood activists from the Middle East and North Africa came to study in universities in the Barcelona area.<sup>66</sup> In 1981 members of the Tablighi Jamaat opened the Tariq bin Ziyad mosque in the

<sup>62</sup> Cable available on the website of El País: [http://www.elpais.com/articulo/internacional/Cable/creacion/agencia/coordinar/lucha/terrorismo/elpepuesp/20101211elpepuint\\_7/Tes](http://www.elpais.com/articulo/internacional/Cable/creacion/agencia/coordinar/lucha/terrorismo/elpepuesp/20101211elpepuint_7/Tes) (accessed December 10, 2012).

<sup>63</sup> Ibid.

<sup>64</sup> Verdict 3/2010, trial against Omar Nakhcha and others, Audiencia Nacional, Madrid, January 11, 2009.

<sup>65</sup> Verdict 78/2009, trial against Aqeel Uhr Rehman Abbasi and others, Audiencia Nacional, Madrid, December 11, 2009.

<sup>66</sup> Jordi Moreras, *Musulmanes en Barcelona: Espacios y Dinamicas Comunitarias* (Barcelona: Cidob Edicions, 1999).

Raval, catering to the nascent Pakistani community of the Barcelonese neighbourhood. Such groups still operate in the area, but throughout Catalonia their presence is overshadowed by the presence of Salafist networks.

In the late 1980s and early 1990s Salafist activists began opening mosques, in many cases little more than garages, basements or abandoned factories.<sup>67</sup> Most of their leaders and attendees were North African, mostly Moroccan, mirroring the demographics of immigration into Catalonia. And unlike the Muslim Brotherhood and the Tabligh, Salafists opened their first mosques in small and medium-sized towns in south-western Catalonia, where large communities of agricultural and low-skilled North African workers had settled.<sup>68</sup> From just a handful of mosques in the early 1990s, Salafists have spread their influence today to an estimated 40 to 50 mosques.<sup>69</sup> The Mossos d'Esquadra, Catalonia's regional police force, speak of a "Salafist corridor" that runs from the traditional heart of Catalonian Salafism, the southern cities of Reus and Tarragona, to the northwestern corner of Lleida and all the way to towns near the French border in the province of Girona.<sup>70</sup>

There are various overlapping factors that explain the growth of Salafism in Catalonia. Funds have unquestionably played a major role in this phenomenon. Details about how Salafist networks are financed are murky, but Spanish authorities have publicly stated that funding from Arab Gulf countries, whether governmental or private, are a major source. A 2011 memorandum by the National Center for Intelligence (CNI) openly stated that funding from six Muslim-majority countries (Saudi Arabia, Kuwait, Qatar, UAE, Libya and Morocco) supported the activities of many Salafist and radical groups and that "the consequences of the funding are seen in the negative attitudes towards integration, such as the growth of ghettos and parallel societies, Islamic tribunals and police forces operating outside the law, lack of schooling for girls, forced marriages and so on."<sup>71</sup>

Access to funding has allowed Salafists to open new mosques throughout Catalonia. In other cases, to spread their influence, Salafist activists have opted for dislodging the leadership of existing mosques. Authorities and community activists have witnessed the same *modus operandi* throughout the region: Salafist activists first seek to co-opt the local imam, but if he refuses to take their side, they will discredit him in the eyes of the community, often by spreading rumours or ridiculing him during sermons for his

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<sup>67</sup> Interview with Jordi Moreras, Barcelona, October 2012.

<sup>68</sup> Jordi Moreras and Sol Torres, "El Desarrollo de la Doctrina Salafi en España," in Frank Peter and Rafael Ortega, eds., *Los Movimientos Islámicos Transnacionales y la Emergencia de un 'Islam Europeo'* (Barcelona, Bellaterra, 2012). Page 219.

<sup>69</sup> Interview with officials from the Mossos d'Esquadra, Sabadell, October 2012; Antonio Baquero, "El Islam Ultraortodoxo Duplica las Mezquitas en Catalunya en 4 Años," *El Periodico*, July 13, 2008; Ferran Balsells, "El Salafismo se Hace con el Control de Cinco Mezquitas en Tarragona," *El País*, June 21, 2010.

<sup>70</sup> Interview with officials from the Mossos d'Esquadra, Sabadell, October 2012; see also Ferran Balsells, "El Corredor Salafista," *El País*, July 23, 2010.

<sup>71</sup> Ignacio Cembrero, "El CNI alerta de que Seis Países Musulmanes Financian el Islamismo," *El País*, July 31, 2011.

supposed lack of knowledge on Islamic teachings. In some cases physical coercion also plays a role.<sup>72</sup>

Access to funds has also allowed Salafists to provide a series of services and activities to local Muslim communities that have increased their popularity and influence. In many cases their mosques provide translation services for immigrants who are not fluent in Spanish and Catalan; advice on how to deal with administrative matters, Quranic classes and activities for children. Particularly important are conferences, which have been held regularly in various Catalan towns since the early 1990s.<sup>73</sup> Normally held during Christmas or Easter weeks, they attract up to 3,000 participants who come to hear lectures from some of the most respected Salafist scholars from Saudi Arabia, Kuwait, Morocco, the Netherlands and Belgium.<sup>74</sup> Attendees reportedly come from all over Europe, many of them stopping in Catalonia while driving from central and northern Europe to and from Morocco to visit relatives.<sup>75</sup>

There are additional reasons that explain Salafist expansion in Catalonia. Some have to do with the failure of various Muslim umbrella organisations to unite and exert control over local Muslim communities. In short, Salafists have successfully created their own networks, which operate in towns outside of the Barcelona area and independently from any representative structure. But a key factor is Salafism's ideological appeal of simplicity, authenticity, meaning and moral superiority to relevant cross sections of the Catalan Muslim community. Dutch scholar Roel Meijer argues: "in a contentious age, Salafism transforms the humiliated, the downtrodden, disgruntled young people, the discriminated migrant, or the politically repressed into a chosen sect (*al-firqa al-najiyah*) that immediately gains privileged access to the Truth."<sup>76</sup>

This dynamic seems to be particularly effective in Catalonia's provincial towns, where many Muslims are unemployed, poorly educated, recently immigrated and not well integrated into Catalan society. French scholar Mohamed-Ali Adraoui perfectly describes the appeal of Salafism on some French and, by extension, European Muslims who find themselves in those conditions. "Muslims looking for existential answers are attracted by the 'absolute Islam' that Salafism provides," argues Adraoui. "This has led to a revolution in their lives. Instead of being passive 'followers,' they have become active 'models' for others. Where before the migrant lived on the fringe of society (mentally rather than effectively), as a

From just a handful of mosques in the early 1990s, Salafists have spread their influence today to an estimated 40 to 50 mosques.

<sup>72</sup> Interviews with officials from the Mossos d'Esquadra and the Policia Nacional, Barcelona, September 2012.

<sup>73</sup> Jordi Moreras, *Musulmanes en Barcelona: Espacios y Dinamicas Comunitarias* (Barcelona: Cidob Edicions, 1999).

<sup>74</sup> Antonio Baquero, "El Islam Ultraortodoxo Duplica las Mezquitas en Catalunya en 4 Años," *El Periodico*, July 13, 2008.

<sup>75</sup> Interview with officials from the Mossos d'Esquadra, Barcelona, September 2012.

<sup>76</sup> Roel Meijer, "Introduction," in Roel Meijer, ed., *Global Salafism: Islam's New Religious Movement* (New York: Columbia University Press, 2009). Page 13.

Salafi he now stands at the centre of the world and embodies a sacred history. Morally and symbolically the migrant has climbed up the social ladder and is able to look down on the rest of society.”<sup>77</sup>

The personal profiles of some Catalan Salafist activists confirm Adraoui’s analysis. Catalan scholar Jordi Moreras divides them in three categories.<sup>78</sup> At the core of the movement are the “main promoters,” a doz-

en charismatic individuals who often enjoy close relations and operate as the leaders of each town’s Salafist community. Many of them share similar religious backgrounds. They arrived in Spain among the first wave of immigrants in the 1990s and were not particularly devout. In many cases they indulged in drinking, dating and not

going to the mosque. Yet, by their late 20s or early 30s, many of them had a religious rebirth, which led them to Salafism. They later became heads of Salafist mosques and Islamic organisations, but often relied on formally trained imams to compensate for their limited knowledge of Islam.

Many of these promoters are successful entrepreneurs, often owning businesses such as phone shops, travel agencies, small construction firms and import/export companies. This relative wealth gives them a certain prestige in communities where unemployment and poverty are rampant. Promoters often give permanent or temporary jobs to members of their mosques, cementing their allegiance. Some of the individuals employed by the promoters become lower level activists, Moreras’ second category of Catalan Salafists. They often volunteer in mosques run by a promoter or run satellite mosques in the area, collecting funds and helping in various activities. Salafist-run mosques organise events and activities which attract sympathisers, who form Moreras’ third category. These are individuals who often frequent Salafist mosques, conferences and activities, embrace at least some Salafist ideas, but are not actively involved.

Thanks to their leaders’ activism and resources, mosques run by local Salafists often become powerful centres of community life. They offer temporary shelter for new immigrants and transients. They link job seekers with potential employers and often provide documents to people who need them. By mixing financial and religious power, promoters have turned certain immigrant neighbourhoods of various Catalan towns into their own personal fiefdoms, exerting significant influence over local Muslim communities.

▲▲ Thanks to their leaders’ activism and resources, mosques run by local Salafists often become powerful centres of community life. ▲▲

<sup>77</sup> Mohamed-Ali Adraoui, “Salafism in France: Ideology, Practices and Contradictions,” in Roel Meijer, ed., *Global Salafism: Islam’s New Religious Movement* (New York: Columbia University Press, 2009). Page 367.

<sup>78</sup> Jordi Moreras, *Musulmanes en Barcelona: Espacios y Dinamicas Comunitarias* (Barcelona: Cidob Edicions, 1999).

The Salafist movement in Catalonia, like anywhere in the world, is not a unified movement and there are deep divisions due to leadership competition and doctrinal differences.<sup>79</sup> At the leadership level, Catalonia's Salafist movement operates as an informal network of local leaders often linked by familial ties, business relations, and common origins. While often working together, each operates in his own separate territory. Ideologically, the Catalan Salafist movement is split due to the sheikhs and doctrinal trends they follow.<sup>80</sup> The Salafist movement in Catalonia, like anywhere in the world, is not a unified movement and there are deep divisions due to leadership competition and doctrinal differences.<sup>81</sup>

## Hisba in Catalonia

Despite these divisions, there are common traits that characterise the Catalan Salafist movement. Just like their counterparts across Europe, Catalan Salafists seek to re-Islamise the local Muslim community and shield it from the moral corruption that surrounds it. They seek to form a virtual or physical enclave regulated by social norms and customs that differ from those of mainstream society. In this regard, some of the highly segregated immigrant majority neighbourhoods of several Catalan towns seem ideal places.

Salafist sermons, publications and videos urge Muslims to avoid contact with the local population, not to frequent bars or social gatherings attended by non-Muslims; to pull children from activities such as swimming or gym classes; and, more in general, to adopt "proper Islamic behaviour."<sup>82</sup> Particular emphasis is placed on the conduct and attire women should adopt. Authorities and community activists report that sermons in local Salafist mosques frequently urge men to make their women wear the veil, not leave the house unaccompanied if it is not necessary, and be obedient to their husbands.<sup>83</sup> Salafist imams have often urged worshippers to take harsh measures if their wife is disobedient. In some cases, when the imams' sermons were considered to be a direct incitement to violence, the authorities intervened. The imam of Fuengirola was convicted in 2004 for publishing a book explaining how to beat disobedient women.<sup>84</sup> And in March 2012 the Mossos d'Esquadra, charged the imam of Terrassa for giving a fiery sermon on the subject in front of more than 1500 people.<sup>85</sup>

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<sup>79</sup> Jordi Moreras and Sol Torres, "El Desarrollo de la Doctrina Salafi en Espana," in Frank Peter and Rafael Ortega, eds., *Los Movimientos Islamicos Transnacionales y la Emergencia de un 'Islam Europeo'* (Barcelona: Bellaterra, 2012). Page 220.

<sup>80</sup> Jordi Moreras, *Musulmanes en Barcelona: Espacios y Dinamicas Comunitarias* (Barcelona: Cidob Edicions, 1999); Interviews with officials from the Mossos d'Esquadra, Sabadell, September 2012.

<sup>81</sup> Jordi Moreras and Sol Torres, "El Desarrollo de la Doctrina Salafi en Espana," in Frank Peter and Rafael Ortega, eds., *Los Movimientos Islamicos Transnacionales y la Emergencia de un 'Islam Europeo'* (Barcelona, Bellaterra, 2012). Page 220.

<sup>82</sup> Interviews with Mossos d'Esquadra and other Catalan officials, Barcelona, Sabadell, Lleida and Mollet del Vallès, November 2012.

<sup>83</sup> Ferran Balsells, "El Salafismo se Hace con el Control de Cinco Mezquitas en Tarragona," *El Pais*, June 21, 2010.

<sup>84</sup> "Condenado a 15 Meses de Cárcel el Imán que Incitó a la Violencia contra las Mujeres en un Libro," *El Mundo*, January 15, 2004.

<sup>85</sup> Jesus Garcia and Rebeca Carranco, "Un Imán Aconseja Pegar y Aislar a las Mujeres de Conducta 'Desviada'," *El Pais*, March 6, 2012.

Spanish and Catalan authorities are concerned about the social impact of the spread of Salafist ideology in the region, fearing the formation of an “us and them” mentality, thus driving a wedge between segments of the Muslim community and the population at large.<sup>86</sup> Authorities have talked of a “cultural segregation” that could contribute to the development of a “Salafist counter culture capable of threatening peaceful coexistence among different communities.”<sup>87</sup> Given the Salafists’ ability to reach relatively large sections of the Catalan Muslim community, authorities fear their ideas could become mainstream, triggering severe social and security problems.<sup>88</sup>

Adding to the fears of the local authorities is the charge that Salafists, allegedly, do not just propagate their ideas through sermons and publications, but that they occasionally impose them through various

forms of coercive *hisba*. A 2010 internal dossier from the Centre for Intelligence reportedly stated that a handful of Salafist centres have “religious police” that impose their morality on Muslims and constitute a threat to social order.<sup>89</sup> Similarly, the Spanish Ministry of Interior has publicly warned about the appearance of “morality brigades” around certain Salafist mosques forcing people in the surrounding neighbourhoods to comply with certain social requirements.<sup>90</sup> Catalan police

▲▲ A 2010 internal dossier from the National Centre for Intelligence reportedly stated that a handful of Salafist centres have “religious police” that impose their morality on Muslims and constitute a threat to social order. ▲▲

sources interviewed by El Periodico have stated that some Salafist networks seek to impose their interpretation of *sharia* “through coercion, including the formation of groups of people that act as morality brigades.”<sup>91</sup> These accusations have been amplified by many Spanish and Catalan politicians, commentators and media outlets. Talk of *hisba*, “religious police” and “morality brigades” has been quite common over the last five years in the Spanish region, arguably more than anywhere else in Europe.

This report sought to analyse the situation by conducting extensive fieldwork throughout Catalonia over the span of six months. Through interviews with dozens of officials, experts and community members, it uncovered a complex and very difficult to investigate phenomenon. On one hand, virtually all of the officials from intelligence agencies, law enforcement and local governments interviewed for the report expressed certainty over the existence of various forms of *hisba* in Catalonia. On the other hand, those

<sup>86</sup> Rogelio Alonso, “The Spread of Radical Islam in Spain: Challenges Ahead,” *Studies in Conflict and Terrorism*, 35:471, 2012.

<sup>87</sup> Antonio Baquero, “La Policía Dice que la ‘Contracultura Salafista Amenaza la Paz Social,’” *El Periodico*, August 7, 2010.

<sup>88</sup> Interviews with Mossos d’Esquadra and other Catalan officials, Barcelona, Sabadell, Lleida and Mollet del Vallès, November 2012; interview with officials from the Policía Nacional, Barcelona, September 2012.

<sup>89</sup> “Interior Podría Expulsar a los Imanes que Fomenten la Guerra Santa y el Machismo,” *El Periodico*, September 9, 2010.

<sup>90</sup> “Musulmanes Conservadores Crean ‘Brigadas de la Moral’ en Catalunya,” *El Periodico*, December 8, 2010.

<sup>91</sup> “La Policía Dice que la ‘Contracultura Salafista Amenaza la Paz Social,’” *El Periodico*, August 7, 2010.



same authorities admitted that the Muslim community was impenetrable; almost no one comes forward with criminal complaints or even informal protestations.<sup>92</sup> In conclusion, while there are several indications that *hisba*-like practices have taken place in Catalonia, there is a paucity of hard evidence, at least in the public domain (nevertheless, intelligence agencies are obviously likely to have additional information they are not willing to disclose).

This scarcity of hard evidence does not necessarily indicate that the phenomenon is marginal or does not exist. In many societies throughout the world there are illicit phenomena taking place which, even though they are widespread, do not get reported to the authorities. An example that comes to mind is *pizzo*, or the percentage of earnings that virtually all businesses in areas of southern Italy have to pay to local organised crime syndicates. If one were to judge how widespread the phenomenon of *pizzo* is based on criminal complaints filed by victims, the conclusion would be that it is almost non-existent. Yet anybody who has even a limited knowledge of certain areas of Calabria, Campania and Sicily knows that paying the *pizzo* is the norm. That is not to say that the same dynamic applies to *hisba* in Catalonia (it probably does not), but it shows the difficulty of assessing certain phenomena.

In the media and in interviews for this report, Spanish and Catalan authorities have consistently spoken of various forms of pressure exercised by members of some local Salafist networks on the wider Muslim community. In particular, authorities are concerned about some ten, mostly small-sized towns where small groups of individuals gravitating around the local Salafist mosque operate.<sup>93</sup> The groups are generally composed of no more than eight individuals and move around town, reprimanding Muslim individuals who act “un-Islamically”: patrons in bars drinking alcohol; shopkeepers who sell it; women who do not wear the veil or dress immodestly; individuals who fraternise too much with Catalans or do not attend the mosque.

Sometimes reprimands are done publicly, with the intention to shame the individual in front of the rest of the community. In other cases, it is done privately, whether in person or through phone calls or text messages. In most cases it is done without violence or direct threats. Yet there is no question that the action by a small “*hisba* group” has an intimidating effect. As one Muslim kebab shop owner recounted, “I was never threatened, not even in a veiled way, but when those four bearded men with stern faces told me it was un-Islamic to sell beer, I knew I had to stop.”<sup>94</sup>

Rather than threats of violence, which are rarely reported, the power of small *hisba* groups often relies on the social pressure they manage to create. In most cases these groups operate in small towns or neighbourhoods where there is a population of a few thousand Muslims living in close quarters. Most

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<sup>92</sup> Interviews with officials from the Mossos d'Esquadra and the Policia Nacional, Sabadell and Barcelona, September 2012.

<sup>93</sup> Interviews with Mossos d'Esquadra officials, Sabadell, November 2012.

<sup>94</sup> Conversation with a Moroccan shopkeeper in a Catalan town, December 2012.

of them know each other not only from living close together but also through their shared origins and extended families. *Hisba* groups often exploit this situation by triggering dynamics of social pressure that can become untenable for those who decide to challenge them. In many cases threats or social pressure are not limited to Catalonia. It is reportedly not uncommon for Salafists to spread rumours about individuals in their hometown in Morocco, severely undermining a person's reputation among relatives and their community.<sup>95</sup>

▲▲ **Rather than threats of violence, which are rarely reported, the power of small *hisba* groups often relies on the social pressure they manage to create.** ▶▶

An example of this dynamic took place in the coastal town of Cunit in 2008. At the time, Fatima Ghailan was a cultural mediator for the local municipality, and was charged mostly with dealing with the town's large Moroccan community on issues of integration, education, and equality. This position put her in direct

contrast with the leaders of the local Salafist mosque, which had traditionally performed, for a small fee, some of the same services: help with residency permits, translations etc. Ghailan began to provide them for free. The mosque's leadership soon began an intense defamation campaign against Ghailan, a secular woman who drives and does not wear the veil. They started spreading rumours within Cunit's small Muslim community saying she was "a bad Muslim" and that she was acting against her community. Her husband was confronted on the streets of Cunit and told that "his wife was not a good wife" and that he "should have looked for another one."<sup>96</sup>

After weeks of harassment, which culminated in a public altercation, Ghailan filed a complaint for intimidation and defamation against the president of Cunit's mosque, the imam, his wife and his daughter. A court in Tarragona found that the men had put into action "a premeditated plan to deprive the woman of her tranquility" and sentenced them to up to one year in jail.<sup>97</sup> The verdict was then overturned by an appeals court in July 2011.<sup>98</sup> It is questionable whether the case can be categorised as one of *hisba*. It is not unfair to assume that the religiously-tinged smears against Ghailan could have been motivated principally by the mosque's leadership's desire not to lose funds and influence within the community, rather than purely religious reasons.<sup>99</sup> Yet the Cunit case shows how the dynamics of social pressure activated by Salafist mosques can have a devastating impact on those who seek to resist them.

<sup>95</sup> Interview with Omar Charab, Bell Lloc d'Urgell, December 2012

<sup>96</sup> Merce Perez Pons and Rebeca Carranco, "La Audiencia Absuelve al Imán de Cunit," *El País*, August 3, 2011.

<sup>97</sup> Juzgado Penal 2 of Tarragona, Procedimiento Abreviado 130/2010.

<sup>98</sup> Audiencia Provincial de Tarragona, rollo de apelación number 100/11.

<sup>99</sup> The frequency of financial motivations in cases in which Muslims accuse fellow Muslims of impiety should not be underestimated. In that regard Jordi Moreas tells the story of a Moroccan butcher who opened a halal butchery in a town near Barcelona in the mid-1990s. The owner of the other halal butchery in town soon began to spread rumours about the immoral behaviour (mostly alcohol consumption) of his competitor. While the charge was reportedly untrue, it was enough to lead the community to distrust the new butcher who, despite applying more convenient prices, had to close his business.

Moreover, the example of Cunit is interesting because it is one of the few cases in which a victim of Salafist pressure decided to file a criminal complaint. As previously mentioned, the Spanish and Catalan authorities are dismayed by the small number of individuals within the Muslim community who file complaints. Ghailan, being the exception, briefly became a sort of celebrity in Spain and was even profiled in the *Washington Post*.

## The case of Lleida

Over the last ten years, authorities throughout Catalonia have witnessed a similar dynamic taking place, albeit with small variations, in several towns.<sup>100</sup> In many instances the opening of a Salafist mosque and the consequent implantation of a small Salafist network in a town triggers social changes that manifest themselves within a few months. Shortly, a significantly larger number of women start wear the hijab or, in some cases, the niqab; many Muslim shopkeepers stop selling alcohol; and mixing of Muslims with Catalans in bars or schools decrease significantly.

It is difficult for authorities, and, *a fortiori*, for this researcher, to determine exactly the dynamics behind this change which, to be sure, can vary from case to case. It could be that the arrival of a Salafist milieu has triggered a religious awakening in many local Muslims, who spontaneously decide to adopt more Islamic practices. On the other hand, it could be that local Muslims are being coerced into adopting certain behaviours through threats or violence. But it could be that Salafists are exercising a form of social pressure that, while not transcending into violence, nevertheless forces local Muslims to make adjustments in their conduct.

In many cases, the dynamics are difficult to discern, particularly given the paucity of information coming from local Muslim communities. A case that has attracted particular attention in the Spanish media is that of Lleida, the capital of Catalonia's only landlocked province. Lleida is home to some 12,000 Muslims, roughly 10% of the population, a number that grows significantly when seasonal workers flock to the agricultural capital of Catalonia.<sup>101</sup> Over the last few years the city has been under the spotlight for a variety of controversies surrounding its Muslim community, which have generated intense nationwide debates over immigration, identity and tolerance. Often at the centre of these debates has been Abdelwahab Houzi, the Moroccan-born imam of the mosque of the Carrer del Nord, a street in the immigrant area of central Lleida. Houzi adopts a form of Salafism heavily influenced by Saudi clerics, and preaches his controversial views on a variety of issues. His fiery sermons and activities have long attracted the attention of Spanish and Catalan authorities, who have monitored him for a number of years.<sup>102</sup>



Lleida is home to some 12,000 Muslims, roughly 10% of the population, a number that grows significantly when seasonal workers flock to this agricultural capital of Catalonia.

<sup>100</sup> Interviews with officials from the Mossos d'Esquadra and the Policia Nacional, Sabadell and Barcelona, September 2012.

<sup>101</sup> Interview with officials from the Guardia Urbana of Lleida, Lleida, December 2012.

<sup>102</sup> "Los 10 Imames más Radicales," *El Mundo*, September 11, 2010.

Particularly controversial has been the claim, repeatedly made by authorities, media outlets and local community activists, that Houzi is in charge of running a “religious police” in Lleida. In 2010, the Catalan daily *El Periódico* reported extensively on this allegation and anonymously interviewed the wife of one individual attending Houzi’s mosque.<sup>103</sup> She claimed that a small group of Salafists close to the imam did not allow “undesired people” into the mosque and kept a sort of Islamic force around it. The primary targets of their patrols were reportedly women who did not wear the veil. Houzi’s “praetorian guard” would report this to the imam and the sinning woman’s husband, so that they could take the necessary measures.

She claimed that a small group of Salafists close to the Imam did not allow undesired people into the mosque and kept a sort of Islamic force around it.

The Madrid-based newspaper *ABC* ran similar stories quoting several intelligence sources.<sup>104</sup> It claimed that a group of half a dozen Salafists closely linked to Houzi routinely roamed the narrow streets of the heavily immigrant neighbourhood surrounding the Carrer del Nord mosque, forcing Muslim residents to comply with their strict

interpretation of the *sharia*. The sources interviewed by *ABC* argued that the group had a set of rules, whereby they first admonished transgressors, then applied pressure on them and then, if they still did not comply, they threatened or used actual violence. The newspaper also argued that Houzi was “promoting, through individuals he trusts, the deployment of ‘religious police’ in various municipalities” in the Lleida province.<sup>105</sup>

Similar accusations have been leveraged by the Lleida-based Associació Cultural Àrab Atlas (Atlas Arab Cultural Association), which has publicly denounced Houzi’s radicalism and the presence of “religious patrols” that approach Moroccan bar owners telling them not to sell alcohol and pressuring Muslim women to wear the veil.<sup>106</sup> Omar Charab, the organisation’s president, has also filed a complaint with the Mossos d’Esquadra for having received threats against his family due to his vocal criticism of Salafist activities in Lleida.<sup>107</sup>

It is difficult to assess the claims and confirm the facts, yet a variety of individuals, from different backgrounds, interviewed for this report over the span of six months seem to agree that, between 2008 and 2010, a group of a half dozen Salafists did act as a *hisba* group in a small area of Lleida.<sup>108</sup> The

<sup>103</sup> “Un Imán de Lleida Extiende el Salafismo y Anima a Musulmanes a Aprovecharse de Independentistas,” *El Periódico*, July 16, 2010.

<sup>104</sup> “El Imán de Lérida Quiere Extender su Policía Islamista a Otras Ciudades,” *ABC*, December 23, 2010.

<sup>105</sup> *Ibid.*

<sup>106</sup> Interview with Omar Charab, Bell Lloc d’Urgell, December 2012; see also “La Entidad Atlas Denuncia la Existencia de ‘Patrullas Religiosas’ en Bares de Lleida,” *La Mañana*, March 13, 2010.

<sup>107</sup> “El Líder de una Asociación Árabe de Lleida Denuncia Amenazas por Criticar al Imam,” *EFE*, January 21, 2011.

<sup>108</sup> Interviews were made with Mossos d’Esquadra, Policía Nacional, Guardia Civil, Guardia Urbana of Lleida and other Spanish and Catalan authorities.

men reportedly operated out of Houzi's mosque and an Islamic bookstore on the same street. These activities took place to the north of a large boulevard that separates south-central Lleida from the rest of downtown and the Segre river. Within these few blocks the men exercised what authorities clearly define as *hisba*.<sup>109</sup>

The men, all sporting long beards and traditional Islamic clothing, allegedly roamed the streets of the neighbourhood in small groups, admonishing people who adopted behaviour they deemed inappropriate. No criminal complaints were filed against them, but authorities have several indications that they exerted extreme pressure on the local Muslim population. Significantly the men identified themselves and were called by the local Muslim population as the *mutawwa*, the Arabic word used for Islamic morality police.<sup>110</sup> There are no reports that the group ever carried out violent acts, but the authorities and some community activists argue that their threats were implicit.<sup>111</sup>

In 2008, claims that an "Islamic morality brigade" operated in Lleida began to surface in the national media, generating heated reactions. Interviewed by *El Periodico*, Houzi denied that such a group existed and argued that his role was "not to threaten or to use force, but rather to teach good and warn about evil."<sup>112</sup> Yet the authorities began to put pressure on Houzi and the local Salafist community. The first move was made by the municipality, which decided to close Houzi's mosque. While the imam's radicalism and claims that he was behind the *hisba* group unquestionably played a role in the highly controversial decision, the move was officially justified for security reasons, as some 1,000 worshippers used to pray in a building that could officially hold only 200.<sup>113</sup>

The closure of the mosque on Carrer del Nord triggered some interesting developments. Initially it seemed to benefit Houzi, who started to fundraise for the construction of a new, larger mosque. He reportedly framed the municipality's decision as an act of hostility against Lleida's Muslim community, which he claimed to represent while meeting with potential donors in the Arab Gulf and within the community.<sup>114</sup> Yet, despite having collected funds for months, Houzi did not purchase any land for the construction of a new mosque and rumours began circulating that he had embezzled the money.<sup>115</sup> Authorities argue that it is no coincidence that it was at this point, with Houzi's credibility damaged, that *hisba*

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<sup>109</sup> Interview with officials with the National Police, Barcelona, September 2012; interview with Mossos d'Esquadra, Lleida, October 2012.

<sup>110</sup> Interview with officials from the Mossos d'Esquadra, Lleida, October 2012.

<sup>111</sup> Interviews with Mossos d'Esquadra and other Catalan officials, Barcelona, Sabadell, Lleida and Mollet del Vallès, November 2012.

<sup>112</sup> Antonio Baquero, "El Islam Ultraortodoxo Duplica las Mezquitas en Catalunya en 4 Años," *El Periodico*, July 13, 2008.

<sup>113</sup> Lluís Visa, "Lleida Prolonga el Cierre Cautelar de su Mayor Mezquita," *El País*, October 21, 2010.

<sup>114</sup> Interviews with various Catalan officials, Barcelona, Lleida and Mollet del Vallès, September, October and November 2012.

<sup>115</sup> *Ibid.*

activities reportedly stopped.<sup>116</sup> Although authorities admit the theory needs confirmation, it seems that Lleida's Muslim community, once the Salafists' standing and claim of purity was undermined, no longer tolerated the imposition of *hisba*. Increased monitoring of the neighbourhood might have played a role in reducing *hisba* incidents in Lleida.

## Violent *hisba*?

Given the abovementioned evidentiary challenges, it is difficult to categorise the dynamics that took place in Lleida between 2008 and 2010 as violent *hisba*. There are nevertheless other cases in Catalonia that can be categorised as such, even though all of them should be presented with some caveats. A relatively common example is religiously motivated domestic violence. Authorities throughout Catalonia have reported many cases with similar dynamics.<sup>117</sup> Males who previously were not particularly religious began attending Salafist mosques. Within a few months, they had completely changed their world view and lifestyle. Individuals who previously lived a secular life and socialised with Catalans began to spend their days reading Salafist literature and adopting a religious look. They cut ties with Muslims

and non-Muslims alike who they considered "inappropriate" social contacts.

In many cases this religious rebirth leads a man to urge his wife to follow the same strict lifestyle. Many women comply, whether through conviction or succumbing to marital pressure. Some refuse. In some cases their refusal is met with

threats and abuse perpetrated by their husband, who sees it as his Islamic duty to punish his "disobedient" wife. Catalan authorities are monitoring these cases with particular attention and treating them as distinct from ordinary, non-religiously motivated episodes of domestic violence.<sup>118</sup> Yet, while these incidents have unquestionable religious motivations, it is debatable whether they can be defined as *hisba*. It can be argued that *hisba* takes place publicly, while in cases of domestic violence, these "pious" Muslims seek to enforce their vision of Islamic morality within the household.

One episode that, in theory, would fit the category of violent *hisba* is the so-called "Islamic trial of Valls." The case revolves around a young Moroccan woman's claim of having been kidnapped and sentenced to death by a group of Salafists in the southern Catalan town of Valls. She then saved herself by escaping while her captors were distracted. The incident took place in 2009 and attracted massive attention

Increased monitoring of the neighborhood might have played a role in reducing *hisba* incidents in Lleida."

<sup>116</sup> Interview with officials from the Policia Nacional, Barcelona, September 2012.

<sup>117</sup> The dynamic has been described to the author by local authorities in some ten municipalities throughout Catalonia.

<sup>118</sup> Interviews with Mossos d'Esquadra officials, Girona, November 2012.

in the Spanish media. If true, it would unquestionably represent a dramatic example of *hisba* by force. Yet, while the alleged victim did file a complaint and the authorities conducted an investigation which somewhat supported her claims, the case was not tried because she refused to testify in court. The facts are therefore not completely clear and there is not enough evidence to say conclusively that an “Islamic trial” took place.

The alleged incident reportedly took place on the night of March 22, 2009.<sup>119</sup> Around 10 pm, the seven-month pregnant Moroccan woman entered a bar in Valls, a small municipality north of Tarragona. Visibly agitated and soaked in her own urine, she told the owner of the bar that some men had attacked her.<sup>120</sup> Initially reluctant to call the police, because of her illegal residency status, she then changed her mind. She subsequently provided the authorities with a detailed account of what took place. She said that the previous day she had been shopping in a supermarket in Tarragona when a Moroccan woman asked her if she could help her load some shopping bags in her car. At that point a man appeared from behind, pointed a sharp object at her and told her to get in the car. The man and woman then drove her to a dilapidated country house in Valls.

**The case revolves around a young Moroccan woman’s claim of having been kidnapped and sentenced to death by a group of Salafists in the southern Catalan town of Valls.**

Here, according to the woman, she was forced to sit in a chair in the middle of a semi-circle formed by some twenty men with long beards and turbans.<sup>121</sup> The men allegedly started questioning her about her conduct. In particular, according to the woman, she was accused of having had an extramarital affair and that the child she was carrying was not her estranged husband’s, a former Tarragona resident of Moroccan descent who was living abroad. After lengthy questioning, she was reportedly locked in a room and given some soup as the bearded men, whom she claimed not to know, decided her fate.

The woman, who in court documents is identified only as B., claimed that the following day she overheard a conversation between the Moroccan couple who acted as her wardens. Reportedly the wife told B. that she was there because her husband had to “comply with his Islamic duties.” B. allegedly also heard the husband tell his wife that “they have given the verdict and I have to kill her. Her and the baby.” It was soon after that B., taking advantage of her distracted captors, managed to escape to the bar, located some 100 meters from where she was held.

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<sup>119</sup> Juzgado de Instrucción number 1 of Tarragona, Diligencias Previas number 1276/2009.

<sup>120</sup> Sara Sans, “Nueve Magrebíes Juzgados por el Presunto ‘Tribunal Islámico’ de Valls,” Vanguardia, December 11, 2009.

<sup>121</sup> Ferran Balsells, “Veinte hombres con turbante mecondenaron a muerte,” El País, December 9, 2012.

Upon receipt of the woman's complaint, the Mossos d'Esquadra opened a criminal investigation and dedicated large resources to the case.<sup>122</sup> The Mossos d'Esquadra soon discovered that residents of the house were regular worshippers at Salafist mosques in the area and one of them was the cousin of one of the most prominent leaders of Catalonia's Salafist community.<sup>123</sup> They also searched the house where the woman had been allegedly detained and found large amounts of Salafist videos and publications, including highlighted passages on the status of women in Islam. Moreover, they found that the woman's description of the house's layout was extremely accurate, a clear indication she had been inside.<sup>124</sup>

After an eight-month investigation the Mossos d'Esquadra concluded that it was "probable" that an Islamic tribunal had been established in Valls.<sup>125</sup> A court in Tarragona consequently ordered the detention of ten men, accusing them of kidnapping, attempted murder and illegal association. Yet the prosecution of what would have unquestionably been Catalonia's, and arguably, Europe's most dramatic case of *hisba* by force suffered a severe setback when the victim of the alleged kidnapping never appeared in court to testify against her supposed captors. The woman reportedly fled to her native Morocco, where she is still currently in hiding, fearing retribution.<sup>126</sup>

It is difficult to assess the Valls case. On one hand, most elements of the woman's account have been verified by the authorities and are considered reliable. On the other, short of a verdict proving the men's guilt, alternative explanations of the events cannot be ruled out. Basing their judgment on several pieces of evidence, the authorities exclude the hypothesis that the woman invented her story. Yet it cannot be dismissed that the motivations behind the kidnapping were not religious. Some argue that a plausible explanation could be that her husband hired men to punish his unfaithful wife: an action dictated more by passion and honour than a desire to enforce *sharia*. Without a judicial ending to the case no definitive assessment can be made.

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<sup>122</sup> Auto de Audiencia Provincial de Tarragona, Seccion 2, April 15, 2010. Rollo de apelación number 257/2010.

<sup>123</sup> Ferran Balsells, "Nueve Detenidos en Tarragona por Aplicar la 'Sharia' a una Mujer por Adulterio," El Pais, December 6, 2009.

<sup>124</sup> Interview with officials from the Mossos d'Esquadra, Sabadell, December 2012.

<sup>125</sup> Ferran Balsells, "Desaparece la Denunciante de un Tribunal Islámico," El Pais, December 31, 2009.

<sup>126</sup> Ibid.



For some the Valls case represents the tip of the iceberg, i.e. a brutal manifestation of a phenomenon that is widespread within Catalan Muslim communities.<sup>127</sup> Others challenge the facts of the case and argue that its widespread reporting, despite the lack of definitive evidence, just shows how public opinion is intent on focusing on this phenomenon, even though it may not exist or is marginal, while real issues plaguing the Muslim community are ignored.<sup>128</sup> It is arguable that the truth lies somewhere in between. Despite the paucity of criminal complaints and hard evidence, it is apparent that various forms of *hisba* exist in Catalonia. At the same time this should discourage assessments that tend to overstate the relevance of the phenomenon.

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<sup>127</sup> Pilar Rahola, *La República Islámica de España* (Barcelona: RBA, 2011).


<sup>128</sup> Interview with Taoufik Cheddadi el Harrak, secretary of the Unión de Comunidades Islámicas de Cataluña, Barcelona, September 2012.

VISION

CONCLUSION



# CONCLUSION



This report has sought to describe the issue of *hisba* in Western Europe. It first outlined the concept as a doctrine based on the Quranic injunction to enjoin good and forbid wrong. In the West the term has acquired mostly negative connotations but, in its general meaning, it indicates any action through which a Muslim seeks to induce fellow Muslims to live piously and respect Allah's word.

In many Muslim-majority countries, *hisba* is performed with varying modalities by different actors, from the state to illegal extremist groups. There is also evidence that actions that can be characterised as *hisba*, at least in the intentions of those performing them, have taken place in Western Europe. *Hisba* in Western Europe can manifest itself through individuals giving advice, exerting pressure or using aggressive tactics. The first form is by far the most common and the most unproblematic, as it occurs when pious Muslims urge co-religionists to adopt appropriate Islamic behaviour. *Hisba* through pressure occurs when individuals or, more commonly, small groups, enact various forms of social pressure on members of the community who do not abide by the group's interpretation of the *sharia*.

Finally, *hisba* by force occurs when individuals or small groups resort to actual violence to correct "un-Islamic" behaviour. While circumstances differ significantly from place to place, there are sporadic and anecdotal indications that throughout Western Europe individuals or small groups of Islamists are indeed engaging in some forms of religious policing. Given the reluctance of victims to come forward, evidence is limited and therefore gauging the size of this phenomenon is an extremely difficult task. It is nevertheless fair to assess its frequency, short of evidence to the contrary, as marginal.

The report focused on what has been termed coercive *hisba*, identifying examples and trends throughout Western Europe. It also highlighted that there are several phenomena that fall into a borderline category, which could potentially be identifiable as coercive *hisba* but are equally legitimately attributable to other factors and motivations. It is in fact seldom easy to know all the facts and fully assess incidents that, *prima facie*, appear to be cases of *hisba*. The general reluctance of European Muslim communities to reveal to outsiders episodes of *hisba* does not help in creating a clear picture.

Despite these difficulties, it is apparent that forms of coercive *hisba* do exist in Western Europe. This constitutes a twofold problem. The first, direct victims of coercive *hisba* are European Muslims. Irrespective of whether coercive *hisba* is performed through social pressure or actual violence, instances in which individuals seek to deprive forcefully fellow European Muslims of their freedoms, rights, and in the most extreme cases, their physical security, are deeply troubling.

But the phenomenon of coercive *hisba* can trigger a second negative impact. Episodes of *hisba*, both authentic or not, have often been used by various populist forces to make their case that European Muslims do not want to integrate.<sup>129</sup> Paradoxically, an occurrence in which a small extremist minority seeks to coerce the wider Muslim community is used to make the case that the entire Muslim population harbours radical views. This somewhat perverse conclusion represents a more indirect, yet potentially serious implication of the presence of *hisba* in Western Europe.

For these reasons it is advisable that authorities throughout Europe familiarise themselves with the existence and the dynamics of this issue. That said, there are significant differences from place to place and it is also feasible that the phenomenon does not exist in certain European cities, regions or countries. There are no reasons to believe that the phenomenon is omnipresent, shaping the life of European Muslim communities.

Yet it would be wise for authorities throughout Europe to pay close attention to signs of its existence. Local police forces, social workers and teachers could be aware of the problem without even knowing it. Outreach to Muslim communities is vitally important. Building trust-based relationships with community leaders and regular citizens would increase the likelihood they would report cases of *hisba*. Avoiding stigmatisation and making European Muslims feel the state sees them as regular citizens who need protection is crucially important.



British police, politicians and activists are warning of rising anti-Muslim sentiment following the slaughter of an off-duty British soldier in London. The incident has swelled the number of supporters for radical, anti-immigrant groups like the English Defence League (London Evening Standard, 27 May 2013).

<sup>129</sup> Not surprisingly that has been the case in Catalonia, where the populist Plataforma per Catalunya (PxC) has frequently mentioned real and alleged episodes of religious policing in the region as examples of the problems related to the presence of the Muslim community. See in that regard, Xavier Rius Sant, "Entre el Salafismo y la Islamofobia," *El Periodico*, August 12, 2010.





# HISBA IN EUROPE? ASSESSING A MURKY PHENOMENON



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