CONSTRUCTING AND DECONSTRUCTING ISLAM IN THE WESTERN STATE:
A COMPARATIVE LOOK AT THE POLITICIZATION OF RELIGION IN FRANCE,
GREAT BRITAIN, AND THE UNITED STATES, 1945-2008

VOLUME I

A Dissertation

Submitted to the Graduate School
of the University of Notre Dame
in Partial Fulfillment of the Requirements
for the Degree of

Doctor of Philosophy

by

Kathryn Lynn Gardner

____________________________
Anthony M. Messina, Director

Graduate Program in Political Science

Notre Dame, Indiana

April 2010
CONSTRUCTING AND DECONSTRUCTING ISLAM IN THE WESTERN STATE:
A COMPARATIVE LOOK AT THE POLITICIZATION OF RELIGION IN FRANCE,
GREAT BRITAIN, AND THE UNITED STATES, 1945-2008

Abstract

by

Kathryn Lynn Gardner

This dissertation is a broad story of the selective “de-secularization” of politics within the Western state. Through a comparative longitudinal study of governmental policies in Britain, France, and the United States, I uncover and illuminate the different conditions under which religion has risen to the forefront of state agendas as a problem to be addressed and as a solution for the Western state in its quest to incorporate its domestic Muslim community. My research explores the historical roots of how religion came to be politicized within the Western state in the 1990s and offers a comparative analysis of contemporary policies. I adapt Guiraudon and Lahav’s theory of venue shopping and delegation, coupled with insights from earlier work on buffer institutions in the context of race relations, to examine how the strategic use of institutional venue by state actors sought to reconcile the competing security and incorporation imperatives. I argue that venue-shopping is a strategy employed by British, French, and American elites in order to
circumvent constraints imposed by politicization of national security and Muslim incorporation issues as well as harness the benefits of a more insulated process and third-party partnerships, particularly with Muslim leaders and organizations. I conceptualize both the restrictive measures (security as well as targeted, discriminatory “integration” initiatives) that have received the bulk of the attention in the post-9/11 context as well as the more inclusive measures that have been the focus of separate scrutiny as interconnected responses by policy-makers. In doing so, I provide an assessment of the post-9/11 context and how the development of state policies countering terrorism has affected Muslim incorporation policies.
CONTENTS

VOLUME I

LIST OF FIGURES ........................................................................................................................................ vi

LIST OF TABLES ........................................................................................................................................ vii

ACKNOWLEDGMENTS ................................................................................................................................. x

INTRODUCTION: THE POLITICS OF RELIGION ..........................................................1
  1. Scholarship on Muslims in the West .................................................................4
     1.1 Structural Accounts of Muslim Integration .................................6
     1.2. Descriptive Accounts of Muslims in the West .........................14
  2. A Theory of Muslim Incorporation Policy in a (Post-9/11) Security Context .....22
  3. Constructing Threats and Opportunities: A Political Process Explanation. ........31
  4. Effect of Policy Venue: Venue Shopping and Buffer Institutions ..............41
  5. Case Selection and Methodology ...............................................................54

PART I: THE HISTORICAL ROOTS OF THE POLITICIZATION OF RELIGION. .. 60

CHAPTER 1: THE RISE OF THE POLITICS OF RELIGION IN GREAT BRITAIN ..66
  1. The Rise of Race in British Politics .........................................................68
     1.1 Effect of Race Legislation and Racial Institutions ..................81
  2. The Politicization of Religion .................................................................83
  3. Religion as a Problem in the Political Realm ........................................84
     3.1. The Rushdie Affair ........................................................................85
     3.2. 2001 Riots, 9/11, 7/7 and the Challenge to British Multiculturalism. ....88
     3.3. The Community Cohesion Agenda ...........................................100
     3.4. The London Bombings and Britain’s “Muslim” Problem ..........113
     3.5. Post-7/7 British Policy: Marginalizing the “Bad” and Partnering with the“Good” .................................................................................122
  4. Religion as an Asset in the Administrative Realm ..................................128
  5. The Politics of British Faith Policy ..........................................................145

CHAPTER 2: THE RISE OF THE POLITICS OF RELIGION IN FRANCE ..........149
  1. The Rise of Ethnicity in Republican Politics .........................................152
     1.1 Questions of Citizenship and Representation ............................157
     1.2. The Foundations for the Politicization of Islam: The Front National, Immigration, and Mainstream Political Parties ............................158
VOLUME II

PART II: THE DECONSTRUCTION AND CONSTRUCTION OF ISLAM—A COMPARATIVE LOOK AT GOVERNMENT VENUE-SHOPPING AND RELIGIOUS BUFFER INSTITUTIONS.................................................................................................................. 362

CHAPTER 4: THE CREATION OF RELIGIOUS BUFFER INSTITUTIONS IN GREAT BRITAIN AND FRANCE................................................................................................................................. 381

1. The Making of “Moderate” and “British” Islam.............................................................. 383
   1.1 Creation of Religious Buffer Institutions.................................................................. 383
   1.2 Funding and Research.............................................................................................. 390
   1.3 Preferred Interlocutors............................................................................................ 398
       1.3.1 Interfaith Activity ........................................................................................... 399
       1.3.2 Supporting Women and Youth........................................................................ 401
       1.3.3 Civic Religious Leadership.............................................................................. 407

2. The French Pursuit of an Islam de France.................................................................... 414
   2.1 Creating a Religious Buffer Institution.................................................................. 414
   2.2 Funding and Research............................................................................................ 425
   2.3 Muslim Partnerships.............................................................................................. 432

3. The British and French Religious Buffer Institutions in Comparative Perspective................................................................................................................................. 437

CONCLUSION..................................................................................................................... 448

1. A Comparative Look at the Origins and Development of Muslim Incorporation Policies in France, Great Britain, and the United States.......................................................... 450
2. Two Policy Paths: Deconstruction and Construction of Islam within the Western State.......................................................................................................................... 463
3. A Selective Desecularization of the Western State?.................................................... 466

BIBLIOGRAPHY................................................................................................................. 476
LIST OF FIGURES

1.1. Dependent and Independent Variables 1.................................................................24
1.2. Dependent and Independent Variables 2.................................................................26
2.1. Racist and Xenophobia Threats in France, 1996-2007............................................173
2.2. Racist and Xenophobic Acts by the Extreme Right in France, 1996-2007.............173
2.3. Religious Observance of French Muslims...............................................................229
3.1. Muslim Americans More Affluent Compared to European Muslims...................271
3.2. Employment Levels Among Muslims in West, 2009.................................................272
3.3. General Public Trust in Government, 1993-2006....................................................308
3.5. Negative Attitudes toward Muslims in Select Western States, 2004-2008..........335
LIST OF TABLES

1.1. Low Opposition to Multicultural Policies in Great Britain: 2005.......................... 103
1.2. Disagreement on Multiculturalism among General Population and Muslims.....104
1.3. Widespread Agreement on Adopting Values and Traditions Among General Popu-

lation and Muslims in Great Britain: 2005...............................................................105
1.4. Perception of Change in Race Relations since 2001: 2006................................. 106
1.5. Impact of 7/7 on Race Relations: 2006............................................................... 107
1.6. State of Race Relations in Great Britain: 2008.................................................. 107
1.7. Likelihood of Violence in British Race Relations: 2008....................................... 108
1.9. Attitudes of Britons toward Immigrants: 1989-2008........................................... 110
1.10. Immigration, Race Relations, and Illiberal Sentiment among the British Public: 

2007......................................................................................................................... 111
1.11. Support for anti-terrorism measures within British and Muslim populations: 

August 2005............................................................................................................ 113
1.12. Diverging Views of Religion as Divisive among General Public and Ethnic Mi-

norities: 2006............................................................................................................. 119
2.1. The percentage of voters motivated by Immigration Concerns by party affiliation 

in France: 1984-1997................................................................................................ 164
2.2. The percentage of voters motivated by Law and Order Concerns by party affilia-

tion in France: 1984-1997....................................................................................... 165
2.3. The percentage of voters motivated by Unemployment Concerns by party affilia-

tion in France: 1984-1997....................................................................................... 165
2.4. The percentage of voters motivated by Social Inequality Concerns by party affiliation in France: 1984-1997

2.5. French View that There are “Too Many” Immigrants: 1988-2000

2.6. French Illiberalism toward Immigrants: 1993

2.7. European’s Agreement that the “Presence of People of another Race Disturbing”: 1993-2000

2.8. Anti-Immigrant Sentiment Across the EU: 2000


2.11. French Public School Teachers Opinions Concerning the “Voile”: 2004


2.15. French Attitudes towards Different Groups: 1990-2003

2.16. Importance of Religion or Spirituality in Personal Life of French Respondents: 2005

2.17. “Do you feel that religion occupies a place in the world and in France...?”: 2005

2.18. “How do you feel about religion’s place in world and in France?”: 2005


3.1. President Bush’s Approval Ratings: 2001-2008

3.2. Muslims in Western Countries as Percentage of Population


3.4. The Frequency of Prayer among Select Western Countries: 2008

3.5. Americans’ View of Religion’s Influence in the World: 2002

3.8. Rates of Personal Belief in God by Religious Denomination: 2007................289
3.10. Freedom of Religious Expression in Schools: 2006........................................293
3.11. Beliefs about Freedom of Religious Expression and the Burqa: 2006............293
3.12. Waning Salience of a Terrorist Threat Among General American Population:
2006-2009..................................................................................................................326
3.13. Salience of a Terrorist Threat in One’s Own Community Among General Ameri-
can Population: 2006-2009......................................................................................327
3.15. Decrease in Visitor Visas Approved: FY 2001 and 2002.................................352
4.1. Preventing Violent Extremism Pathfinder Funding by Region: 2007-2008......391
4.2. Select Projects Funded of Community Leadership Fund: 2008-2009............393
4.3. Publications on Faith by British Religious Buffer Institutions..........................396
4.4. British Faith Leader Qualification Curriculum..................................................411
4.5. Islam and Citizenship Education Project Lesson Themes and Objectives........413
4.6. Catholic Institute of Paris “Religions, Secularism, and Interculturality” Program
.................................................................................................................................432
4.7. Total Government Funding through British Religious Buffer Institutions: FY2007/
2008..............................................................................................................................446
4.8. The Scope of British Policy Initiatives.................................................................445
ACKNOWLEDGMENTS

There are so many individuals I have to thank in helping me in my research and, most importantly, for improving the work that has been done here. I am particularly grateful for the sage advice and support of my dissertation advisor, Anthony M. Messina, as well as for my other committee members: George Lopez, Andrew Gould, and Jytte Klausen. This research was made possible through the generous support of the Kellogg Institute for International Studies and the Nanovic Institute for European Studies at the University of Notre Dame as well as the Miller Center of Public Affairs at the University of Virginia.

This dissertation is dedicated to my husband, Patrick Meredith Gardner, without whose unfailing love, support, and intellectual prodding this dissertation would not have been possible. Thank you for not giving up on me. I would also like to thank my parents, William and Barbara Lawall, and my two wonderful sons, James and Matthew, for filling my life with purpose. I would also like to thank Jennifer Rosato, PhD. Truly, this dissertation would not have been completed without your help!
INTRODUCTION:
THE POLITICS OF RELIGION

According to some media reports and scholarly accounts, a significant religious cleavage has emerged as a consequence of Muslim mass immigrant settlement in the West, unsettling in the process the historic relationship between religion and the state. As a result of the (purported) irreconcilability of Muslim religiosity and secular, liberal Western values, religion—which once was widely presumed to have been consigned to the margins of Western politics—has assumed center stage. A greater attention to religious difference has precipitated in turn various Muslim incorporation policies, policies that seek to manage the issues that arise from the ethnic and/or religious diversity of Muslim immigrants and communities. This dissertation is a comparative longitudinal study of Western governmental policies toward Muslim minorities. It seeks to identify, analyze, and explain the origins and evolution of national Muslim incorporation policies and how and why they differ across three country cases: Great Britain, France, and the United States. It raises several primary questions: What have been the major Muslim minority incorporation policies pursued and adopted by Western states? How have these policies come into being and how have they evolved? Why do we see variation in state policy across time and across cases? Moreover, this dissertation focuses on the post-9/11 context and how the development of state policies countering terrorism has affected Muslim incorporation policies.
I seek to uncover and illuminate the conditions under which religion has risen to the forefront of state agendas and the effects of this change. This project focuses on how transnational events affected Western governments’ perception of religion, and, specifically Islam, rendering it a central policy problem, and, thereby, explaining the timing of the policy shift and its construction as a “religious problem.” My contribution includes systematically tracking significant changes within and across the cases with an attention to the effect of the political process that has been understudied: seeking to understand how politics influenced the debates on national security and Muslim integration, and, ultimately, integration policy outcomes. My study highlights the importance of the “politics of religion,” that is to say, how the problem was defined, debated, and resolved by the major political actors, including the traditional political parties of the Right and Left, is central to this story and different across cases. The politicization of religion significantly affected the political Left by highlighting the tension between the Left’s commitment to immigrants and racial minorities, its commitment to the value of gender equality, and its commitment to a particular form of secularism.

In particular, I examine the strategic use of institutional venue—a form of venue shopping—to understand how politicians sought to address both the security and incorporation imperatives. My research describes how religion became an object of public policy concern in the political realm as well as an asset when the venue shifted to the administrative realm. However, in the United States the opposite trend is found. In the political realm, politicians sought to keep religion and the question of Muslim integration off the agenda as a problem to be addressed—rather, the domestic Muslim community was
viewed as an asset, particularly for the US government’s public diplomacy efforts. When policy locations shifted to the administrative realm of the Justice Department, Immigration and Naturalization Services (INS), and Federal Bureau of Investigation (FBI), government officials often viewed religion as a problem indicator from which to base discriminatory profiling. Moreover, most comparative studies do not include the United States in their analyses, a contrasting case in terms of historical church-state relations as well as a compelling case to include in order to reach broader implications beyond the European continent.

This introduction proceeds in two parts. First, I examine the scholarship on Muslims in the West, focusing on the structural explanations and largely descriptive accounts of Muslim religiosity, in order to provide a crucial background to my argument about the timing and contours of Muslim incorporation policies in a post-9/11 security context. In the second section, I present my argument for Muslim incorporation policies, delineating a political process explanation. I offer a framework for understanding how religion has risen to the forefront of state agendas as a problem to be addressed and as a solution for the Western state in its quest to incorporate its domestic Muslim community, thus placing politics at the center of my explanation. This is followed by a theoretical section discussing the literature on agenda-setting and theories about policy venue and venue shopping to provide the crucial foundations for this argument and concludes with a discussion of methodology and case selection.
1. Scholarship on Muslims in the West

There is a growing literature on Muslims in the West (Nielsen, 1999; Al Sayyad and Castells, 2002; Hunter, 2002; Kepel, 2002; Ruijs and Rath, 2002; Allievi and Nielsen, 2003; Esposito and Burgat, 2003; Mandaville, 2003; Marechal et al., 2003; Cesari, 2004; Grillo, 2004; Kepel, 2004; Mandaville, 2004; Roy, 2004; Cesari and McLoughlin, 2005; Fetzer and Soper, 2005; Klausen 2005a; Klausen, 2005b; Laurence, 2006; Laurence and Vaisse, 2006; Bowen, 2007; Scott, 2007). The individual and societal level has been studied by psychologists, sociologists, and anthropologists and often focused on the consequences of living as a minority in the West. While this literature has examined how the Islamic religion and Muslims have adapted to the living conditions of the West, until only recently have scholars turned their attention to the effect of the political sphere and how governmental policies have shaped the way Islam and Muslims communities have entered the public realm, a central concern of my research (Aluffi Beck-Peccoz and Zincone, 2004; Klausen, 2005a; Laurence, 2006). One major goal of this dissertation is to turn the spotlight of inquiry onto how political variables have been significant in the different responses governments have taken to their Muslim minorities, despite similar challenges of integration.

While there is no shortage of comparative and national research on Muslim integration in Europe, much of the existing literature in this area is descriptive, normative, and atheoretical, failing to relate the politics of faith or religion to the larger arena of domestic politics in general as well as theories on political processes. Most of the political

---

1 While Huntington’s (1996) work does not address the issue of Muslims in the West in significant detail, his work has inspired many of these scholars and their work regarding a purported “clash” based on civilizational values.
analyses of the domestic Muslim community, particularly in the post-9/11 context, consider the security and domestic integration policies that are addressed to this minority community as if they occur in a vacuum, that is to say, as if they are neither affected by larger political currents nor capable of influencing domestic political processes. Indeed, Favell’s (2001) critique of the immigration and integration literature could similarly be applied to this scholarship. He describes a research agenda which has been greatly dependent on state funding and focused on a range of ideological stances that favor some research questions and findings while overlooking others. The resulting bias in the findings, he argues, has hindered comparison and theoretical progress. “Despite the quantity of research on postwar immigration in Europe, there are in fact no fully satisfactory examples of cross-national comparative research on the integration of immigrants, able to span the different experiences and national conceptualizations of such complex processes of social change in European countries,” he contends (2001, 349).2

Just as in the larger scholarship on integration and immigration in Europe, there is a paucity of conceptualization beyond nation-state-centered and context-specific case accounts (Favell, 2001; Lahav and Guiraudon, 2006). Scholars studying Muslim integration generally have been too focused on the national context without adopting a much needed comparative view in order to generate broader political and theoretical insights.

One caveat about terminology: throughout this work, I refer to the “Muslim community” or “Muslim communities” in the way that the governments, politicians, and other actors have done so during the national debates, opening my work to criticism that

2 See also Givens (2007) for an analysis of this literature.
I am not sufficiently aware of or concerned with the internal diversity of these communities. However, as my focus is on how the political process has defined the terms of the public political debate and influenced policy outcomes, I think it is important to use the terms that the actors have utilized in the debates (Scott, 2007).

1.1 Structural Accounts of Muslim Integration

When there have been comparative accounts, structural explanations for the degree (or lack thereof) of Muslim integration within European states predominate. In seeking to explain how Western states have developed policy toward the accommodation of Muslims, domestic structural variables have figured prominently in scholarly work. A first body of scholarship emphasizes national differences and varied patterns of accommodation of Muslim communities. Within this body of scholarship, scholars disagree about the relative role of pre-existing state institutions and policy legacies such as church-state institutions (Minkenberg, 2002; Aluffi Beck-Pecz and Zincone, 2004; Fetzer and Soper, 2005; Gould, 2009), colonial policies (Bleich, 2005a), and, more generally, national philosophies regarding citizenship and integration (Brubaker, 1992; Favell, 1998). What all these theories have in common is an emphasis on how existing domestic structures and policies influence the rules of the game through policy legacies and power resources, constraining the range of policy options available to decision-makers. This theoretical tradition heavily emphasizes historical legacies and unintended policy consequences; the focus is on the role of institutional arrangements such as standard operating procedures that either constrain or facilitate certain policy alternatives. State policy choices are thus shaped, mediated, and channeled by institutional arrangements.
In arguing that church-state relations help channel and construct policy toward the domestic Muslim population, scholars are making a more general political opportunity argument that the institutional environment affects how minorities structure their claims to the state and how they have been incorporated into the national context. In such an account, they privilege political institutions in explaining policy outcomes. Exemplars of this scholarship are accounts which point to church-state relationships as determining variables in Muslim integration outcomes. A prominent position put forth by Fetzer and Soper (2005) and others (Roy, 2005; Aluffi-Beck and Peccoz, 2004) argue that the Muslim community in the West is constructed through its permanent interaction with the wider Western society, and, most importantly, those patterns established by or for other Western religions. Scholars of Western Europe have pointed to the widely diverging church-state institutional environments as providing “opportunity structures” for religious interests within the political process (Minkenberg, 2002; Aluffi Beck-Peccoz and Zincone, 2004; Fetzer and Soper, 2005). Thus, differences in the constitutional and legal status of religion in each country, along with the historical context through which the institutions of church and state have been related, are significant in shaping how these nations have responded to the contemporary dilemma posed by new religious communities.

---

3 The concept of political opportunity structures was originally developed in the context of research on social movements to assess the degree of “openness” of a political system for political entrepreneurs. The concept of political opportunity structures is a broad one including institutional rules, political alignments, the motivations of elected officials, and the response of other societal groups to the movement (McAdam, Tarrow, and Tilly 1996 Tarrow 1998). Theorists of this approach, despite different definitions of opportunity structure, agree that fixed or permanent institutional features combine with more short-term, volatile or conjectural factors to produce an overall particular opportunity structure (e.g. Kriesi et al., 1995). Political opportunity structures, therefore, emphasize the exogenous conditions for party or social movement success (Tarrow, 1998: 18).
Historically, European states have had highly regulated traditional denominations. The advent of liberal democratic governments in Western Europe produced a period of conflict between established churches and the secular state. Each state resolved this conflict by different means, resulting in different institutional arrangements and historical relationships between the state and religion but also important interpretive frames regarding the role of religion in the public and civic sphere. During the 19th and 20th centuries, state authorities negotiated legal and institutional arrangements with centralized church authorities, delineating the spheres of influence of church and state. The state sought a degree of monitoring and enforcement over religious institutions. Religious minorities were often subject to severe restrictions, and, consequently, religious diversity was discouraged or heavily controlled (Pfaff and Gill, 2006). As Stephen Pfaff (2007) notes, “Regardless of how the ‘separation’ of state and religion was attempted, common to the European institutional heritage was an elite determination to limit religious diversity by discouraging ‘sectarianism’, i.e., religiously-based activism, and to contain religious enthusiasm by limiting its expression in the public sphere.”

This highly regularized church-state context, many argue, has made it difficult for European states to accommodate religious Muslims. In seeking to regulate Islam, European states have encountered a myriad of obstacles, foremost being the lack of centralized authority. Indeed, several scholars have suggested that the structure of Islam itself

---

4 Recent research, both national and cross-national, have provided a more nuanced picture of the “Muslim” population in Europe. In particular, scholars and public opinion think tanks have demonstrated that the level of religious observation among European Muslims varies. Contrary to the rhetoric in the political realm, there is a substantial portion of the European Muslim population that is not, in fact, religiously observant, according to several indicators, including saying daily prayers, attending mosque on Friday, fasting during Ramadan, observing the prohibition against eating pork or abstaining from alcohol (Giry, 2006; Tausch et al., 2007; Brouard and Tiberj, 2008).
has been a main impediment to Muslim incorporation (Warner and Wenner, 2007; Pfaff and Gill, 2006). This highly regularized church-state context is in direct contrast to the religious landscape in the United States. The United States, like France, has a strict separation of church and state mandated by the First Amendment to the Constitution. However, unlike France, this has led to a highly plural religious context, leading to what American scholars of religion have labeled denominationalism or a diverse religious field.

A prominent study within this tradition is laid out by Fetzer and Soper in *Muslims and the State in Great Britain, France, and Germany* (2005). They point to church-state structures as relevant variables in the state’s accommodation of Muslim needs in Great Britain, France, and Germany. They note that although these states face similar challenges with regard to their domestic Muslim communities, there is a notable cross-national divergence in policy related to how and whether they recognize and accommodate Muslim religious practices. Great Britain has been fairly open in accommodating Muslim needs by allowing Islamic instruction in state schools and permitting women to wear the hijab. France, on the other hand, has been far less accommodating. In renouncing the multiculturalism model, French officials have generally rejected the notion that

---

5 Warner and Wenner (2007) point to the decentralized organization of the Islamic religion itself as impeding progress with the European state, particularly the lack of a recognized interlocutor for the Western state to address integration concerns. Sunni Islam, in comparison to its confessional rivals in Europe of the Catholic Church and centralized Protestant denominations, is decentralized and non-hierarchical, resulting in a lack of single decision-making authority and competing factions within the faith (Warner and Wenner, 2005; Pfaff and Gill, 2006). In addition, further characteristics obstruct pan-Islamic organization, including ethnicity, national origin, and citizenship status. For example, the Muslim community in Great Britain is divided by national origin (India, Pakistan, Bangladesh, and various Arab countries), major branches of Islam (Sunnism and Shiism), and Islamic schools of thought (Deobandis, Barlewis, and Wahhabism), resulting in many British Muslim groups but no single national groups (McLoughlin, 2005; Fetzer and Soper, 2005; Klausen, 2005a). Thus, while states seek a peak Islamic organization with which to negotiate, they find what many scholars are starting to refer to as “Muslim communities,” a panoply of organizations and sects without a single voice or agenda.
public institutions, such as schools, should accommodate Muslim practices, including the wearing of the hijab. In fact, the state elite have actively opposed this practice. In accommodating Muslim religious needs, Germany falls somewhere in-between these two cases. This variance, they contend, is a result of different church-state relations.

Church-state relations function as a permanent institutional feature with which Islamic movements and organizations must contend, influencing policy outcomes by providing opportunities as well as constraints. To the extent that states have recognized religious needs in other contexts, by providing state funding for religious schools, for instance, Muslims are able to point to these arrangements and utilize the state’s own liberal commitments (commonly in the form of multicultural policies) to push for equitable treatment (Joppke, 1999). However, church-state arrangements can circumscribe Muslim demands by channeling these demands through policy channels that may narrow acceptable options. Using the case of state funding for religious schools, there may be certain prerequisites for state funding that may be difficult to meet, such as mandatory waiting periods and religious accreditations for instructors. Additionally, church actors may

---

6 Aluffi Beck-Peccoz and Zincone (2004) have created a more nuanced argument regarding the role of church-state relations and state responses toward Muslim minorities. Their framework rests on the argument that state responses reflect three types of policy legacy, “a heritage that stems from earlier decisions” (2004, viii). In addition to the church-state legacy, state responses are also conditioned by pre-twentieth century relations with Islam and the treatment of other minorities (linguistic and religious). As the authors contend, “The historical legacy permeates the current relations between state and religions and the specific relations with the Islamic communities. Yet it does not determine them, both because no model is pure right from its origins, accepting internal contradictions, and because over time they undergo adaptations, swings and changes” (xii). This historical legacy is what drives state policy toward Muslim minorities.
act as institutional allies, a state of affairs which has been shown to be an important resource in other contexts.\(^7\)

There are several key issues left unaddressed in Fetzer and Soper’s account of Western European accommodation of Muslims needs. First, the authors cannot account for why religion arose when states could (and, historically, did) focus on other characteristics of this population (such as immigration, race, ethnicity). Second, their account does not address the timing of when religion rose in salience in Western Europe, especially with regard to the domestic Muslim population. Although Muslim incorporation has emerged as a major debate in contemporary Europe, for most of the post-World War II period Muslim immigrants have not been identified primarily by their religion. As Bleich notes, it was more common to “define Muslims by their immigrant or citizenship status (immigrants, asylum seekers/refugees, or foreigners), by their economic function (guest workers), or by their race or ethnicity (black, Pakistani, Arab, Turk, etc)” (2005b, 8). National identities largely trumped religious identities as markers of difference. It was not until the late 1980s and early 1990s that the category of “Muslim” gained a high level of resonance both as an identity marker for the population and as a political category. In this structural account, the authors treat as unproblematic the labeling of needs as “religious.” However, this begs an important question: why did the religious component of this group rise to the forefront in state policy? The state has not merely used institutional priors to facilitate “accommodation,” it has actively constructed identities and

---

\(^7\) Gould (1999)’s account of the origins of liberalism in Western European states underscores the importance of church-state structures, particularly the alliances made by religious elites for or against liberals. Thus “when clergy and their followers forged a coalition with a liberal movement, they provided critical organizational resources and key votes to liberal organizers and the liberal movement succeeded. When clergy opposed liberals, but were themselves opposed by the rural middle class and peasantry, religious actors unwittingly provoked the formation of a large liberal constituency” (1999, 115).
used the institutional mechanisms at its disposal to support the identities that it deems commensurable. This account, though, is extremely valuable to explain the response of Western governments once the problem and population were constructed through a religious frame. The problem with this account, therefore, is that it does not pay enough attention to how the problem was initially framed and how this has evolved within the political context.

My analysis demonstrates that church-state relations influenced the parameters of policy construction only after religion was politicized in the 1990s. And, more to the point, church-state legacies did not exert a similar level of influence across cases; in France, church-state relationships were predominant, particularly the concept of laïcité, while in Great Britain, the Labour government modeled its policy response after its race relations framework.

A second body of scholarship focuses on the cross-national similarities in incorporation policies (Bleich, 2005b; Klausen, 2005a; Klausen, 2005b; Laurence, 2006; Haddad and Balz, 2008). In her research, Klausen argues that the political and religious attitudes of Muslim elites do not reflect the national context but more general patterns. She finds Muslim leaders often identify themselves with national politics, placing emphasis on Muslim unity rather than a preoccupation with ethnic and religious differences, and displaying certain expectations about professionalism and “playing by the rules” of the national political discourse (2005a, 17). Indeed, Klausen describes a generational cohort phenomenon among Muslim leaders in Europe with the younger generation looking for ways to engage with the wider society through the building of institutions that will allow
Muslims to practice their religion as well as embracing a more secularist, humanist discourse of human rights. After 9/11, Klausen argues that the priority among Muslim leaders has been national political participation and a paramount concern with integration. Laurence (2006) provides evidence of cross-national similarities in the timing and characteristics of incorporation policies. He argues that the institutionalization of Islam as a tool of integration policy by Interior Ministries has only recently developed and has changed significantly due to strategic (geopolitical) decisions to control transnational religious communities rather than being institutionally-determined. He divides state-Islam relations into two periods. The first stage (1974-1989), outsourcing, is characterized by state toleration and minimal accommodation of religious needs. In the second stage (1989-2004), Western states pursue a policy of proactive incorporation due to the lack of effective incorporation. State-Islam relations “emerged as the primary category of integration policy, replacing the emphasis on nationality or citizenship” (Laurence, 2006, 266). Key international events make 1989 a “watershed year” (2006, 289).

My research builds upon this previous scholarship in two specific ways: first, I more explicitly focus on the international environment as a crucial variable in explaining the shift in government policy responses, especially during the early 1990s and post-9/11. My dissertation suggests “under what conditions” and through “which processes” religion became a salient variable. In addition, my research is attentive to both similarities and divergences in state policies across cases, attempting to account for the occurrence of

---

8 He argues that there were “geopolitical and domestically-rooted” incentives for outsourcing the management of Islam. During this period, the host society had an ambivalent attitude toward their Muslim population (viewed primarily as temporary). This resulted in the governments outsourcing relations to the embassies and consulates of sending states and the regional religious powerhouse, Saudi Arabia, to provide for the material requirements of religious observance and combating extremism.
both tendencies and, crucially, how they are interrelated. In particular, I highlight one key cross-national similarity in state response: the strategic use of venue-shopping through the creation of religious buffer institutions.

1.2. Descriptive Accounts of Muslims in the West

Beyond these larger structural variables, many descriptions have focused heavily on the characteristics of the Muslim communities. To a certain extent, these explanations of Muslim integration distill into an argument that a Muslim problématique exists in Europe because there is an objective integration problem. This is a much too simplified account, particularly as it ignores the political process which has contributed to how the problem has been defined and dealt with, and thus the outcomes that are in question.9

Many accounts focus on the sociodemographic factors of the Muslim communities in European societies, describing situations of extremely high unemployment, cultural enclavization, low educational attainment, even lower levels of cultural assimilation, and high levels of discrimination. Of particular focus regarding the Muslim communities in Europe and the integration problem is the religious aspects of the population. Since the early 1990s, there has been significant research both documenting and analyzing the rise of religious identification among Muslims in the West.10 One important finding is

---

9 Jocelyn Cesari describes this situation as “rarified Islamophobia,” highlighting what she believes is an increasing trend among European intellectuals, politicians, and journalists to describe Islam as the major cause of the problems, particularly the identity crisis, in Europe (Cesari, 2009; for examples, see Philips, 2006; Bawer, 2006; Weigel, 2006). Mahmood Mamdani labels this “culture talk” in his book Good Muslim, Bad Muslim, referring to taking a view of Islam and Muslim communities as unified entities that form a challenge to the secular landscape of Europe.

10 A large majority of these studies are anthropological or sociological (ethnographic) single case studies. Recently, there has been a spate of edited volumes that offer a degree of comparison but often fall short of providing a comprehensive treatment of a particular subject as different authors focus on different questions (Vertovec and Peach, 1997; Haddad and Esposito, 1998; Al Sayyad and Castells, 2002; Hunter, 2002; Byrnes and Katzenstein, 2005; Cesari, 2005).
that there is an increasing prioritization of the religious identity—usually discussed as in competition with the national identity—especially among the youth. Scholars argue that identifying with Islam rather than ethnicity or other characteristics has become the mark of difference (Jacobson, 1998; Roy, 2004; Cesari, 2004; Laurence and Vaisse, 2006).11

This rise in the religious identification is attributable to several factors. One prominent theory is that the Muslim identity provides a more encompassing identity that facilitates identification with a wider group.12 In this vein, a Muslim identity acts as a guidepost and authentic response among Western Muslims in reaction to the situation of living as a minority in ways that racial and ethnic identities did not. According to Roy (2004), Muslims have to reinvent what makes them Muslim; and, as there are no common linguistic or cultural ties among the diverse Western Muslim population, the common defining factor is the reference to Islam. Roy sees this as a new communautarisation (communitarization): “Ethnicity and religion are being marshaled to draw new borders between groups whose identity relies on a performative definition: we are what we say we are, or what others say we are” (2004, 20). Many scholars have suggested that religion

11 In a study of British Pakistani youth, Jacobson (1998) found the privileging of the religious identity over an ethnic identity by her subjects; often these young men would distinguish between “Pakistani” and “Arab” as ethnic labels and “Muslim” as a global identity (1998, 148). Saeed and his colleagues (1999) offer a similar conclusion in their study of Pakistani teenagers in Scotland. The study found evidence of strong identification with the Muslim identity with subjects either referring to themselves as Muslim, Scottish Muslim, or Asian Muslim.

12 For example, Saeed and colleagues suggest that the Muslim identity does not have a problem with heterogeneity, rendering it an identity that is preferred to ethnic and national labels. The Muslim and Pakistani identities were the top two categories chosen with Muslim (85%) nearly three times more often than Pakistani (30%) (Saeed et al., 1999). The authors further highlight the problem of the racial/ethnic “black” label for Pakistani youth and the “Asian” category is also questioned for its descriptiveness and usefulness. It was used only by 8% of respondents so authors conclude this label is more externally imposed (1999, 833).
can be viewed of as a source of guidance. This identification with the religious identity often accompanies an identification or sense of solidarity with the wider Ummah, or global Muslim community (Mandaville, 2004).

In Great Britain, for instance, the Asian community never appropriated fully the racial and ethnic discourse of the 1970s and 1980s as a way to describe themselves. Muslims responded weakly to antiracist calls because, as Modood argues, “most Muslims—suffering all the problems that antiracist identity—hardly ever think of themselves in terms of their color” (Modood, 2005, 104). It is a concern with authenticity that Modood points to in his work (2005) to explain the shift to a Muslim identity in the 1990s. Religion was a shared experience and integral to the culture of the population. This identity was latent among the community and awaited external events to push it to the forefront. A similar trajectory can be traced in France. In France, the social chaos of the cité youth became a source of anxiety. Very few associations took the place of beur ethnic associations while the problems and degradation of the cités continued apace. With the collapse of the Beur movement in the late 1980s, the cité youth had two choices: forming “informally along spatial lines, forming multiracial crews (bandes) identified with par-

13 Jacobson argues that religion flourishes among her respondents “because in situations where one is faced with deep-seated contradictions and dilemmas, a pre-existing set of doctrines that provide clear guidance in life can be all the more valued” (1998, 104).

14 This sense of a wider religious community has been shaped and cultivated by a new leadership in Western Europe. This new leadership stresses a more universalist interpretation of religion rather than the particularistic discourse and practice of leadership originating from the home country in the form of imported imams or ethnically-based leadership within the diasporic communities (Mandaville, 2004). In particular, there is a rise in a new Muslim intellectual who has benefited from new media technology such as a wider circulation of books, pamphlets, audio cassettes, and the Internet. Mandaville argues these trends have led to the emergence of a “new Muslim public sphere” (2004). This new public space in the West has led to what Eickelman refers to as a “Reformation” in Islamic thought. For example, living as a minority in the West in the midst of different value systems, Muslim thinkers have re-read, re-interpreted and re-asserted many of the core textual sources of Islam in new contexts and in light of unfamiliar circumstances, a move to a “critical Islam” (Mandaville, 2003). The discourse that has emerged from this process advocates for more active participation and engagement with wider society.
ticular housing projects rather than forms of cultural identity” or joining transnational ethnic or religious social movements based in Berberist or Islamist politics “that more often than not rejected the premises of integration shared by the Beur Movement and the French state” (Silverstein, 2004, 173). With the failure of the Beur movement, political Islam offered an alternative identity to French integration. Thus, one sees a movement in France, as well as in Britain, from the avowedly multicultural hybrid identities of the 1980s generation to the more particularistic transnational Islamic movements of the 1990s and early 2000s.15

Other scholars suggest that a Muslim identity acts as a psychological ballast, especially as a strong or reactive identity, in the face of discrimination and poor living conditions. Scholars have argued that Islam has become the “Other” in Europe, and, consequently, the Muslim identity may be “recast as an alternative identity for youngsters in search of a reactive identity” (Roy, 2004, 45). This identity has emerged as a strong, assertive identity and a source of empowerment for individuals. This empowerment can take the form of internal capital in which the identity serves to grant power to the individual within the Muslim community — studies about Muslim women adopting the headscarf often depict individual decisions in this manner, for example as oriented toward ne-

15 In Algeria in France, Silverstein treats the Berber and Islamic movements as basically similar although the movements are putting forth seemingly opposing identities from which the French Algerian population is to choose. These similarities include their purported importation from Algeria and their connection with the Algerian civil war of the 1990s. While the Berber movement is inextricably tied to the Algerian context, the Islamic movement within France is more diverse in origin and effect. Moreover, it is important to question, as Mayanthi L. Fernando does, whether religious and ethnic movements can be similarly compared (Fernando, 2004).
gotiating greater freedoms within a restrictive communal and/or familial environment—a
and/or external capital in which the Islamic identity is marshaled to confront a (hostile)
external environment. This alternative identity is a path to respectability and offers an
alternative to exclusion experienced in daily life in interaction with Western society.
While not all individuals who adopt an assertive Muslim identity become radical Isla-
mists, this trend toward an assertive, alternative identity has contributed to the rise of
radical Islam in the West (Roy, 2005; Wiktorowicz, 2005; Kepel, 2002; Kepel, 2004;
Sageman, 2004; Husain, 2008).

As a source of empowerment, the Muslim identity acts as a strong, assertive and,
at times, confrontational identity, often in response to discrimination and exclusion within
Western society. Numerous government and non-governmental organizational reports
have documented the marginalized situation of Muslims in Western Europe. Muslim mi-

16 Since the mid-1990s, there has been a proliferation of studies of the lives of Muslims, especially of
Muslim women and the role of the headscarf. In a 1993-1994 French study by Gaspard and Khosrokhavar
the authors identified two primary motives for wearing the headscarf. In the first case, Muslim women
expressed an external motivation to satisfy a third party, usually their parents. Often the headscarf was
worn at the start of the middle school years to ease the transition to later adolescence. The authors noted
that this decision was not based on religious motives but as a way to negotiate between the culture of their
parents’ generation and the wider French society. The authors also found that a second group of women,
often older and well-educated, decided to wear the headscarf as a conscious effort to create a new identity.
The headscarf, in their view, was a way of defining themselves in Islamic terms. These women had a high
level of religious observation in praying, fasting, and observing dietary rules. In this context, the headscarf
is a way for women to “negotiate a sphere of social freedom and authority and to construct an identity as a
Muslim” (Bowen, 2007, 71). In other studies, scholars have suggested that through the process of accept-
ing a more observant religious identity, Islam becomes a resource to challenge their status. Jacobson
(1998) points to examples of Muslim women, especially, using their knowledge of Islam to challenge par-
rental guidelines, particularly marriage arrangements. Women embrace Islam through a critical engage-
ment, drawing distinctions between cultural and religious requirements. Mandaville suggests that women
in the West are formulating their own Islam, one often “more religiously self-conscious than their mothers
of grandmothers, seeing in Islam a ‘progressive’ force which allows them to move away from their increas-
ingly unfamiliar South Asian roots, but at the same time also to avoid submission to Western cultural
norms” (2004, 141).

17 Roy claims this alternative identity should be viewed as similar to the radical leftist identities of the
youth generation of the 1960s, pointing to how Islamists recruit from the same social categories (outcasts
from educated middle class, dropouts, etc), carry the same hatred for bourgeois values, have the same tar-
gets (imperialists), claim to be internationalist (the ummah instead of international working class) and are
built on the same generation gap. In the 1990s, the only networks of radical protest were Islamic in the
suburbs of Europe and thus one sees a rise in religious identity (Roy, 2004, 45-46).
norities disproportionately are exposed to conditions of higher unemployment, poor housing conditions, lower educational achievement, poor health conditions and higher rates of criminal activity, resulting in an employment, educational, health, and crime gap (Commission on British Muslims and Islamophobia, 2004; EUMAP, 2002a; EUMAP, 2002b; Laurence and Vaisse, 2006; Tausch et al., 2006; Bisin et al., 2007; EUMC, 2007a; EUMC, 2007b). The category of Muslim religious difference is then (re)appropriated by individuals and groups as a means to express and protest ongoing socioeconomic inequalities. As wider society views Muslims as being different, Muslim themselves embrace this difference as a challenge to the wider society, challenging the notion of citizenship, nationality, secularism, and other dominant Western paradigms. Islam, then, is in a contentious relationship with the wider society and state, often expressing an alternative path or way of life.

In addition to the increase in a personal identification with Islam, scholars have argued that, especially among the second and third generation of Muslims in Europe, patterns of religious observation have changed. Those studying patterns of religious obser-

---

18 In Great Britain, a rather bleak picture emerges regarding the position of Muslims within the British system. According to the several government reports in the 1990s, including the Policy Studies Institute Fourth National Survey conducted in 1994 and the Cabinet Office Report of 2003, Asian Muslims of Pakistani and Bangladeshi origin were the most disadvantaged group in economic indicators. For example, the unemployment rate for Muslim males was more than twice as high as the general population, according to the 2003 UK Cabinet Office report. In France, the situation is comparable with North Africans experiencing disproportionately discrimination and marginalization in the employment sector through higher unemployment and underemployment. Among those of immigrant origin, unemployment is twice as high as the general population with an even higher rate for youth and immigrants of Muslim origin (Laurence and Vaisse, 2006, 32-33). North Africans are largely concentrated in the banlieues of French cities, resulting in the characterization by the national media and government of the cities as immigrant and particularly Muslim in character (Silverstein, 2005; Leiken, 2005; Laurence and Vaisse, 2006, 35-38). While originally constructed as sites to facilitate socialization, these sites are now spaces of social isolation, economic exclusion and stagnation, overcrowding, and crime and violence. And, as they are on the outskirts of the cities, the concentration of this population in cities reinforces physical and mental boundaries (Silverstein, 2005). Areas of immigrant settlement are also sites of higher rates of criminal activity. Moreover, as in other parts of Europe, Muslim persons compose a majority of the inmate population in France. These realities lend further fuel to the association of the Muslim population and increased societal insecurity, flamed by the rhetoric of the far right.
vation have noticed two distinct, and opposing, trends. First, there has been evidence of increased observation with a focus on religious observance as the important defining feature of being Muslim, often creating higher barriers for in-group identification. There have been many studies that have tracked active measures of religious prioritization including Islamic study circles, wearing religious dress, following Islamic dietary restrictions, fasting during the month of Ramadan, and observing the daily call to prayer five times a day. A second trend that scholars have documented has been a decrease or lack of observance of traditional Islamic precepts in favor of a more ethnic definition of Muslim. Indeed, several scholars observe a move toward a secularized Islam, an acculturation along Western lines in which religion is relegated to the private sphere. Scholars who have found an identification with Islam without religious observance (or an increased prioritization of the Muslim identity without an increase in religious observance) argue the Muslim identity has become a neo-ethnic identity (Roy, 2004), a cultural identity without reference to faith or religious practice. Religion is seen not “as a faith but as a set of cultural patterns that are inherited and not related to a person’s spiritual life” (Roy, 2004, 124).

In addition to studies that have demonstrated changes at the individual level, the rise in the Muslim identity is evident at the group or institutional level. This rise in religious identification is demonstrated in the establishment of Islamic schools and seminaries within the West, among the proliferation of Islam-related websites and media outlets, and the growth of Islamic social movements and associations (Cesari, 2004; Mandaville, 2004; Roy, 2004; Warner and Wenner, 2005; Haddad and Balz, 2008). The development
of a communal Muslim identity, often in the form of Muslim associations, are important to the group engagement with wider society.

This discussion of the growing literature on Muslims in the West is important for several reasons. First, these studies have often been used or referred to in the public and political discourse, at least obliquely and, especially, the simplified account that “Islam is on the rise” in the West. This is to say, these studies have contributed to the problématique of Muslims in the West by providing evidence to those who either believe or have incentives to portray the existence of a problem of that very problem, particularly in the sense of a problem related to Islam and Muslim religious practices. In a critique of the scholarship on Muslim in Europe, Foner and Alba argue that religion has generally been viewed as a problem, not a solution, for the immigrant minorities (2008). These scholars accuse the vast literature—indeed they cite a recent literature review that estimated there were “possibly a few thousand publications or more” on the subject —“tend to stress the problems and conflict engendered by immigrants’ religion and the difficulties that Islam poses for integration,” and this portrayal is explicitly contrasted with the scholarly work produced in the United States which stresses the positive role of religion (2008, 361). As such, the aforementioned scholarship tends to reproduce the public discourse. They continue, “even analyses of the Europeanization of Islam and of positive signs of Muslim integration and accommodation are often placed in the context of prevailing popular views that deny, ignore, or downplay these developments” (2008, 368). These studies strongly suggest the existence of a religious cleavage in the West and, implicitly or ex-
plicitly, assume that this is an important cleavage. Thus, this discussion helps provide the backdrop for the political processes that are described in the following chapters.

Second, the absence of the “political” is conspicuous in most of these studies. The rise of the Muslim identity and Islamic organizations has not occurred in a political vacuum. Despite this, there has been little attention to the political factors, particularly how governments have actively tried to support certain Muslim identities—often described in government and public discourse as moderate and mainstream—over the more antagonistic and reactionist identities—especially the traditional and conservative. This government management, similar to how the governments tried to manage and channel ethnic identities of the previous decades, is a central finding of my research.

2. A Theory of Muslim Incorporation Policy in a (Post-9/11) Security Context

While this literature is rife with descriptive accounts of the Muslim “problem” in Europe, there is surprisingly little written about how politics—beyond static institutional structures—influences the debates on integration and, ultimately, integration outcomes. A basic starting point of this research is that one needs to account for the political process to understand the contours of the policies undertaken. I provide a framework for understanding how religion has risen to the forefront of state agendas as a problem to be addressed and as a solution for the Western state in its quest to incorporate its domestic Muslim community, placing politics at the center of my explanation. In doing so, I adapt Guiraudon and Lahav’s theory of venue shopping and delegation, coupled with insights from earlier work on buffer institutions in the context of race relations, to examine how the strategic use of institutional venue in the context of the nation-state’s quest for secu-
rity in a post-9/11 environment has affected how the problem has been constructed and addressed. This adapted framework provides key insights into the strategic and adaptive state response to the changed security environment. My contribution is theoretically-motivated, seeking to explain the motivations and actions of politicians, on the Right and the Left, in particular domestic contexts to politicize certain issues related to the integration of their domestic Muslim communities as well as the strategies they employed to keep faith and Muslim-related issues off the national agenda. I seek to understand the normative and cognitive context of the policy-making process, looking at various international and domestic “input” factors, primarily focusing attention on the influence of the political construction of the issue but also the impact of key focusing events, public opinion, the media, party system dynamics—including the influence of the extreme Right, and historical policy legacies.

A key finding of this study is that the venue in which policy is drawn up and implemented is important. My analysis finds that the agenda-setting phase which privileged certain understandings (or frames) of the “Muslim” problem—most notably in connecting it to security issues—is crucial to account for the policies undertaken in Great Britain, France, and the United States. However, the contours of the policy response were significantly affected by political elites shifting venues to the administrative realm through the creation of religious buffer institutions during the implementation phase. I argue that venue-shopping is a strategy employed by British, French, and American elites in order to circumvent constraints imposed by politicization of national security and Muslim incor-
poration issues as well as harness the benefits of a more insulated process and third-party partnerships, particularly with Muslim leaders and organizations.

In this project, I explore several interrelated arguments. These arguments are presented in a highly simplified presentation in Figures 1 and 2 for greater clarification, at the expense of important nuance and attendant arguments. First, I argue that state policy has evolved over time by assuming a religious complexion during the 1990s. The origin and subsequent development of state Muslim incorporation policies resulted from changes in how the problem was defined among relevant actors within the policy-making sphere (and larger society) which, in turn, were generated by events in the international environment that raised the political salience of the domestic Muslim population and incorporation issues both among society and elites, changing the context in which policies were developed as well as increasing the number of actors involved. To state this differently, international events were extremely important catalysts of policy-making processes which framed Islam as a “problem” for the Western state. International events, thus, resulted in the politicization of religion and “Muslim incorporation issues” which led to government policy (see Figure 1).

![Diagram](image-url)  

**Figure 1.1: Dependent and Independent Variables 1**
Put simply, the development of “Muslim incorporation policies” were the result of religion and the presence of diversity (namely, religious diversity) being made important public policy problems. However, this does not give one great leverage on understanding the responses and practices to the perceived policy problem. In light of this first finding, a particularly puzzling response by both the British and French states was the use of religion—most concretely demonstrated in the increased partnerships with Muslim actors—as a resource or asset in government policy. In the following chapters, I demonstrate that governments adopted a two-pronged policy converging around: 1) restrictive measures that would “deconstruct,” that is marginalize religion considered unacceptable within the liberal democratic public space; and 2) inclusive measures that attempted to “construct” assimilable religion through the promotion of moderates and the integration of the domestic Muslim population.

To understand the characteristics of the policies, including the broadly restrictive or inclusive policy tendencies toward Muslim incorporation, I argue that the salience level of a particular issue and the policy venue, defined as the setting in which policy is initiated, debated, adopted, and/or implemented, is important (see Figure 2). For my purposes, the policy venue is divided broadly between an administrative (or bureaucratic) venue and an electoral (or political party) venue. Generally, I found policy developed through the political process to be more restrictive than policy in the administrative process. Therefore, the higher the political salience as well as the more policy was developed through a political process, the more restrictive the policy. On the other hand, the less
salient or publicized and the more policy was developed by bureaucrats, the more inclusive the policy.

<table>
<thead>
<tr>
<th>Political Salience (IV2) * Policy venue (IV3)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Broadly restrictive or inclusive policy tendencies (DV2)</td>
</tr>
</tbody>
</table>

Figure 1.2: Dependent and Independent Variables 2

As will be described in the following chapters, the politics among the political Right and Left were affected by the “Muslim” issue. International events provided a higher profile to the Muslim community to citizens that were unaware or indifferent, and, thereby, increased the salience of Muslim incorporation issues among the general public. Political parties, both among the Right and Left, simply could not ignore Muslim-related issues as they became more salient among the general public, particularly as boundary-related questions concerning what constituted acceptable practices within the democratic space as well as which national values were sacrosanct became implicated in the public discussion.

Political actors also contributed to the increased salience of the issue. In the case of France, the Front National, the far right party led by Jean-Marie Le Pen, inflamed societal concern over Muslim-related issues and insured that the issue remained on the public agenda starting in the late 1980s. The party was perhaps most successful at simplying larger issues facing the Republic to focus on the presence of immigrants (i.e. Muslims) and Islam. The result was the issue became a political one—that is to say, it was taken
out of the bureaucratic venue and placed firmly in the political and electoral realm as a matter to be contested by the major actors and parties. As more actors were involved in the process, political compromise became more difficult and political actors faced incentives to take more restrictive positions. A similar result can be found in the British case even though the British National Party and other far right parties played relatively minor roles during this time period. Moreover, the political Left in both countries was divided on the problem that religion posed for the liberal democratic state. As a result of this division, there arose a favorable opportunity environment in each domestic context, creating openings for political coalitions among the political Right and Left to pass restrictionist policies in the areas of security and immigration and integration policy.

My research also uncovered that due to the heightened social and political concern over Muslim-related issues politicians shifted policy venues to the bureaucratic realm—to what I term religious buffer institutions—in order to implement a “softer” security strategy. The shift in policy venue was a strategic response by political actors to the political environment to circumvent key restraints posed by the political process—including the increased scrutiny placed on government-Muslim partnerships—as well as to benefit from the unique resources certain Muslim partnerships could provide to the governments in terms of access and legitimation.

In order to understand the state policy response toward the domestic Muslim communities, I argue, it is important to account for the creation and use of religious buffer institutions by British and French state actors. When faced with a security situation in which the integration of the domestic Muslim community became a central prior-
ity, state actors shifted the policy-making and implementation venue to administrative institutions in order to insulate policy-making, attempting, I suggest, to depoliticize those very issues that were the subject of increased public scrutiny.

Primarily, the creation and use of buffer institutions was to move highly politicized and salient issues away from unwanted scrutiny; in effect to provide no arena (or at least a less well-known one) for conflict. That is to say, the main motivation was to circumvent constraints facing politicians, particularly negative scrutiny. In shifting to the administrative realm, politicians were able to decrease the number of actors involved in the defining of the policy problem as well as in the crafting of solutions. Concomitantly, a shift in the venue location served to dampen or make less salient potential conflicting interests.

This is not to say that politicians were not aware of or did not act upon the benefits that such institutions could offer in the sense of greater policy efficacy and wider political space for action. A focus on the benefits of religious buffer institutions was particularly prevalent among British politicians. Religious buffers, when removed from the vagaries of political competition, created a wider political space for action. Buffer institutions worked to insulate decision-making and to channel faith- and/or Muslim-related issues away from the national politicians and parties and into the domain of bureaucrats. This had the effect of making public policy and implementation, to a certain extent, invisible to both oppositional political actors and the public. In shielding policy from opposition, the buffer institutions had the potential for a greater scope of action without being held accountable to public or judicial scrutiny. This was particularly important for
scrutiny of the type of Muslim interlocutors the British and French states sought to incorporate.

More generally, the particular characteristics of the policy were affected by intervening and interacting variables. Domestic political processes, while having a similar catalyst, proceeded in a different manner due to different factors inherent to the domestic context. One intervening variable is the policy legacies such as church-state relations and race relations. Past policy affected which policy actions were considered relevant and provided a template for government elites in fashioning the specifics of the policy. Moreover, as I alluded to above, the presence of an extreme right is a particularly important interacting variable, affecting the level of salience a particular issue generated as well as the venue choice.

This dissertation is divided into two parts. The first part illuminates the historical pathways through which religion was politicized in the Western European state—and why it has not been to the same degree in the United States—focusing on how transnational events elevated a perceived religious difference to the center of public debates, introducing new policy dilemmas for Western states. It is within this new environment that policy-makers increasingly viewed Islam through a negative lens. This new definition of the problem, a perceived incompatibility of Islam within the Western state, then led to changes in incorporation policies with the goal of engaging the Muslim community on more explicitly religious terms. Chapter 1 examines the British case, demonstrating that religion rose in salience after the Rushdie Affair in Great Britain and accelerated after the July 7, 2005 London bombings. Chapter 2 turns to the French case, describing how the
headscarf controversies in the 1990s provided a favorable context for a strong far right party and divided political Left to pass restrictive measures to ban the Muslim headscarf and consolidate a more aggressive definition of church-state relations. Chapter 3, then, looks at the American case, offering a very different context to understand how the “problem” of Muslim minorities was defined, debated, and resolved. American politicians made conscious efforts not to connect the security implications of terrorism to the Muslim community. In these chapters, I describe two policy paths, conceptualizing both the restrictive measures (security as well as targeted, discriminatory “integration” initiatives) that have received the bulk of the attention in the post-9/11 context as well as the more inclusive measures that have been the focus of separate scrutiny as interconnected responses by policy-makers.

Part II of the dissertation contains an analysis of the contemporary public policy tools the governments have used to deconstruct and construct Islam in the security context. I offer a comparative analysis of the different administrative mechanisms through which the Western state has attempted to become an organizing force within Islam. I find that the policy venue is a particularly important variable for an analysis of such policies. Chapter 4 takes a closer look at the different government initiatives to manage and channel a particular type of Islam within the Western state, focusing on how the British and French governments created new institutions and emphasized funding and research strands to legitimize certain actors and institutions. It provides an explicit comparison of the religious buffer institutions created by the British and French governments. Just as there has not been enough attention to the domestic political processes, to date, not
enough attention has been paid to the actual administrative mechanisms through which states have enacted policy goals.

3. Constructing Threats and Opportunities: A Political Process Explanation

Fundamentally, my argument concerns how the political process contributed to the construction of a specific kind of threat, based on constraints and opportunities presented by international and domestic factors. I argue that this process and problem construction explain the specific responses in my three cases to Muslim integration and national security, including the broad areas of policy that were engaged. As such, I look to the domestic political processes which unfolded in my three cases after significant international events to understand the contours of the policy outcomes, noting how certain questions and ways of framing the policy problems were put forth by different political elites while others were ignored or downplayed so as not to become an important focus of the ensuing debates and policy prescriptions.

The agenda-setting phase—the process by which issues gain greater mass and elite attention and in which an issue is defined—is particularly important to such an analysis. As scholars of public policy have noted, there are a myriad, indeed an unlimited, number of threats and problems that politicians and society could focus upon as important (Stone, 1989; Kingdon, 1995; Birkland, 1997). However, only relatively few of these are addressed in the political process and the ones that are addressed are not necessarily the most salient. The process by which problems and alternative solutions gain or lose public and elite attention is critical because governments cannot handle all problems and possible alternatives. Controlling the agenda setting phase, therefore, is a critical ac-
tivity because it establishes which issues, problems, and solutions will and will not be addressed by mass publics and decision makers (Birkland, 1997).\textsuperscript{19}

Moreover, the objective facts of a particular problem are less important than how the public and elites perceive the problem. This is particularly where the construction of a problem is important. Social constructivists argue that problems and events are not simply objective problems that gain attention because they are compellingly important. Rather, there are usually many plausible ways to interpret an issue, of which only a few emerge as dominant.

In understanding that a problem is constructed, at least to a certain degree, one is able to understand that the solutions to it are formulated within a framing process. As such, policy prescriptions are not always rational, comprehensive responses to the original problem but, rather, are responses to how the problem has been framed and debated within the policy process. The strength of this approach is that it recognizes how policy choices are often shaped and constructed by the environment within which the problem is defined. This points to the fact that one must follow the policy process to analyze the evolution of a particular policy problem as the construction of the problem and the solutions implicated may change over time.

Actors utilize causal narratives and symbols to highlight the factors which are relevant to particular issues, setting the boundaries on what is and what is not a part of the tale. Stone’s scholarship (1997) focuses on how rational actors attempt to construct causal narratives in order to mobilize support behind their policy goals. She contends

\textsuperscript{19} This led noted political scientists Schattschneider to observe in \textit{The Semi-Sovereign People} that the ability to set the agenda and influence how certain problems are constructed is the “supreme instrument of power” (1960/1975, 66).
political entrepreneurs “tell stories,” or causal narratives, in which a problem is connected to preceding events or actors in a causal way so as to be able to assign blame and identify solutions (1997, Chapter 6). The objective facts are the raw materials for the entrepreneur in which to construct a story. As Stone notes, the actor must select, omit, and emphasize, creating a story that is amenable to the overall frame.

Scholars, particularly those in the social constructivist tradition, show how actors use symbols, beliefs, and facts to “tell a story” that connects a problem to a solution (Stone, 1989; Stone, 1997; Benford and Snow, 2000; Bleich, 2003; Meyer, 2009). In Race and Politics in Britain and France, Bleich argues that frames, or cognitive and moral maps about how reality is that orient an actor within a policy sphere, offer the best explanation for the differences between race policies in Britain and France. Frames help to render events or occurrences meaningful and thereby function to organize experience and guide action.20 Frames are definitions, analogies, metaphors, and symbols that help actors navigate a political or social situation by helping them to identify problems, prioritize their interests and goals, and, consequently, influence the causal stories actors tell. It is the frames that point actors toward causal and normative judgments about which policy solutions are appropriate and effective. These then influence the particular policy path politicians undertake (2003, 26-27).

20 Bleich conceptualizes frames in a similar way to Goldstein and Keohane’s (1993) principled and causal beliefs. A frame is similar to principled beliefs, normative ideas about the way reality is organized — and can specify criteria for distinguishing right from wrong and just from unjust (Goldstein and Keohane, 1993, 9), by simplifying reality through a world view on how reality is and should be. Goldstein and Keohane argue that changes in principled beliefs have a profound impact on political action. Principled beliefs, however, are often too vague to give concrete policy prescriptions. Causal beliefs, those “beliefs about cause-effect relationships which derive authority from the shared consensus of recognized elites,” (Goldstein and Keohane, 1993, 10), provide road maps that increase actors’ clarity about goals or ends-means relationships. They are used to simplify and condense aspects of reality in ways intended to facilitate policy-making.
An important observation made by those who study how actors utilize symbols or frames in the policy process is how these mechanisms influence the type of information that is gathered and how the information is processed, and, especially, how heavily different information is weighed. This is particularly the case, Bleich suggests, when frames gain a “taken-for-granted” quality to them, thereby privileging a particular construction of the problem while closing off competing frames (2003, 186-187). Scholars such as Bleich have shown that the frames often have a path-dependent character to them; there is a tendency to maintain frames rather than change them. This provides an advantage to the political actor who is first able to define an issue, what is called a “first mover” advantage.

The prescription to the problem is either explicitly or implicitly contained in the causal narrative or frame. Stone observes how the construction of the problem is important for the policy response: for example, the construction of a problem as being accidental or unintentional versus the construction of a problem as the result of human efforts and intention can affect the type and target of policy response that is seen as possible. In particular, the latter construction is more amenable to human intervention than the former. This suggests that politicians may have incentives to construct a policy problem as the result of human efforts—that is, by pointing to particular actors or groups as a cause of a problem—in order to target this group in the policy response. The individuals and groups may be scapegoats for a larger problem. In crafting policy that targets these actors, politicians can demonstrate resolve and action.
Scholars emphasize how the construction of a problem must resonate with most citizens if it is to be successfully promoted on the agenda. The process of orienting frames to a mass audience offers both opportunities as well as constraints to actors. A particular constraint is the need to make stories simple for general audiences: to clearly identify a particular problem, to put forth solutions, and to affix blame (Benford and Snow, 2000; Birkland, 1997; Meyer, 2009). Mass audiences have problems with understanding nuance or complexity (including a problem that is ambiguous) and, therefore, elites try to make their stories more simple when appealing to the general public. It is in the construction of a problem that will resonate with the general public that politicians often turn to historical symbols and analogies and rarefy the national institutions and identity of a nation-state.

Symbols help to simplify complex ideas and stories into something which is easily understood and transmittable. As such, symbols are very powerful tools in the policymaking process. In the French case, the Muslim headscarf became a symbol of women’s oppression and the visible sign of a political Islamist project infiltrating and challenging the French state. Thus, a debate concerning the integration of the domestic Muslim community—one that implicated much larger issues of housing, education, employment, and cultural values—only found political expression through a debate over whether the Muslim headscarf was acceptable within the French classroom. The wearing of an Islamic headscarf—and especially the burqa—became a symbol for all unacceptable practices and something decidedly “un French.” This would become an attendant basis for
exclusion from public services and, according to a recent high court ruling, citizenship within the French nation itself.

If successful in simplifying a particular policy problem, however, certain opportunities are opened up to political actors. An actor’s preferred policy definition and prescription may gain greater credence within the policy process due to the mass support. Moreover, through the simplification, related, and often more complicated, issues may either be ignored or successfully managed without wider public—or perhaps political—debate as it is not the central focus. This may aid politicians who are dealing with complicated issues by taking certain issues off the public’s radar and provide for a more consensual policy process.

In this vein, Meyer (2006) argues that reception of a particular constructed cause and set of remedies is a function of many different variables, including cultural resonance but also the political environment in which one is working, specifically the other actors who are trying to frame the problem—including allies and opponents as well as the skill, will, and position of the promoter. For example, in Europe, extreme right parties have become highly visible political actors in the promotion of particular policy problems and prescriptions, specifically concerning immigration and integration issues. While these parties and actors may not had traditional political success through winning office, scholars have demonstrated a level of success in terms of agenda setting as well as affecting party positions on certain key issues (Hainsworth and Mitchell, 2000; Hale Williams, 2006; Schain, 2008).
Any explanation of policy processes and change requires a discussion of how a problem reached the agenda in the first place. Public policy scholars, notably Kingdon (1995), highlight how policy is the result of specific opportunity windows and processes coinciding for actors who push for a particular set of problem definition and solutions. Kingdon argues that issues gain agenda status and alternative solutions are selected when elements of three streams of the policy process—termed the “streams model”—come together. The first stream is the political stream and comprises the state of politics and public opinion. The second stream is the policy stream in which potential solutions to a problem are identified. The third stream, the problem stream, is comprised of the attributes of the problem, including an assessment about whether the problem is getting better or worse as well as whether the problem can be solved with any of the potential solutions that were identified in the policy stream. Kingdon contends that “something happens” to trigger a window of opportunity for policy action. Therefore, scholars of public policy and critical events provide a framework for understanding how international events played key roles in opening up windows of opportunity within the policy process.

One important trigger scholars have analyzed are “focusing events” or critical events. Birkland defines a potential focusing event as an “event that is sudden, relatively rare, can be reasonably defined as harmful or revealing the possibility of greater future harms, inflicts harms or suggests potential harms that are or could be concentrated on a definable geographical area of community of interest, and that is known to policy-makers and the public virtually simultaneously” (1997, 22). Birkland, drawing on work from scholars of the policy process such as Kingdon (1995) and Baumgartner and Jones.
demonstrates how focusing events affect agenda setting and the policy process. Focusing events cause people—bureaucrats, elected officials, and the general public—to pay greater attention to the problems revealed by these events. In Kingdon's work, focusing events provide the opportunity for policy action for political elites. Political elites, he contends, justify policy action by pointing to focusing events as the important driver of social change. As Birkland and others are quick to point out, a focusing event does not automatically result in policy change but can be an “important precursor” depending on the constraints and opportunities within both the political and societal spheres.

I argue that certain international events were key focusing events in my three cases, affecting Western governments’ perception of religion, specifically Islam, and the presence of their domestic Muslim communities rendering them central policy problems, and, thereby, explaining the timing of the policy shift and its construction as a “religious problem.” Critical events at the international level in the 1980s and early 1990s such as the Rushdie Affair in Great Britain, the first Gulf War, the Palestinian Intifada, and the headscarf affairs in France elevated a perceived religious difference to the center of public debates, introducing new policy dilemmas for Western states. These events provided key raw material for elites to frame the presence of Islam and a domestic Muslim community in negative—primarily, illiberal—terms, particularly for national cohesion but, as the issue of security became paramount after events of social order concern, also in terms of national security. Simply put, how the problem was defined among policy-makers as well as the general public changed due to the catalyst of international and domestic events. This new definition of the problem—a perceived incompatibility of Islam within
the Western state—subsequently led to changes in incorporation policies with the goal of engaging the Muslim community on more explicitly religious terms.

It is important to recognize that these critical events provided the raw material for actors but one also needs to look to the domestic political environment—including the key political actors involved, the institutional structure, and key historical frames—to explain precisely how the problem evolved and the ultimate solutions identified. While there are similarities between the British and French cases in terms of how religion became politicized, there are also significant differences in how the specific domestic political processes unfolded. Thus, international events provided a similar catalyst for a domestic process to problematize the domestic Muslim community but the processes that resulted were different in their dynamics, including the historical models that were used for the policy response.

Moreover, this is where the case of the United States provides the greatest relief. The terrorist attacks on September 11, 2001 were a significant focusing event for the American government and people—as well as for the British and French—but it did not ultimately result in the domestic Muslim community being targeted as the key source of threat for the United States. Paralleling the British and French cases, the events did result in the increased salience of the presence of Muslims and Islam among the general public in the immediate aftermath. However, in an illustration of how the political process unfolded differently and with significant result, American elites deflected scrutiny from the domestic Muslim community rather than provide the tinder for greater politicization.
Here it is important to take heed of Boswell’s critique of the security studies literature of the past decade that have contended that immigration has become an important public policy concern through its framing as a security issue. Boswell (2007) argues that scholars must not assume the politicization of an issue when security concerns are present. Scholars of critical security studies, particularly those studying migration as a security issue, have argued that immigration has increasingly been connected to international security threats (Faist, 2002; Aldis and Herd, 2005; Buonfino, 2005; Huysman, 2006; Givens et al., 2009). Consequently, the issue of migration has risen on both national and supranational agendas, linked to other core concerns surrounding the survival and integrity of the nation-state. As Faist notes:

Quite often, dire scenarios have been connected to international migration, alluding to the proverbial ‘other’ and ‘stranger’ as a source of threat to ‘our’ jobs, housing and borders, but also more far-reaching ontological threats to the borders of sovereign states, bodily security, moral values, collective identities and cultural homogeneity (2002, 7).

This is a basic argument about how the migration issue has moved to the center of public policy concern in its connection to security problems, representing an evolving notion of security with significant implications including new security objectives (Rudolph, 2003; Rudolph, 2006). A significant theory within this discipline connects the deliberate construction of migration as a threat to the incentives and benefits that accrue to policy-makers. Scholars suggest that this politicization is in a politician’s interest, primarily by allowing policy-makers to assert greater control over the agenda process and legitimate certain courses of policy action.
In a forceful critique against these arguments, though, Boswell rejects the predominant view that 9/11 encouraged a “securitization” of migration control, arguing there was little evidence of attempts to do so by politicians or the political establishment. Boswell argues that one should not simply assume the politicization of an issue is in a political actor or group’s interest. In particular, she criticizes the literature’s exclusive focus on the incentives to securitize an issue without acknowledging the disincentives politicians face.

The framing of an issue as a security problem can create unfeasible expectations about the state’s capacity or conflict with the other political goals. As Boswell aptly notes concerning the purported connection between securitization and migration, “there is no reason to expect politics to be driven exclusively by an interest in encouraging public unease or introducing more stringent security measures” (2007, 592). In the case of migration control in Britain after 9/11 and more generally for other European states, Boswell found no evidence of securitization at the political level, based in part on cognitive and political factors which made it difficult for politicians to sustain a linkage between migration and terrorism. The most important factor in the British case, Boswell suggests, was new information after the 7/7 bombings which placed the spotlight on the domestic Muslim community rather than on immigrants as potential terrorists.

4. Effect of Policy Venue: Venue Shopping and Buffer Institutions

In a 2006 article on the state of immigration literature, Lahav and Guiraudon note that little attention has been given to the variety of actors and venues where immigration policy is shaped, elaborated, and implemented outside of the legislative context. Until
recently, scholars of immigration and integration outcomes have not maintained an important distinction made by scholars of the public policy literature between the system of politics and the system of administration, including keeping analytically separate the policy-making and legislative phase from the policy implementation phase. In general, public policy scholars—and, increasingly immigration scholars who have heeded Lahav and Guiraudon’s call to widen the analytical “playing field” to include actors outside of the legislative policy process (Guiraudon and Lahav, 2000; Guiraudon, 2000; Lahav and Guiraudon, 2006)\textsuperscript{21}—have separated the policy process from the administrative process. The policy process comprises the set of political parties and actors concerned with the competitive mobilization of electoral support through selecting and framing social demands for state action. The administrative process, on the other hand, comprises activities of those parts of the administration involved in the elaboration and implementation of collectively binding decisions (Boswell, 2007, 591).

The venue in which policy is drawn up and implemented is extremely important in this theoretical tradition. Scholars explain the differences in the policy characteristics as a result of the different logics of operation in each system. Indeed, Boswell (2007) criticizes scholars of immigration for not adequately accounting for the different logics of action between the system of politics and the system of administration. In the system of politics, politicians are concerned with framing and public legitimacy while those within

\textsuperscript{21} While previous research has ignored the study of policy implementation, a new generation of immigration scholars are examining bureaucratic actors and structures in order to understand policy at the “street level” (Ellermann, 2006a; Ellermann, 2006b; Christensen and Laegreid, 2009).
the system of administration are less concerned with public legitimacy but guided by organization logics such as acting to avoid uncertainty.

In their research of European migration policies, Givens and Luedtke (2005) argue that the different venue of policy development and implementation affects whether migration and incorporation policies have been restrictive or liberal. It matters, they suggest, whether policy is developed by a narrow group of policy-makers such as bureaucrats or whether policy is developed by politicians within the domain of electoral politics. Policy that is developed in a bureaucratic and administrative setting, they contend, should reflect an insulated and “problem-solving” process, and consequently, produce inclusive tendencies. Policy that is developed within the venue of politicians, often in the media spotlight and the subject of debate within a party-system atmosphere, is expected to reflect a more reactionary response. This is particularly the case, Givens and Luedtke contend, when the salience of the issue is high. They present evidence which demonstrates how the salience of the issue among both the general public and among political actors affected the content of policy. As the salience of an issue rose, European migration policy tended to become more restrictive. However, if the issue salience was rather low and not politicized by political actors then policy reflected a “problem-solving” process rather than a reactionary one. Thus, Givens and Luedtke claim that the restrictive nature of immigration policy was a result of high issue salience, driven by the politics of the far right, and that political actors were “highly responsive to public opinion vis-a-vis immigration” (2005, 17).
However, the above account—as well as the aforementioned work on Muslim integration—does not adequately account for how actors are strategic and choose venues—and, for that matter, try to increase or dampen the salience of an issue—based on incentive structures inherent to particular venues and the external context as a strategy to affect the policy outcome. I adopt Guiraudon and Lahav’s framework concerning venue-shopping to understand the form and content of state responses in my cases. It is important to delineate the actors and venues involved in the particular policy process, paying particular attention to the incentive structures in order to provide an explanation for policy outcomes.

Broadly, this is an argument about state response and capacity. One of the prominent, ongoing debates in international relations and comparative politics is the extent to which the state has lost sovereignty and its ability to govern as a result of larger socio-political processes such as globalization, immigration, and liberalization. An important theoretical position that has emerged takes the broad perspective that the nation-state is in peril. Scholars who point to the loss of relevance of the nation-state model differ on the nature of the cause, specifically whether it is externally- or internally-driven. Those who point to external factors focus on the force of globalization which render nation-state boundaries and policies increasingly irrelevant (the “globalization thesis”). In addition, scholars also point to transnational and supranational actors, such as the European Union, as impinging upon national processes. Jasmine Soysal (1994; 1997), for one, has argued that during the postwar period there has been a rise in “postnational” citizenship derived
from international institutions and norms which renders national citizenship irrelevant or subsidiary (the “postnational thesis”).

Scholars contend that the nation-state is internally challenged by increased pluralization due to such factors as international migration. State sovereignty is weakened by decreased transaction costs in communication and transportation. What is more, the state’s ability to assert an identity is impeded by recent cultural difference, subsequently affecting the state’s legitimacy and authority. Focusing primarily on Western Europe, scholars point to the destabilizing effect of post-World War II migration, in which ethnically and culturally distinct peoples migrated to the continent for employment (Sniderman and Hagendoorn, 2007; Vertovec, 2007). As these immigrants settled permanently, they started to demand collective group rights, weakening the liberal nation-state’s foundation.

A second theory, however, emphasizes the continued importance of the nation-state. Recent research has focused on varying citizenship rights to explain the different national approaches in liberal democratic states for regulating immigration and the presence of foreign migrants (see, e.g., Brubaker, 1992; Favell, 1998). Scholars have sought to show why countries with ostensibly similar flows and numbers of immigrants—and consequently, similar problems—establish different ways of handling the challenge of

---

22 In this thesis, immigrants have utilized universal rights housed in international treaties to challenge the nation-state often in order to receive greater rights such as welfare benefits. States, rather than bestowing rights emanating from its legitimacy, are merely actors implementing international human rights conventions.
immigrant incorporation. Koopmans and his colleagues (1999; 2005) have recently contributed empirical evidence that different national citizenship models affect immigrant claims-making. They contend that how immigrants are included (or excluded) influences the identities (whether national, racial, ethnic, or religious) that immigrants put forth. For example, in Britain, immigrants present themselves as racial or religious groups while in Germany immigrants present themselves primarily in terms of their homeland nationality or ethnic origin (Koopmans and Statham, 1999, 678). Moreover, the different national citizenship regimes affected the content of immigrant claims-making. The authors conclude that:

contrary to [the] perspective, which sees the nation-state as increasingly ‘insignificant’ and ‘irrelevant’ (Soysal, 1998, pp. 208, 211) the nation-state continues to be by far the most important frame of reference for the identities, organizations, and claims of ethnic minorities, and national authorities remain the almost exclusive addresses of the demands of these minorities (1999, 688-689).

In a 2000 Comparative Political Studies article, “A Reappraisal of the State Sovereignty Debate: The Case of Migration Control,” Guiraudon and Lahav provide a particular compelling counter-argument to globalist accounts which sound the death knell of the fully-sovereign nation-state. They argue that such arguments have overlooked state responses to constraints. Contrary to these accounts, they provide a portrayal of an adaptive state. They point to three specific state responses to reconcile domestic and interna-

---

23 In an example of this scholarship, Brubaker (1992) examines the citizenship regimes of France and Germany. He contends that citizenship regimes based on distinctive ideas of nationhood (in France, jus soli, and in Germany, jus sanguinis) best explain the divergent national strategies that the two countries maintain for incorporating migrants.

24 The authors provide evidence that how citizenship is constructed is the key variable. They construct a typology of citizenship regimes based on two variables: the criteria for formal membership (either ethnocultural or civic territorial) and whether the state adheres to an assimilationist or cultural pluralist model of incorporation. This results in three ideal-type citizenship regimes: ethnocultural exclusivist (such as Germany), civic assimilationist (such as France), and multicultural pluralist (such as Great Britain and the Netherlands).
tional liberal norms with immigration control. States have circumvented constraints by shifting the level at which policy is elaborated and implemented upward to intergovernmental fora, downward to elected officials and authorities, and outward to private actors. The authors specifically claim that this delegation and devolution of decision-making are not examples or evidence of the state losing control but the opposite. They argue that this strategy shows the adaptiveness of agencies within the central state apparatus in charge of migration control and their political allies. By sharing competencies, states may have ceded exclusive autonomy yet they have done so to meet national policy goals, regaining sovereignty in another sense: capabilities to rule (2000, 164-165).

It is an example of ceding competence in one area, they suggest, in order to gain in the area of greater state capabilities through more effective policy deliverance by bringing in new actors who have greater capacities to implement state goals. This delegation, therefore, is premised primarily on the idea that whoever delegates will gain in the process (Guiraudon, 2001, 57). Since the publication of this article, immigration scholars increasingly have examined the strategies states employ to adapt to the constraints and harness the opportunities presented by the political environment (see Guiraudon and Lahav, 2006).

Guiraudon (2000) has offered a particularly useful framework for understanding state policy response in the form of “venue-shopping.” Venue-shopping is a concept developed in the American agenda-setting and policy studies literature which illustrates how strategically-minded actors seek locations that will be receptive to their preferred outcome. The concept of venue shopping emphasizes how actors seek new venues when they need to adapt to institutional constraints in a changing environment. This concept is
based on the theoretical point that policy venues differ in important respects, including rules of access and participation, procedures governing decision-making, constituencies, and the incentives facing institutional actors (Baumgartner and Jones, 1993; Guiraudon, 2000; Pralle, 2003).

The literature on venue-shopping is premised upon a rational actor model. In Baumgartner and Jones’ influential model a rational actor assesses the political landscape—seeking out information about different venues—weighs the possibilities of success and failure in each venue, and, ultimately, chooses a venue that he/she deems to be most receptive based on this calculation (Baumgartner and Jones, 1993; Pralle, 2003, 238). Expanding this model, Pralle (2003) provides a more complicated account of venue-shopping, introducing imperfect information and experimental, rather than intentional, action. Actors, she argues, often act with less information and forethought than this traditional model assumes. In addition, venue-shopping is an iterative process often influenced by such cognitive factors such as learning as well as changing preferences as a result of prior venue-shopping.

Most of the scholarship on venue-shopping has analyzed the characteristics of the venue and the actors in terms of social movement actors trying to gain access to the political system. However, it is important to consider venue-shopping as a form of strategic decision by elites within the political system. Guiraudon and Lahav’s theory of

---

As Pralle (2003) notes, there are important external and internal constraints. The external constraints include how some venues raise significant barriers and costs, for example in the rewarding of established interests. Other venues, however, are less closed, affording access to a wider set of participants. Pralle also notes that there are internal constraints for actors in choosing a policy venue, including a preference for a particular venue, perhaps working at the local level rather than the national level if an organization is a grass-roots initiative or based on a preference for the type of policy solution. Actors may prefer to work for a judicial injunction rather than a piece of national legislation if timing is crucial.
venue-shopping by national governments in the European Union to circumvent domestic constraints provides this very insight. Scholars studying why national governments have shifted policy elaboration up, down, and out have elaborated several benefits to shifting the implementation site of migration policy control (Guiraudon and Lahav, 2000; Ellermann, 2006a; Ellermann, 2006b; Lavenex, 2006).

Scholars emphasize two broad reasons for venue-shopping: as a strategy to circumvent constraints and as a strategy to improve capabilities. As a strategy to circumvent constraints, venue shopping provides opportunities for actors to shift the costs or liabilities of policy-making and implementation completely outside the state. Moreover, scholars have demonstrated how such an activity can also work to shift the costs away from the central state. In this scenario, central state actors such as national politicians and political parties look for avenues to shift the burden to other actors below the state level. In this way, they shield themselves from negative electoral backlash among the public, for example. Shifting the policy venue either up, down, or out is also a strategy utilized by actors in order to undertake certain decision and to carry out certain actions outside the scrutiny of particular actors, whether these are other political actors or the mass public. Ellermann (2006b) calls this a strategy of making policy-making “invisible” and, thereby, deflecting potential criticism. What is more, venue shopping opens up opportunities for actors to take advantage of key capabilities of third party actors.

To be sure, this is a broad argument about the costs and benefits facing politicians. It should be noted that the preferences of politicians and their attendant analysis of the costs and benefits of particular actions are influenced by cultural, historical, and envi-
ronmental factors which cannot be reduced to a simple formula. It is, therefore, crucial to be attentive to how the preferences were formed in the first place rather than simply assume that certain incentives or disincentives existed.

Guiraudon and Lahav argue that shifting migration control implementation allowed European states to shift the liabilities and costs outside of the state. In particular, states have brought in new non-state actors as gatekeepers. For example, states have burdened, through the specter of sanctions, transport and carrier companies such as airlines with implementing passenger checks. As an example, the authors point to the more stringent security checks of baggage and passengers at airports as visible examples of this form of venue-shopping (2000, 185). Similar to the shifting of the costs away from the state, scholars suggest that venue-shopping allows the state to shift the externalities of policy-making away from the central state, that is to say, away from national politicians and political parties. By shifting the implementation site, for example down to the local government or a local charity, public scrutiny is placed on a new actor and, importantly, not the national actor.

Ellermann (2006b) has demonstrated in a case study of German bureaucratic strategies to implement deportation orders how such strategies aim to insulate decision-making. Faced with constraints, she finds evidence of immigration bureaucrats devising administrative strategies that remove their implementation of control orders from public view. For example, she describes how German bureaucrats instituted private charter flights to deport individuals in order to decrease the general public’s involvement. This is a form of rendering certain state policies invisible, a strategy she terms conflict
As political opposition—in this case emanating from a public which desires less restrictive implementation—is only possible when state actions are known and visible, by rendering implementation invisible, state actors are hiding costs and actions that are unpopular and/or unacceptable to certain key constituencies. Ellermann’s example of rendering state action invisible is a larger argument about circumventing particular actors. State actors may wish to shift the venue from say the political realm to the administrative realm in order to remove the influence of certain actors, for example the opposition party.

Actors may also shift venues to take advantage of a particular benefit through delegation to an actor with specific resources and expertise. Guiraudon (2001) stresses that one reason for shifting implementation to local governments or outside actors is that these actors often have better information and resources to obtain the particular policy goal. This has been described as a principal-agent relationship in which the national government, the principal, delegates a form of control to an agent to meet certain policy goals. This allows the state as the principal to benefit from the particular strengths and qualities of the agent and improve state capacity. Shifting venue may be a necessary move to open up the process to actors who were unable to enter the political or electoral realm due to high costs of entry or intense scrutiny.

Ellermann’s work on deportation has also provided a significant insight regarding policy venue. She argues that values and concerns among actors change from the pre-legislative to the post-legislative phase. To put it another way, state actors’ incentives are

---

26 Ellermann (2006b) describes three basic strategies that immigration bureaucrats have at their disposal to deal with constraints from their environment, in her case a public challenge to bureaucratic coercive authority: 1) conflict pre-emption, 2) conflict containment, and 3) conflict resolution.
shaped by the distinct political dynamics of different policy stages. In the agenda-setting and policy formulation phases, the benefits of regulation such as restoring the integrity of the immigration system, public safety, and homeland security dominated. Those who favored more balanced policies did not voice a strong protest because they feared being labeled as “too soft,” particularly as the issue was framed through a security lens. At the stage of agenda implementation, however, Ellermann argues that politicians faced different incentives, particularly as the costs of deportation were seen to disproportionately fall on individual immigrants and immigrant families. As the public decried the high costs to individuals and the negative effects on families, the same politicians who pushed for greater regulatory measures faced incentives to implement less restrictive policies. To a certain extent, this reflects other research that has shown that the public generally supports restrictive policies on law and order issues when presented in abstract and general terms. However, when the public is asked about specific policies, support among the masses for harsh control measures wanes (see Ellermann, 2006b, 297; Espenshade and Belanger, 1997). What Ellermann suggests is that a difference in policy venue could result in different incentives facing politicians. In her cases, a shift away from the political realm provided a political opportunity context for less restrictive measures, a finding that I have found in my research on religious buffer institutions to be discussed below (see also Givens and Luedtke, 2005).

In my study, I examine a particular institutional venue, what I term the religious buffer institution. As scholars have demonstrated, the state has incorporated a multitude of actors to deal with the cross-pressures of globalization, migration, and security con-
cerns. The concept of “buffer institution” has been used in the context of race relations. Katznelson first discussed the idea of a racial buffer institution in his seminal work on race in *Black Men, White Cities* (1976) and this concept was elaborated upon a decade later in the work of Messina in *Race and Party Competition in Britain* (1989). As described by Messina, racial buffers were a third leg of an integrated strategy at the height of British elite attempts to depoliticize the issue of race in party competition. The buffers were utilized in conjunction with a tacit silence by politicians on race issues—in effect, to deny the existence of a problem—and the sending of contradictory signals to the electorate through the adoption of both restrictive and inclusive measures in immigration and race relations. The buffer institutions created during this time period included National Committee for Commonwealth Immigrants (NCCI), the Community Relations Commissions (CRCs), and the Commission for Racial Equality (CRE). The CRE was the most notable buffer institution that emerged from this time period.

These institutions served as buffers for two reasons. First, these institutions acted as intermediaries for politicians, standing between politicians and their constituencies, particularly regarding complaints made by constituents regarding racial discrimination. According to Messina, these institutions acted as the main gatekeepers for race-related issues. Grievances were brought before the racial buffers rather than politicians; a politician was involved by the institution only when it was beneficial and politicians did not have to address race issues directly. As a result, this allowed politicians to deal with specific cases outside of the scrutiny of the white majority who held illiberal sentiments toward race relations during this time period. Importantly, these institutions acted to depo-
liticize the race issue in another fashion. In creating a bureaucratic structure to address specific grievances by the non-white community, politicians channeled race-related issues to the bureaucratic realm—that is to say, away from the general business of politics—and, thus, divorced these issues from larger issues in the political realm. In doing so, race related-issues were not the subject of political debate. This divorcing of the issue meant that when politicians addressed issues that had a racial component, the race-specific contours were “off the table”—something that was neither addressed as a problem nor integrated as a part of the solution.

There has been little work done on buffer institutions outside of these works and this context. Nevertheless, the conceptualization of the strategies—including the creation of institutions—undertaken by elites during the 1990s and 2000s can be usefully conceptualized as “buffering” or diffusing. In particular, this conceptualization helps focus attention on the incentives politicians had for creating such bureaucratic structures as well as the particular benefits derived from them.

5. Case Selection and Methodology

The following methods are utilized to scrutinize the validity and robustness of my hypotheses and the evidence gathered: 1) a within-case process trace, allowing for maximum control regarding the effects of international-level processes, level of salience, and policy process; 2) a controlled cross-case comparison of the continuations, changes, and characteristics in state policy (DV) and the independent variables; and 3) analysis of in-depth, semi-structured interviews. This results in a controlled case comparison with a within-case method (see George and Bennet, 2005). A longitudinal process trace of each
case from 1945-present allows for variance on international level pressure (both presence and absence) as well as variance on the level of salience. In particular, process tracing is an ideal method to understand the political processes by which policy has developed and changed. Moreover, process tracing helps identify different causal paths that led to similar outcomes in each case (theory refinement) as well as identify additional variables or processes of interest (theory generation and development).

My focus is on government policies toward their domestic Muslim community, what I term “Muslim incorporation policies.” State Muslim incorporation policies are defined as state legislative initiatives and policy stances, funding, and/or other responses that seek to manage the issues that arise from religious-ethnic diversity of Muslim immigrants and communities. Muslim incorporation regimes, while a significant component of immigrant policies, are semi-autonomous because they are not simply targeted at immigrants but also citizens (as many Muslims are second and third generation citizens). Immigrant incorporation policies, and Muslim incorporation policies in particular, cover a vast array of policy areas including (but not limited to): religious education in public schools; funding for religious schools; training of imams; mosque construction; religious cemeteries; ritual burials; religious assistance in hospitals, prisons, and the military; religious festivals; ritual slaughter and halal food; religious dress and, specifically, the Islamic veil or headscarf; family and shar’ia law; medical treatments; discrimination and hate crime; as well as immigration and asylum policies (such as family reunification and deportation procedures).
I aim to account for policies developed that primarily defined Muslims in religious terms and sought to address policy problems of a (perceived) religious nature. To do so, I pose the following questions for each case: What were the contours of the different incorporation policy regimes in Western states? What past policies were considered and/or used? When were the policy choices decided upon? Who were the important actors? Who implemented the policies? Which specific policy areas (i.e. immigrant policy, welfare policies, discrimination, security) were privileged? Who were chosen as Muslim interlocutors? Who was considered outside the political process? The characteristics of the policies to be explained included the restrictive or inclusive nature of each policy as well as policy area (security, immigration, immigrant integration, church-state relations).

A restrictive policy is defined as: that which serves or tends to limit the rights and/or freedoms of individuals or groups. An inclusive policy is defined as: that which serves or tends to expand the rights and/or freedoms of individuals or groups.

I ask these questions in three cases: Great Britain, France, and the United States. A small-n, case-based study offered the best opportunity for compiling rich data for analysis and offered an advantage when dealing with complex causality and interaction effects.\(^{27}\) The universe of cases is the Western (pluralist liberal) democracies that have faced challenges of incorporating Muslim populations since World War II. Across many important indicators, Great Britain and France represent “most different” cases with what is commonly portrayed as opposite approaches to citizenship and integration regimes:

---

\(^{27}\) One of the outstanding methodological debates among social scientists is that concerning the strength and limitations of large-N quantitative and small-N qualitative research. Proponents of small-n research argue that the approach is more appropriate for dealing complex phenomena as they exist in the real world and “thick concepts” that are sufficiently contextualized (Ragin, 1989; Brady and Collier, 2004). Small-n research, however, has significant trade-offs. One particular trade-off is what one gains in complexity, one loses in the ability to make the theory or concept travel broadly or in generalization.
France has pursued a civic-assimilationist citizenship model while Britain has developed a multicultural framework for integrating her immigrants (Bleich, 2003; Koopmans et al., 2005). According to scholars, these different public policies stem from varied sources: different conceptions of citizenship and nationhood (Brubaker, 1992), philosophies of integration (Favell, 1998), and policy-making frames (Bleich, 2003). For instance, Adrian Favell’s pioneering work on the different integration philosophies holds France and Great Britain as polar opposites. The French model in Favell’s analysis is based on a framework that emphasizes the universalist idea of integration, of transforming immigrants into full French citizens. On the other hand, British public policy is based upon a framework of management of race relations and promoting multiculturalism. The British model frames integration as a question of managing public order and relations between majority and minority groups, allowing ethnic cultures and practices to mediate the process (1998, 4). Moreover, these two countries have had substantially different colonial histories and, thus, historical relationships with their former colonial immigrants. Scholars also point to significant differences among the domestic Muslim communities themselves. In particular, most comparisons emphasize how France has the highest absolute number of Muslims among Western states, around 5 million, as well as the highest percentage of Muslims to the total population at around 8%. Britain, in contrast, has a smaller aggregate number of Muslims as well as percentage. According to the 2001 Census, the Muslim population reached around 1.6 million and accounted for 2.7% of the British population. Moreover, the two countries have very different church-state relationships which allowed me to probe the thesis that pre-existing church-state relations have
determined the level and degree of accommodation of Muslim needs at present. According to Fetzer and Soper’s (2005) typology, Britain is an example of a state church type which is characterized by a close relationship between state power and church existence and France is an example of strict separation. These differences explain why Britain is more inclusive and France is more restrictive toward accommodating their Muslim populations.

Taken together, these various analyses suggest that one finds very different public policies in the two countries. Despite these differences, however, important cross-national and cross-temporal trends emerge, including the government management and channeling of “difference” into acceptable avenues through three particular government tools. The most notable was the creation of religious buffer institutions. These similarities in policy response require explanation.

The United States is a compelling case to include in this analysis for two reasons. First, most comparative studies of these issues do not include the United States, providing a new case for comparative inquiry; and second and most importantly, it provides a contrasting framework in terms of the dependent variable. The United States is a case in which the government has not developed Muslim incorporation policies nor has the issue of the domestic Muslim community and the threat of extremism risen to the level of policy concern as it has in the European cases despite September 11 acting as a significant historical focusing event. Thus, this case helps me identify variables common to the French and British cases that help explain the occurrence of Muslim incorporation poli-
cies and their form, particularly pointing to the influence of political process in shaping how salient the issue would be in each context.

This dissertation is a qualitative process trace of three cases using archives, interviews, public opinion surveys, legislative debates, and government documents. It tracks the evolution of government policy in my cases through secondary source (1945-1990) and primary source (1990-present) material and assessed major trends in policy as well as the political process. The areas of interest included: security legislation; immigration and immigrant legislation; and church-state and religious freedom issues. In addition to the index of legislation, the primary sources used included national statistics, government reports and policy documents, speeches and press releases (i.e. parliamentary notes, debates, statements) to understand the process through which policy was adopted, being attentive to the policy setting, actors involved, and issues implicated. In order to assess the salience of a political issue, I utilized public opinion surveys at the elite and societal level (Pew Forum, Gallup, Eurobarometer, World Value Surveys), media coverage, and elite interviews with government officials and Muslim organizational leaders. These sources also served to shed light on how the problem was defined in the policy process and its perceived importance.
PART I:
THE HISTORICAL ROOTS OF THE POLITICIZATION OF RELIGION

While Muslims in Europe are not a recent phenomenon, the start of the contemporary situation is the end of World War II when large numbers of Muslim males migrated to the European continent in search of jobs and, less frequently, permanent settlement for political, economic, or religious reasons. This initial context of immigration and its (often unintended) consequences in the following decades is crucial for understanding the development of Western policies toward their domestic Muslim communities. Established domestic Muslim communities, and new ethnic minorities more generally, were a direct consequence of state immigration policies and resulted in ethnicity (and later, religion) becoming a salient political and social cleavage in Europe (Bleich, 2004; Messina, 1992; Messina, 2007; Modood, 2004; Modood et al., 2005; Schain, 2008). Regardless of the specific national histories, a common trajectory can be ascertained. During the three decades following the end of WWII, Western European governments either actively recruited or benignly facilitated the migration of young foreign males to fuel their post-war booming economies, creating the first wave of immigration to post-WWII Europe. Indeed, it is generally agreed that foreign labor was necessary for the spectacular post-war economic miracle of Western Europe, and, consequently, these workers were viewed as temporary, albeit invited, guests.
As temporary guests, these migrants were not a primary concern of domestic institutions. As a consequence, there were no state policies in place to address accommodating Muslims in the early stages. While European governments had different categories for this development (guest-worker, foreign worker, Commonwealth citizen, etc), the governments did not acknowledge this stream of migration as permanent. As such, governments operated under the “guest worker myth,” believing that these workers would voluntarily return home when economic conditions changed and, because of this temporary existence, would not significantly affect the host society (Messina, 2007). Above all, these workers were considered foreign (and this designation would continue as official policy in several European states up until the 1990s, such as in Germany). Indeed, across the cases, there were no political party debates about problems with this immigration stream, or even the benefits of this phenomenon, during this period (Messina, 2007).²⁸

A combination of domestic factors and international economic conditions around the 1970s spurred the reexamination of immigration policies, resulting in restrictionist immigration measures. Previously, Muslim immigrants effectively enjoyed unrestricted access to Western European states. When, in the early 1970s, Western European economies experienced significant recession due to the oil crisis, European states passed policies to restrict low-skilled labor migration while simultaneously permitting family reunification and asylum. These measures effectively halted primary labor migration but had

---

²⁸ This is a result of several factors. As previously noted, these populations were not viewed as permanent features and thus there was no need to engage in public discussion of their presence as they were expected to return to their countries of origin. Experience with previous immigration sometimes supported this position. For example, France’s previously experience with immigration pointed to the state’s ability to manage this as it had successfully repatriated former immigrants when economic conditions changed before WWII (Viet, 1998). In the case of Great Britain, policy makers depoliticized the subject, in fear of the issue becoming too politically divisive (Messina, 1989).
the unintended consequence of ushering a second wave of immigration. This second wave of immigration was largely a period of family reunification, bringing women and children as well as extended families to Europe. This development, more so than the previous wave of migration, resulted in significant numbers of ethnic minorities.

Permanent settlement brought new racial or ethnic and, importantly for our analysis, religious minorities to relatively homogenous cultures which laid the foundation for the “second tier of ethnic conflict in Western Europe” and, subsequently, brought about profound changes to the European political and societal landscape (Messina, 2007, 2). By allowing for family reunification and political asylum, European states experienced a shift in demographic characteristics among their Muslim populations. Families chose to settle permanently in Western Europe. This change in demographics had a profound impact on how European states interacted with the Muslim community. In particular, the settlement of women and children led to an increased demand on state services and accommodation. As an example, family reunification and liberal asylum policies accounted for significant growth in the Muslim population in Britain; in 1968, the ethnic population was around 1 million but, by 1991, grew to around 3 million. This is a change from the ethnic population comprising about 1% of the population in 1968 to 5.5% of the population in 1991 to 7.1% of the population in 2001, the date of the last government census (Modood, 2005).

Permanent settlement marked an important turning point in state-Muslim relations as it placed pressure for state accommodation and the need to fashion policies for a do-
mestic population. During this time period, race and ethnicity trumped religion as the predominant frame and relevant difference. These frames became important for the development of domestic policies for these populations. In many cases, governments adopted policies that prioritized and channeled racial and/or ethnic identities. These policies were adopted within a context of rising social tensions over the perceived difference of these minority populations. This period, characterized by various ethnic dilemmas, challenged the dominant liberal order and resulted in a questioning of the meaning and concept of citizenship across Western European states (Favell, 1998). It is during this time, we see the rise of anti-immigrant groups who, to varying degrees, successfully utilized societal anxieties over these tensions and, in many circumstances, shaped these tensions to their political and electoral advantage.

A general story of post-WWII immigration and settlement, thus, emerges. Immigration, despite bringing in peoples of visible cultural and racial difference, was not regarded as a salient political issue in the early post-war years as migration was driven by economic need and viewed as beneficial. At this time, the idea of the “nation” and its identity was not threatened by the new population, especially as it was generally subsumed under the frame of class conflict (Favell, 1998) and, more importantly, temporary

---

29 Scholars, including Fetzer and Soper (2005), mark permanent settlement as a watermark for the Western state and Muslim relations. As Muslims increasingly viewed their status in Western democracies as permanent, immigrants became concerned not only with political and economic rights but also cultural and religious needs. As the myth of return was shattered after the closing of borders in the 1970s, there was a clear shift toward institution and community building. It is during this period that Muslims starting building mosques and Muslim schools began to form (Jenkins, 2007; Fetzer and Soper, 2005; Nielsen, 1999; Cesari, 2004). The late 1980s “mark a new phase of the European Muslim experience, as a new generation grew up knowing only the conditions prevailing in Western societies” (Jenkins, 207, 182) and would embrace Islam as an alternative identity.

30 Scholars (Ignazi, 2003; Golder, 2003; Betz, 2004; Givens, 2005) of these xenophobic and racist parties have demonstrated that support is less a function of the number of immigrants and minorities within a particular community or nation but a subjective perception of threat of their permanent settlement.
migration. Indeed, colonial legacies of such nations as Great Britain and France resulted in these immigrants being viewed initially as a part of the nation. Political problems arose due to political and economic factors—in this case, the international oil crisis and economic recession of the 1970s. This combined with larger issues in the now post-industrial societies of the West: the decline of the state, the fragmentation of unified national political culture, and the rise of post-national and regional forces (Favell, 1998, 23). Immigration and the presence of racial and/or ethnic minorities became effective issues, conjuring up societal concerns for social order, and were taken up by right-wing parties as a focus for wider grievances. These issues then spiraled into larger epistemological ones regarding the viability of the nation and its political institutions (Favell, 1998). In the 1990s, Muslims became the target of these societal anxieties, popular targets of extreme right parties, and, increasingly, a target of government problematization and policy.

Before 1989, therefore, the issue of religious difference and the role of faith more generally was hardly a matter of societal concern much less a matter for public policy. As the following chapters describe, this changed in a relatively short period of time—in as little as a decade. In the 1990s, due to a combination of domestic and international events, a parallel process emerged in which Muslims came to bring their religious identity to the forefront and governments increasingly framed the “problem” in religious terms. These international events highlighted concerns of transnational influence, a rise of religious identity and group demands that challenged established church-state relations and conceptions of secularity, a connection of religion with problems of social order and
violence, and questions of loyalty of the new Muslim populations to the nation-state.

Public policy subsequently reflected this change in understanding.
CHAPTER 1:

THE RISE OF THE POLITICS OF RELIGION IN GREAT BRITAIN

Before 1989, the issue of religious difference and the role of faith more generally were hardly matters of societal concern much less matters for public policy. This changed in a relatively short period of time—in as little as a decade. The degree to which religion, more commonly referred to in the rhetoric of Blair’s Labour government as “faith,” became a salient public policy concern is perhaps not surprising given the parallel developments across Europe regarding the questioning of the role of religion in public life—a re-examination of church-state legacies according to some scholars—as well as the concern with the integration of domestic Muslim communities. What is interesting is the breadth and depth of policy change that has occurred within the British government to reflect this “turn to faith”—particularly given the British government’s historical embrace of race (and, later, ethnicity) as the basis of difference and official recognition in its multicultural framework.

This chapter provides an historical survey to demonstrate when and how religion became a matter of public policy concern in British politics with a particular focus on the political processes by which this occurred. Through an analysis of the historical path, this chapter will offer an argument for why religion rose in salience when it did—starting in the 1990s after the Rushdie Affair and accelerating after internal security issues con-
nected to the Muslim community in July 2005—and also provide an explanation regarding why the policies took the form—both restrictive and inclusive—that they did.

The central argument of this chapter is that religion became a matter of public policy concern as a result of two separate, albeit connected, political pathways which prompted the British government to develop different policies that both dealt with faith as “a part of the problem” and faith as “part of the solution.” In the first—and primary—path, politicians responded to specific security events that implicated religion in matters of social control. In this case, religion was constructed as a problem and became an object of public policy. When the security situation resulted in a focus on problems within the Muslim community, particularly those problems associated with an illiberal version of Islam, religion was addressed as a variable to be managed by the government, to be channelled away from negative aspects, particularly in its connection with radicalization, and to be formed into a liberal, secularized British Islam.

The argument that points strictly to the security context to explain political developments, however, is incomplete. What is missing is a second path, commencing in the 1990s, through which faith was viewed as an asset in public policy and points to the importance of examining the administrative realm for additional sources of policy development. This path has been underdeveloped as a source of policy in the current British government measures. Before the security agenda reinforced a connection of Islam with illiberalism and violence, religion was viewed by certain officials in the Blair government as a positive resource for government programs. In this second path, the Blair government sought out partnerships with the faith sector in urban regeneration and community
cohesion as a part of its larger policy commitment to privatization and greater efficiency in government service provision.

With the venue shift to the administrative realm, the Blair government was able to take advantage of key resources to connect with the Muslim community, including a well-developed infrastructure in the form of the Faith and Cohesion Unit, as well as deflect public scrutiny away from the more controversial elements of its developing response to the 7/7 attacks. In this venue, religion was a variable to be used by the government and framed as a pragmatic—and, at times, moral—resource, especially as a medium through which the government could reach target populations.

These two sources of policy provide an explanation regarding why the policies took the form that they did. The Labour government attempted to depoliticize faith, much like the race issue that came before it, by simultaneously seeking to respond to security concerns and illiberal public opinion in restrictive measures, for example in increased powers to deport radical imams, as well as more inclusive measures such as the creation of institutional units (“religious buffers”) that facilitated greater government-faith partnerships. However, within these inclusive measures, particularly those taken after the 7/7 terrorist attacks, the Blair government further politicized the issue of faith in the public sphere by defining the problem in terms of “good” religion versus “bad” religion.

1. The Rise of Race in British Politics

It is important to understand how the British government initially viewed their domestic Muslim populations in order to properly understand how this changed dramati-
cally in the 1990s as a result of both domestic and international factors. By taking a longer view of the history of Muslims in Great Britain—that is, not taking the 1990s and the Rushdie Affair as the starting point—this section demonstrates how race rather than religion was the important concern for successive British governments. Moreover, this section provides evidence that the policy response undertaken in the contemporary period shares important similarities to the policy regime established in the 1960s and 1970s to deal with the “coloured” population. In Great Britain, the Blair Labour government modeled its policy response after its race relations framework. Historical legacies, thus, were important for the British case, however, not primarily the church-state legacies as suggested by Fetzer and Soper and others, but the race relations process.

Immigrants to Britain in the post-World War II period hailed from the Old Commonwealth (Ireland, Canada, Australia, and New Zealand) as well as the New Commonwealth (non-white populations). During the 1940s and into the 1950s, this influx of immigration did not generate strong government or societal reaction as Britain was experiencing a post-war economic boom with an increased need for workers. These immigrants provided valuable man-power and, importantly, their migration patterns did not indicate that permanent settlement would result while the immense economic and societal changes pointed to the positive (economic) benefits of immigration. This influx of foreign workers, mainly from the West Indies, India and Pakistan, represented a large and highly-mobile workforce filling the manual, demanding, and often undesirous jobs upon which

---

31 Migrants from Southeast Asia did not come from the poorest backgrounds but from areas such as Azad Kashmir, the Northwest Frontier, and Punjab (Lewis, 1994, 16). They were often young males in search of higher wages to send home; 95% of the migrants were of rural origin. Lewis (1994) also highlights the additional motive of status competition and also the high Hindu-Muslim tension in India.
Britain’s post-war economic success was initially built. While a large population—it is estimated that 25,000 to 37,000 entered yearly until 1961 (Freeman, 1978)—the demographic characteristics and settlement patterns mitigated against strong societal backlash. The foreign worker population was comprised of young men who settled near the industrial jobs, often living in crowded conditions and interacting relatively infrequently with British society, and not necessitating significant infrastructure costs to the host country such as schools and hospitals. These workers were viewed primarily as temporary labor, and, in Freeman’s (1978) terms, an “industrial reserve army.” During this first stage, political parties and government politicians did not enter into discussion on the ramifications of this decision, especially in regard to the racial and/or cultural differences of incoming population (Messina, 1989), leaving Gary Freeman to note that “the creation of racial minorities in countries largely homogenous in the past has been, in retrospect, a process entered into with remarkably little discussion or hesitation” (Freeman, 1978).

While the immediate post-war period was largely devoid of concerns over immigration and the new minorities entering Britain, this sentiment changed among the general public and within certain factions of the two major parties during the 1950s and 1960s, leading to the first major restriction placed on immigration in 1962. The problem was framed in terms of controlling unacceptable immigration, increasingly defined along racial dimensions. Race was not a significant national electoral issue before 1961 but, due to specific incidents of social unrest, illiberal sentiment within general society grew more vocal and in strength, placing pressure on those in power.

32 Although housing was required but this housing could be cheaply constructed and spatially removed.
During this period, not only did the British government respond to societal pressure to adopt restrictive immigration and citizenship regimes but those in power, particularly within the Labour Party, also pushed for more inclusive measures to bring in the minority populations settled in the nation-state. Immigration restrictions and integration were linked in 1960s and 1970s Britain, leading to a dual strategy of passing increasingly restrictionist measures in the area of immigration and combining these with integration measures.

Beginning in the mid-1950s, problems of social control, including riots between the new populations and whites in London and Nottingham, and an increasing immigrant presence spurred an anti-immigrant backlash and firmly placed “race” on the British political agenda (Bleich, 2003; Messina, 1989; Katzenelson, 1976). Although there was an antipathy towards immigrants in general, racial characteristics of “coloreds” were specific targets of rising illiberal sentiment. Illiberal public opinion, in turn, placed pressure on political elites to pass restrictive policies. The riots in 1958, in particular, had two effects which “fundamentally altered the politics of race” according to Anthony M. Messina: in the first place, the riots brought the profile of New Commonwealth immigrants to the forefront of citizens who were either previously unaware or indifferent to their presence, and, in the second place, the riots helped provide Conservative politicians with the necessary evidence to push for immigration restrictions (1989, 23). In particular, the riots conjured up the American example and her problem with the African American

---

33 This negative sentiment against immigrants was largely along racial lines and the religious views of the newcomers did not have a significant effect. Discussing immigration from the West Indies and South-east Asia in the 1950s and early 1960s, Anthony Lester, a Liberal Democrat MP who was a leading figure in supporting race relations legislation during this period, argues it “met at least as strong a tide of racial feeling in Britain aggravated by colour prejudice, imperial nostalgia and a decline in national self-confidence” (Lester, 2000, 25).
population, leading policy-makers to view the problem as one of social order and violence.34

After the riots, the government responded with its first restrictive measure in the area of immigration policy. The 1962 Commonwealth Immigrants Act severely curtailed primary immigration through the institution of a labour-voucher system, reducing the number of workers entering Britain from over 50,000 to 13,000 by 1965 (Messina, 1989, 27). In order to appease those in the Conservative Party who defended the importance of immigration for the maintenance of the Commonwealth or the economic position of Britain, the act permitted the entry of the dependents of workers.

As there were calls within the government to pass more restrictionist measures, immigration rose in the early 1960s. During this time, the number of immigrants increased from 57,700 in 1960 to 136,400 in 1961 to 94,900 in the first six months of 1962 before the immigration ban was in effect (Bleich, 2003, 40). Indeed while the 1962 ban effectively did stall primary immigration, family reunification and asylum resulted in a permanent stream of immigrant settlement. By 1966, there were approximately one million ethnic minorities in the UK (Bleich, 2003; Messina, 1989). As more immigrants entered Britain, even with restrictionist measures in place, the need for integration measures became more apparent.

---

34 Scholars suggest that the United States example was instrumental in the British context for framing how the problem was defined and to be addressed (Bleich, 2003; Modood, 2005; Modood, 2006; Messina, 1989; Katznelson, 1976). Bleich demonstrates the power of the American analogy for helping to frame how the problem was to be defined and the appropriate solution. By identifying with the American situation, British elites saw the problem as one of race and color. Debates in the British Parliament over how to deal with Britain’s “race” problem coincided with the American civil rights movement in the 1960s and the race riots in American cities at this time. According to Bleich, “Images of American cities in flames were pervasive in Britain, and because so many framed race issues as analogous to those in the United States, the specter of American events haunted discussions of Britain’s future” (2003, 73).
The Labour Party initially took a strong moral stand against immigration restrictions in 1962 as discriminatory, “ushering in a period of partisan conflict over race” (Messina, 1989, 28). An attendant result of this debate over restrictions was to raise public awareness of the race issue (Messina, 1989). During the debate over the Commonwealth Immigration Act of 1962, race was a prominent issue for both the Conservative and Labour parties. Labour members accused the bill of being a “miserable, shameful, shabby bill” which as “a plain anti-color measure” even while, in public, statements called upon the government to do something to preserve British “whiteness” (Bleich, 2003, 45).

However, in less than three years, the Labour party’s principled stance was reversed and the official party policy called for immigration controls. While reversing its initial stance against control measures, the Labour Party espoused integration measures to appease members within the party who expressed displeasure. Immigration restrictions and integration became increasingly linked, leading to a dual strategy of passing increasingly restrictionist measures in the area of immigration and combining these with integration measures. In the 1906s, therefore, British politicians embarked on a two-track strategy with immigration controls designed to exclude racial minorities and a race relations framework that sought to integrate those who resided in the country. This strategy was captured in a well-known statement by Labour MP Roy Hattersley, “Without integration, limitation is inexcusable; without limitation, integration is impossible” (qtd in Bleich, 2003, 47). This strategy had two important effects. First, by pursuing race relations measures at the same time as immigration restrictions, Britain was able to project herself
as a tolerant nation, indeed at the vanguard, as the first European nation pursuing racial and ethnic discrimination. Second, this strategy, by linking immigration and integration, also had the consequence in which social problems were blamed on the cultural differences of minorities.

This reversal came about in part because Labour did not have a internal party consensus on support for immigration. Within the Labour Party, there was a conservative Right faction that opposed immigration on racial grounds, fearing that non-whites could not be absorbed into English society (Messina, 1989, 29-30). This view was not endorsed by a majority within the Labour party but did have popular support in those constituencies which were directly affected by immigration. Labour’s opposition to immigration controls came in despite of this support from the grassroots, in part, because there was a lack of grassroots pressure during this period. Labour’s opposition to restrictions was less vocal after the passage of the 1962 Act.

This about-face on policy by the Labour Party was the result of illiberal public opinion but also as, Messina describes, because a fourth faction emerged in the Labour Party which viewed race as a politically volatile issue that should be avoided (Katznelson, 1976; Messina, 1989). Messina argues that this faction believed the race issue would distract the party from its post-1951 commitment to centrist, non-ideological politics and, therefore, sought to depoliticize the issue. In particular, the Smethwick campaign in 1964, in which a Conservative candidate exploited the issue of race in order to

---

35 Messina argues that this stemmed in part from the “unpopularity of non-white immigration among the public, and specifically within the white working class,” a key demographic (1989, 30). In short, Labour yielded to immigration restrictions for fear of losing working class political support.
gain electoral support, bolstered the opinion within the leadership ranks of the Labour Party that race was politically salient and, importantly, too divisive for the party. This campaign brought the visibility of race issue to the national stage and showed how effective the race issue was used for political advantage.36

In order to remove race as a divisive issue, Messina argues that the political elites in the Labour Party actively sought to remove it from the political agenda. As race was recognized as a potentially destabilizing issue for the Conservative Party as well, the party leaderships decided upon an informal rule of avoiding race-related subjects, leading to what Messina describes as the “depoliticization of race” from 1964-1975 in British politics (1989, 37).

Messina identifies several strategies adopted by the parties to depoliticize race which met with fair success during this period. First, the major parties remained silent on the issues of race and immigration during campaign years and in other public arenas, effectively denying that race was a politically salient issue. Second, the major parties maintained a dual strategy of passing restrictive immigration measures along with race legislation and integration measures more generally, and this was done to send contradictory signals to the electorate. And, third, racial buffers—quasi-governmental bureaucratic bodies—were established to address and investigate race-related problems in order to deflect the responsibility away from those in government and the parties and inhibiting non-

36 While scholars have shown how race was not a significant electoral issue in the 1950s and 1960s, one campaign during this election year brought race to national focus. Peter Griffiths, the Conservative candidate in the Smethwick district, intentionally made racist appeals in order to garner votes. His most provocative action within this campaign was in a national interview in which he stated, “If you want a nigger neighbor, vote Liberal or Labour” (qtd in Bleich, 2003, 48; Messina, 1989). Peter Griffiths won the Parliamentary seat by an overwhelming margin over a Labour candidate who was a proponent of liberal policies. Bleich marks this as the first time Parliamentary election battles “went beyond discussion of immigration flows to purely racial issues” (2003, 48).
white political participation (Messina, 1989, 44). As this chapter details later, when religion arose as a matter of public policy concern, British politicians used the last two tactics to manage the divisive issue.

Let us take a brief look at these last two strategies in order to provide the proper context through which to examine contemporary policies. First, in conjunction with immigration restrictions, British politicians sought more inclusive measures to integrate the new immigrant populations. In 1965, the Labour government introduced and passed the first of three landmark Race Relations acts. Specifically pushed through at Home Secretary Soskice’s insistence of a measure that would deal with integrating “coloured immigrants” (Bleich, 2003, 51), the final bill covered acts of threatening, abusive, or insulting written or spoken expressions with intent to stir up hatred against others on the grounds of color, race, or ethnic or national origins. The act provided that racial discrimination was addressed through administrative procedures and conciliation, particularly using the American example as a guide (Bleich 2003, 52-58). 37 Within three years of the first Race Relations Act, Parliament passed a significant amendment to extend the scope of coverage. 38 The 1968 act made it illegal to refuse housing, employment or public services to people because of their ethnic background. A third race relations act passed in 1976 and significantly enhanced the enforcement measures of the previous legislation.

37 In particular, the Conservative Party backed the final version of the bill in part because criminal provisions were not used as enforcement measures. As Bleich notes, members of the Conservative party looked favorably upon administrative mechanisms because they lacked significant power. Interestingly, liberals looked favorably upon administrative procedures for the opposite reason: they felt administrative mechanisms would prove more effective than criminal sanctions (Bleich, 2003, 57).

38 Although intended to settle the problem of difference within British society due to the influx of a new population now viewed through a color/racial lens, a group of anti-racist groups (including the RRB) and Labour backbenchers began a campaign to extend the scope and mandate of the 1965 Race Relations Act almost immediately after its passage, arguing that the law did not go far enough, especially by the absence of protection in the areas of housing or employment.
Perhaps the most important features of these acts, besides offering a counter-weight to restrictive immigration measures pursued throughout this period, was the creation of racial buffer institutions. These institutions had a profound effect on how the Muslim population was integrated into the British system primarily by channeling the population’s difference in terms of racial and ethnic difference. Through the production of reports on racial problems and discrimination within Britain, the use of funding to support local initiatives, and partnering with specific actors and associations, these institutions brought about the passage of additional race relations legislation, furthering strengthening the power of racial frames.

The 1965 Race Relations Act created several institutions, including the Race Relations Board (RRB), the National Committee for Commonwealth Immigrants (NCCI) and local institutions initially called Community Relations Commissions (CRCs). Bleich argues that these institutions were a “small revolution within the British context” (2003, 60). In particular, the creation of the Race Relations Board (RRB) affected the future development of race relations within Britain as a significant instigating factor in the passage of future race relations legislation. Through the creation of the race institutions, individuals were given privileged positions as racial experts; these individuals, subsequently, utilized their positions within the new race institutions to push for the extension

---

39 While using race relations and domestic institutions to manage and channel racial pluralism within society, the Conservative Party, concerned with avoiding further racial pluralism, continued to utilize immigration controls directed toward "colored" immigration. The management of immigration flows in terms of race and ethnicity would become most blatant in the passage of the Immigration Act of 1971. Only "patrials," defined as those persons having one or more parent or grandparent born in the United Kingdom, were granted unrestricted entry into the country. In effect, the government sought to exclude New Commonwealth citizens (non-whites generally) while remaining open to Old Commonwealth citizens.
of race legislation. Although the institution held little formal power within the political system, bureaucrats used their positions as institutionalized specialists and as resources for information to generate support (Bleich, 2003, 75). Second, the bureaucrats were adept at framing the issue as a social order problem. Consequently, in coordination with CARD, NCCI, and Home Secretary Roy Jenkins, the RRB was responsible for putting the issue of racial discrimination in housing and employment on the agenda as well as giving the institution greater powers for investigating instances of racism in 1968.

The 1976 Race Relations Act followed in the footsteps of previous legislation giving race institutions stronger mandates and wider leverage in deciding which acts of discrimination to privilege. This act also established the Commission for Racial Equality (CRE) to take the place of these institutions in order to create a more centralized system, to enforce the key provisions of the Race Relations Act and, more generally, to promote harmonious race relations (Messina, 1989; Bleich, 2003).

An important outcome of race relations legislation in Great Britain, although not mandated in the 1976 legislation, was the introduction of ethnic monitoring by government authorities. With the introduction of ethnic monitoring, labels and classifications took center stage. People had to be (self) classified and counted. As Modood notes, “Ar-

40 First, the individuals sought to demonstrate how weak their institutional powers were in face of the larger problem of racial discrimination. Under the 1965 act, the RRB could only investigate instances of racism when a complaint was filed. The mandate was further restricted to particular categories of discrimination.

41 One particularly persuasive report by the Political and Economic Planning (PEP) commission highlighted how the RRB could not deal with over 70% of complaints because of its limited mandate (Bleich, 2003, 75).

42 By the 1990s, many government bureaucracies were collecting ethnic data, and, in 1991, this was further extended with the first ethnic question on the British census. In the next census in 2001, the first religion question would be introduced, reflecting the change in how populations were categorized by the government.
Arguments about which labels are authentic have become a common feature of certain political discourses” as a result of group labels (2006, 39). He further argues:

To many Muslim activists the misplacing of Muslims into race categories and the belatedness with which the severe disadvantages of the Pakistanis and Bangladeshis has come to be recognized by policy makers means, at best, that race relations are an inappropriate niche for Muslims (UKACIA, 1993) and, at worse, a conspiracy to prevent the emergence of a specifically Muslim sociopolitical formation (Muslim Parliament of Great Britain, 1992) (2006, 39).

Lewis’ ethnographic study of Muslims in Bradford demonstrated the important channeling effects the race legislation and race institutions have had on British Muslims. He highlighted how they work with multiple identities, some of which are imposed by working with central and local government funding bodies. For example, when Muslims worked with the local educational and race relations bureaucracies, they often negotiated on a “shared ‘black’ identity, a national identity—Pakistani/Bangladeshi—or multiculturalism” but not Muslims (Lewis, 1994, 25). In working with the local CRC, Muslims organized as an “ethnic minority,” utilizing the label imposed by the British system.43 The community also worked with the local educational authorities (LEA) under the banner of multiculturalism to protect their community identity.44 This focus on multiculturalism came from the central government which provided generous grants through the Home Office in the 1980s to enable local communities to meet the special needs of ethnic minority children. Muslims addressed their concerns over halal food provision, single-sex

43 Such associations that formed included the Guar Khan burial society, day centres for the elderly, Urdu cultural groups, and regional self-help groups such as Attock Cultural Association, Bangladesh Perished, the East Africa Muslims Society, and the Pukhtoon Cultural Society. In addition, appointed community development workers for the “ethnic minorities” used central funds from the Urban Programme to support several youth and community centers in the late 1970s and 1980s (Lewis, 1994, 67-68).

44 For example, the Bradford city government, working within a race relations paradigm, had established a 12-point race relations initiative in 1981 that pledged communities “an equal right to maintain its own identity culture, language, religion and customs” (qtd in Lewis, 1994, 70).
recreational classes, and religious instruction under the multicultural provisions, seeking cultural protection without having these needs labeled “religious.” These multicultural policies developed in order to give ethnic minorities a stake in the system to protect its stability and emphasized a different meaning of equality from possessing the same rights to possessing different rights appropriate to different communities. After race riots broke out in 2001, these multicultural policies, emphasizing how different people should have the right to express their identities and promote their own cultures, were criticized for creating a fragmented nation.

This evolution of race legislation demonstrates how the government, in creating institutions with specific preferences, privileged race as the problem. This further entrenched how immigrants and minority citizens could protest their conditions. While in a generally supportive environment due to the government’s commitment to multiculturalism, the Muslim community was, nevertheless, required to organize as an ethnic community. The community was labeled “Asian” in official reports and documents. Religious needs were considered cultural needs of the Asian community and met, in varying degrees, through this frame. While it is certainly the case that the British state, as Fetzer and Soper (2005) persuasively argue, has been remarkably accommodating to Muslims needs, a commitment to multiculturalism in support of cultural distinctiveness rather than a specific institutional church-state relationship explains this level of accommodation before the 1990s.
1.1 Effect of Race Legislation and Racial Institutions

Rather than diffusing the predominance of race and racism within British society, racial frames became predominant during the 1960s and 1970s. Anthony Lester claims that one of the aims of the immigration measures taken during this time period was to “take race out of politics” and, as he contends, this aim failed and had the opposite effect by conceding to a racist campaign and “giving respectability to the proposition that skin colour was of essence and that ethnic minorities were to be admitted on sufferance” (Lester, 2000, 26). The restrictive measures actually served to entrench further race as an important identity for both the general population as well as the immigrant population. This unintended consequence parallels how the “Muslim” identity has become further entrenched in the contemporary era. Subsequently, it is important to understand some of the dynamics which underpinned this process.

Race had effectively been removed from party politics; however, the strategy was less successful in terms of diffusing race as a salient issue on the public agenda. By the mid-1970s, the political consensus to depoliticize race had collapsed.45 Race was the salient political issue up through the 1980s in Great Britain. As an example, parliamentary language during this period utilized race frames to discuss the problem. In 1969, the favored term was “colored” with “non-European” and “non-white” considered patronizing and “black” being an offensive and inaccurate” term (Modood, 2005, 47). By the mid-

---

45 At this time, the Conservative Party adopted an increasingly anti-immigrant and illiberal attitude toward race politics while the Labour Party held strongly to its position to fight racial discrimination (Messina, 1989, 108-109). Messina points to the Conservative Party assault on the CRE as important evidence supporting the breakdown of the racial consensus and this was followed by the Labour Party’s opposition to the post-1979 Conservative government’s discriminatory immigration policies (1989, 133).
1970s, the more explicit color terms were used to define the populations.46 These terms were popular into the 1980s.47

This frame of reference has had important implications in the following decades. As Tariq Modood notes in his research, the racist frames that have been used in Britain have marginalized the experience of Asians and/or Muslims through the privileging of racial frames, and specifically, the black-white distinction, as well as ignoring other cultural characteristics that could be the basis for discrimination, for example religion. The combination of the British law only recognizing racial discrimination and racial frames as legitimate as well as the societal struggle against racism that embraced a black identity to the exclusion of others, led to a situation in which the British Muslim population was only recognized through indirect racial discrimination.48

46 For example, the White Paper introducing the 1976 Race Relations legislation speaks of “black and brown.”

47 The Commission for Racial Equality, the government’s prominent institution in race matters, informed Parliament in 1982 that despite the fact that the majority of Asians would not self-classify themselves as “black”, this is the “conventional way now of regarding all those who suffer from the particular disadvantage related to colour” (qtd in Modood, 2005, 47).

48 The 1980s ushered in a change in racial frames in Britain, no longer focusing exclusively on color, largely through the influence of the court system. The decision in 1983 to extend legal protection against discrimination under the race legislation to Sikhs marked an important turning point in Great Britain as race equality was no longer viewed in terms of color discrimination but widened to ethnic discrimination. While Sikhs and Jews were granted legal recognition as a “race” in British legislation, Muslims were not considered a racial or ethnic group by the courts. In Nyazi v. Rymans Ltd (1988), concerning whether an employer could refuse an employee time off to celebrate Eid al-Fitr, an important Muslim holy day, the court specifically stated that Muslims do not constitute a distinct ethnic group under the 1976 Race Relations Legislation as they have diverse regional and linguistic origins. The only protection afforded to Muslims was on the basis of their ethnic identity. This decision was upheld in 1991 when a court ruled in Commission for Racial Equality v. Precision Engineering Ltd. that an employer who openly refused to employ Muslims because they could be extremists was guilty only of indirect discrimination against Asians. Thus, a Muslim could claim discrimination as a Pakistani or Bangladeshi but not as a Muslim, even if the discrimination was directed toward religious beliefs or practices.
2. The Politicization of Religion

The strategies adopted by the Conservative and Labour parties in the 1960s-1970s to depoliticize race—that ultimately served, according to Messina (1989), to politicize race in the public sphere—were pursued generally during the 1990s and 2000s with respect to religion. In the 1960s and 1970s, race relations legislation was largely passed in conjunction with restrictive immigration measures, linking the subject of race relations to non-white immigration control (Messina, 1989, 42-44). In the late 1990s and 2000s, as religion, inextricably connected to issues of illiberalism and transnationalism through international and internationalized domestic events, rose to the forefront of societal and governmental concern, raising both societal and political pressures—both from the right and from an increasingly divided left—the Labour party was prompted to pursue initiatives to address problems in the Muslim community. The government faced contradictory pressures to both target the Muslim community with restrictive measures to ensure a robust state response to terrorism and to integrate the Muslim community through more inclusive measures. Consequently, as in the 1960s, the government responded by sending contradictory signals—pursuing both restrictive and inclusive measures in tandem. The Blair government enacted legislation against religious discrimination and incitement, created bureaucratic institutions addressing faith, and commissioned greater research of and funding for faith by local and national government in conjunction with more restrictive measures in the security and immigration policy domains.

It is at this time that religion became politicized—that is to say, religious issues (broadly speaking) became a part of public discourse, became issues in political party
competition more generally and the subject of proposed legislation about which there was political conflict (Schain, 2008). This did not happen as a natural result of events—although these were important by raising the issue of religious difference as a problem for British society—but were affected significantly by the political process. In particular, the Labour government, in its espousal of restrictive security measures, provided legitimacy to arguments that religion was a problem that needed to be controlled, if not eradicated. Even in the inclusive measures, the government focused a spotlight on religion as a subject of policy concern. The remainder of this chapter traces how religion was politicized within the British context, both as a problem and an asset for government policy.

3. Religion as a Problem in the Political Realm

The emergence of religion as a political variable after 1989 is primarily a result of the British government’s response to security events, both domestic and international, which rendered religion an object of public policy concern. These events were played out in the spotlight of media, public, and political concern, through which religion was constructed as something that needed to be controlled, channeled, and co-opted. The connection of religion to security events started with the Rushdie Affair in 1989. Muslims were constructed as “threats” to national identity, especially as they became connected to wider events in the international system, such as the rise of political Islam, ushering in the frame of the “enemy within.” These concerns with loyalty dovetailed into questions of the compatibility of Islamic and British values.
3.1. The Rushdie Affair

The Rushdie Affair was an important turning point in British politics. On September 26, 1988, *The Satanic Verses*, a novel written about the diaspora experience in a postmodern satirical style, was published in Great Britain by Penguin Press. Muslims, both within Great Britain and worldwide, protested the publication of the book, charging the author with blasphemy and eventually sending him into hiding for fear of his life. The construction of religion as a problem specific to the Muslim community originated in the Rushdie Affair. The Rushdie Affair created a rallying point for Western Muslims, marking for the first time a unified and strong response based on religious rather than ethnic, national, and linguistic cleavages.\(^9\) Most scholars and commentators refer to the Rushdie Affair as the point when Muslims became a visible political and social force within Western Europe, and initiating a new level of activism.

At first, British Muslim organizations sought action within the British system, first to cease the publication of the book then to extend British blasphemy protection to the Islamic religion. Thus, one of the first results of the Rushdie Affair was the creation of Muslim organizations oriented toward the government across the West. The turning point came when protests became violent in the form of rioting, death threats to the author Salman Rushdie and bookstores, as well as book burning. These events had the result of focusing the public’s attention. On December 2, 1988, British Muslim organiza-

---

\(^9\) That being said, Slaughter (1993) notes that the particular outcry over the Rushdie novel was among the Pakistani community. Most of the rioting and physical violence surrounding publication of the Satanic Verses occurred either on the Subcontinent (India and Pakistan) or in Britain among primarily Pakistani immigrants. Most of the protesters belonged to the Barelwi sect of Islam, a syncretic version of Islam that combines Sufism and folk religions with the veneration of the Prophet and other holy figures. The Prophet is a particularly revered figure, and worship surrounding the Prophet is highly emotional. Prophet is example of ideal ethical Islamic life. Thus, when the Prophet is attacked, so is the Islamic ummah (community).
tions held the first book burning in Bolton, a northern industrial town. The second book burning, on January 14, 1989 in Bradford caused a larger impact in Britain. Media coverage of the event was extensive and the event developed into a major news topic. The symbolism of the auto-de-fe, with pictures of the Satanic Verses on a stake and set on fire, conjured up Nazi book burning campaign in the 1930s, connecting in the public’s mind Islam with a virulent form of illiberalism.

The initial book burnings and protests in the northern industrial towns was one of the first times the community came together as one visible community. For the first time, one heard references within the media and government to “Muslim” activism, rather than the color and ethnic discourse of previous decades. As many of the race relations organizations did not support the Muslim community on this issue—and tried to distance themselves further after violence was associated with the campaign—the Muslim organizations gained a greater degree of autonomy and distinctiveness, creating a chasm that was not repaired after the affair. Then, in February, violence broke out in Pakistan and India followed closely upon by Ayatollah Khomeini’s fatwa calling for the death of Rushdie. The Ayatollah’s death fatwa marked a further turning point in the Rushdie Affair and for Western Muslim communities imposing an international dimension to the issue.  

The Rushdie Affair also had a significant effect on the perception of Islam within Western Europe among the public and Western governments. For Western societies, Muslims emerged as a more distinct social group, a visible minority, during the Rushdie

---

50 The Satanic Verses affair was particularly challenging for Western Muslims, facing the challenge of the imposed international dimension of the issue, principally brought about by the Iranian fatwa, and the ambivalent and perceived hostile reactions of their host governments in Western Europe to what they considered a real insult.
affair and the perception of Muslim as the “Other” gained considerable ground. Philip Lewis suggested that with the Rushdie Affair, the British Muslim community suddenly became a visible focal point for politicians and British society with respect to controversies such as the headscarf controversy in France to broader connections with violence and political Islam in the Muslim world. He argued that following the Rushdie Affair:

> Caricatures and misconceptions began to spread and, with political Islam on the march in many Middle Eastern countries, fears of British Muslims becoming a bridgehead in the West for the establishment of an Islamic theocracy began to loom in the popular imagination (1994).

The Rushdie Affair was quickly eclipsed by other international events connected to the Muslim world. Events in the 1990s, such as the first Gulf War, Bosnia, Chechnya, and the Second Intifada raised questions regarding the identity and loyalty of British Muslims.

And, finally, Western governments emerged as important actors in this saga. Events emanating from the Rushdie Affair, such as the rioting both on the subcontinent and within Great Britain, marked a first illustration for Western governments of the need to integrate their Muslim populations. It took security events at the turn of the century to solidify this first lesson. More importantly for our analysis, religion emerged in the 1990s as a public policy problem to be addressed. During this period, preliminary debates over the nature of religion and its role in public life—for example, in the debate over the extension of blasphemy protection in Great Britain and the issue of Islamic fundamentalism—gained traction in government circles. Indeed, in analyzing the Rushdie Affair, Piscatori contended the event had wider implications for thinking about Islam’s place in international affairs:
the Rushdie affair challenges assumptions about how to think of Islam’s place in the international order—whether or not Islam is inherently anti-Western; what is the nature of an ‘Islamic issue’; whether or not it is an ‘international phenomenon’; and what is the ‘desecularizing’ of international relations (1990, 769).

The questioning of the nature of religion in the Western liberal tradition re-emerged during this period, particularly its compatibility with liberal freedoms. The book burning and death threats, Piscatori noted, triggered in the West “an automatic defence of liberty and free speech, and perhaps tapped into the deep springs of animosity and fear of the Other” (1990, 779). The 7/7 bombings served to deepen the connection of Muslims (and Islam) with violence, as the Rushdie Affair was referred to repeatedly during debates over how to deal with the Muslim community and religion in terms of security.

3.2. 2001 Riots, 9/11, 7/7 and the Challenge to British Multiculturalism

A decade later, a series of events were catalysts for pushing faith to the center as an object of public policy concern. At this time, problems of social control—including race riots reminiscent of the 1950 London and Nottingham conflagrations and the terrorist attacks on 9/11—prompted a backlash against the revered multiculturalism model—the foundation upon which Britain prided herself as a tolerant nation. Just as the riots of mid-century placed “race” on the policy agenda, these events placed “faith” at the center of public policy debates and had two important consequences. First, they raised the issue of faith, particularly the different faiths of minority communities, to the level of importance among the general public, stoking societal anxieties. Second, the events provided politicians with mounting evidence—indisputable after the 7/7 bombings—of an
integration problem with the Muslim communities. While the political Right had carried the mantle of criticizing multiculturalism for decades, the Left increasingly joined the chorus for change. The identification and politicization of religion as the marker of difference—particularly in the debates concerning multiculturalism and community cohesion—resulted in a division among the political Left. Many progressive public intellectuals and liberal politicians found that their anti-racist ideals and concern for immigrant communities stopped at the doorstep of supporting religion, particularly the Islamic religion. Prevalent among a faction of the Left was the idea that religious people were not worthy of protection and that religion itself was a pre-modern superstition that must constantly be checked in British society.

This division among the Left provided a facilitative environment for restrictive measures. Indeed, it was a Left government which passed more restrictive immigration and asylum procedures (issues increasingly politicized in a post-terrorism Britain), curtailed the civil rights of suspected terrorists by increasing the government’s powers to detain without charge, and widened powers of action against religion—including banning radical parties and widening powers to deport “preachers of hate.”

Much like the race riots in the 1950s, a series of riots between the Pakistani and white youths which erupted in the summer of 2001 in the old northern industrial towns of Oldham, Burnley, and Bradford represented a pivotal moment which spurred a large national debate over cultural difference—increasingly focused on the British Muslim community and the problems of “faith.” The violence first erupted in the northern town of Oldham in late May 2001 after a period of tensions between the white community and
The riots lasted for several days and, at the height, implicated more than 500 Pakistani youth involved in such activities as throwing petrol bombs, bottles, and other items against riot police (“The Ritchie Report,” 2001). This disturbance then spiraled into a series of riots in other towns, exploited, in part, by the actions of the extreme right’s British National Party.

As the race riots in the late 1950s sparked immigration controls and race relations legislation, the riots in 2001 also triggered government action. Due to increased societal anxiety over relations between different communities and the Labour government’s own concern to reduce violence and inter-community tensions, a governmental taskforce was set up to look into the causes of the disturbances and offer policy solutions. This government initiative resulted in a national debate over the purported failings of the British multicultural model and need for a meaningful articulation of British citizenship. This debate implicated many policy domains, including immigration and asylum. There was also an increased focus on the domestic Muslim community and its lack of integration. A significant portion of the British public increasingly viewed the rise in religious identification among Muslims as a negative development, particularly in its connection to national cohesion and violence within societies.

After the riots, the Home Secretary, David Blunkett, set up a commission to look into the origins of the disturbances and to offer recommendations to build community cohesion. The final report of the commission, the Cantle Report, served as the corner-

---

51 Four reports, the most significant of which was the Cantle Report, were released by the Home Office looking into the causes of the race riots and offering recommendations. These reports were “Community cohesion, report of the Independent Review Team, 2001” (Cantle Report), “One Oldham, one future” (Ritchie Report), “Burnley speaks, who listens? Report of the Burnley Task Force” (The Clarke Report), and “Community pride not prejudice—making diversity work in Bradford” (“The Ouseley Report”).
stone to the government’s new policy of promoting “community cohesion,” creating a new approach to the British race relations regime, a broadening of the framework beyond an exclusive focus on race and ethnicity to include faith as an object of public policy concern. Named after the commission’s chair, former chief executive of Nottingham City Council, Ted Cantle, the report provided a national overview of community relations in Great Britain. The report’s main findings produced a picture of polarization around segregated communities living “a series of parallel lives” by ethnicity and faith that were destructive to community cohesion. The picture that was painted was one in which different ethnic and cultural communities were separate in all aspects of life—residential, social, educational, employment and faith—and raised questions about the manner in which these communities were failing to integrate into British society. In the report, differences in culture—language, religion, dress—were seen as potential hindrances to social cohesion, particularly if traditions and values from the home country conflicted with mainstream British values.

After the release of the report, a large national debate ensued, sparking intense questioning of the British multicultural model, having the effect of moving the British government “beyond multiculturalism” (Joppke, 2004). Critics of British multiculturalism pointed to the Cantle report’s findings to argue that government policies reinforced ethnic divisions and rendered a sense of national identity elusive. The English were called upon to celebrate their roots while minority communities were called to task for

---

52 While the physical separation of housing and inner cities was expected by the report’s authors, they, nevertheless, expressed surprise by the “degree” of “separate educational arrangements, community and voluntary bodies, employment, places of worship, language, social and cultural networks, means that many communities operate on the basis of a series of parallel lives” (Cantle, 2001).
not integrating enough. Particular criticism was leveled against local and national government for a lack of leadership, and the Cantle report called upon the government to facilitate an “open and honest debate” about multiculturalism in Britain with the aim of developing a meaningful concept of citizenship and identifying “common elements of nationhood.”

In December 2001, Home Secretary David Blunkett embraced the Cantle Report’s recommendation for a national debate on the rights and responsibilities of being a British citizen, stating that “If we are going to have social cohesion we have got to develop a sense of identity and a sense of belonging” (BBC, 2001a). However, this was circumscribed from the start by the debate which unfolded through the national media—on both the right and the left—which repeatedly focused on the “difference” of ethnic minorities as the key problem and, ultimately, had the effect of entrenching the “Muslim” identity within the public and political realm. For example, days before the release of the Cantle Report, Blunkett in an interview with BBC Radio 4 called upon ethnic minorities to address their own enclavisation by taking steps to “belong to the UK” and adopting “norms of acceptability” such as learning English. In the interview, he stated, “We have norms of acceptability and those who come into our home - for that is what it is - should accept those norms just as we would have to do if we went elsewhere” (BBC, 2001b). During this interview, he also warned that the British government would not tolerate unacceptable practices, alluding to enforced marriages. His controversial remarks—accused by some community and political leaders as giving added support to extreme right and racist
groups—indicated a new position by the Labour government to rethink the multicultural establishment.

The issue of shared values and a sense of belonging became particularly important leitmotifs in the ensuing debate. Consequently, as in the 1960s, the government was called upon to preserve “Britishness.” Now “Britishness” was not defined in terms of color (no longer “whiteness”); however, during the contemporary debate, the notion of what “Britishness” actually meant was difficult to articulate beyond what it was not.

After the 2001 riots, those who criticized multiculturalism gained a new ally: the pluralistic centre-left, those “who had previously rejected polarising models of race and class and were sympathetic to the ‘rainbow’, coalitional politics of identity and the realignment and redefinition of progressive forces that it implied” (Modood, 2007). Trevor Phillips, the chair of the Commission for Racial Equality, re-sparked the debate in early 2004 with highly controversial comments concerning multiculturalism. He was reacting to an article penned by liberal thinker David Goodhart. In the May 2004 edition of Prospect Magazine, the editor and well-respected liberal thinker, David Goodhart, attacked the “cultural diversity” of Britain from a left-leaning prospective that too much diversity threatened the welfare state (Goodhart, 2004). In the article, Goodhart argued that the migration of increasing numbers of people from non-European cultures, especially Muslim cultures, threatened the welfare state pact in Great Britain. The threat comes, he contended, from the perception among the British majority that these immigrants and new citizens do not make an effort to integrate—quite the contrary, they make concerted efforts to remain distinct and ghettoized within their own communities, bring down the
wage level, and “free ride” on the generous benefits of the British welfare state. This perception and the resulting grievances, Goodhart suggested, mean that public confidence in the welfare state has decreased and this is fatal to the welfare state’s survival. Goodhart’s article was positioned widely as an attack on the presence of minorities, especially Muslim minorities, in Great Britain. Trevor Phillips responded to this argument by arguing it wasn’t cultural diversity that was the problem but multicultural policies.

During this period, Trevor Phillips became one of the foremost critics of multiculturalism. In a *Times* interview in April 2004, Phillips denounced multiculturalism, arguing it was time for Britain to move on from divisive 80s-style “multiculturalist” policies that were out-of-touch with contemporary Britain (Baldwin, 2004). In particular, Phillips suggested that government multicultural policies actually served to legitimize “separateness” between communities, segregating them along ethnic lines and preventing second-generation minorities from fully integrating into society. The government, he contended, should focus on “[asserting] a core of Britishness.” In another opinion piece in *The Guardian* several months later, Phillips continued his attack on multiculturalism, further elaborating on his idea of integration that moved beyond a recognition of difference, particularly attacking the feel-good multicultural policies which sought to “celebrate” difference in ethnic festivals but did nothing to address the real issues of minority integration:

Integration only works if it both recognises newcomers’ differences and extends complete equality. Celebrating diversity, but ignoring inequality, inevitably leads to the nightmare of entrenched segregation...And yes, newcomers do have to change. The language barrier is a real obstacle to work, friendship and democratic participation. Many Bangladeshi-born women in Britain are economically inactive and thus largely excluded from society. But we have to do more than teach people English. Too many institutions have seized one half of the integration
equation - recognition of difference - while ignoring the other half: equality (Philips, 2004).

He further warned that “Multiculturalism is in danger of becoming a sleight of hand in which ethnic minorities are distracted by tokens of recognition, while being excluded from the real business” (Phillips, 2004). But as is illustrated in this comment—and in the former comments by Home Office Minister David Blunkett—the Muslim community was attacked for not conforming to British “norms of acceptability.”

Based on the place both David Goodhart and the magazine *Prospect* as well as Phillips’ own pedigree as Chairman of the Commission for Racial Equality and as a former black activist in the 1970-1980s, criticism of multiculturalism became acceptable among the mainstream. Considerable space was devoted to the multiculturalism issue not just in right-wing news publications but left ones as well, including in *Prospect, The Observer, The Guardian*, the CRE, and Channel 4. These institutions also held forums and special publications such as: “Is Multiculturalism Dead?”, “Is Multiculturalism Over?”, and “Beyond Multiculturalism.” During this period, it was common to hear that cultural separatism and self-segregation of minorities, particularly Muslims, represented a challenge to Britishness and that government multiculturalist policies facilitated fragmentation rather than integration.

After the 7/7 bombings—and the revelation that the four bombers were British-born and educated—politicians, journalists, public intellectuals, and ordinary citizens once again questioned British multicultural policies (Pfaff, 2005; Phillips, 2005; Wolf, 2005; Abbas, 2007). Two months after the bombings, Trevor Phillips, in a speech before the Commission for Racial Equality, once again raised the temperature of the debate by
arguing that Britain was “sleep-walking” its way towards segregation of the magnitude found in the United States. These comments set off not only a public but an academic debate concerning whether Britain was becoming more or less segregated and the precise nature of this segregation.53

Opponents of multiculturalism attempted to use the post-9/11, post-7/7 climate to dismantle many of the policies undertaken over the last decades. For example, in the wake of bomb attacks on London in 2005, the shadow home secretary called on the government to scrap its “outdated” policy of multiculturalism. In its most basic presentation, critics argued that multiculturalism, by labeling and categorizing people by their ethnicity, elevated difference and, thus, separateness. Rather, it was argued, people should be encouraged to see themselves as common citizens. However, critics of this line of reasoning such as Tariq Modood charged that opposition to multiculturalism resulted in shifting the debate from confronting racism and racial inequality to blaming ethnic minority communities for their lot in life (Jasper, 2005; Modood, 2007).

Those who supported multicultural policies were particularly concerned that the debate was fueling support for the far right. In September 2006, Ken Livingstone, the city of London’s mayor from 2000-2008 and a key champion of multiculturalism, accused Phillip of “pandering to the right.” The right-wing press particularly utilized the increased concern over social order and diversity to criticize multiculturalism. During this time, the far right, most notably the British National Party (BNP), sought to capital-

53 In his speech, Phillips cites a study conducted by the Royal Geographical Society that was published in August 2005. This study provided evidence that ethnic enclaves were growing in British cities, with groups isolated by ethnicity and the widest separation occurring between Pakistanis and Bangladeshis (Casciani, 2005).
ize on and exploit the tensions over multiculturalism and the fears generated by 9/11 and 7/7. As discrimination against religion was not illegal until the passage of the Racial and Religious Hatred Act in 2006, the BNP increasingly focused on religion rather than race in its materials and speeches—further contributing to the politicization of religion at this time. For example, Allen (2005) describes a series of measures by the BNP following 9/11 that targeted Islam and the British Muslim population. After the 2001 attacks, the BNP started a leaflet campaign entitled, “Islam Out of Britain” which sought to explain the threat that Islam and Muslims posed to British society. Another campaign was entitled, “The Truth about I.S.L.A.M.”—an acronym which stood for Intolerance, Looting, Arson and Molestation of women—and selectively quoted the Quran to disparage South Asian Muslims. After 7/7, the BNP issued thousands of anti-Muslim leaflets with a graphic illustration of the Number 30 bus bombing in Russell Square. The BNP also joined the debate targeting multiculturalism to reach a broader audience. However, as will be addressed in the next chapter, the BNP—while contributing to a xenophobic, nativist tenor to the multiculturalism debate—was far less influential in both garnering political support as well as affecting the political process than the Front National was in France.

As religion became one of the central features of the debate, the divisions among the Left were also evident within the political arena as well. The government’s policy response increasingly required the government to enlist faith communities and this neces-

54 Allen, arguing that the BNP “acted with sophistication and clarity of the knowledge of the current legislative framework” (2005, 58), also provides evidence of political gains made by the far right during this time period. The BNP had a degree of success in local councillor elections, particularly in northern towns heavily populated by South Asian Muslims, gaining an unprecedented 18 elected councillor seats (8 of which were in Burnley).
sitated concrete actions by the government to show it valued the role of faith in society. At this time, the government introduced a series of legislative measures to ban religious incitement and discrimination. However, opposition to these measures was mounted not only from Conservatives and Liberal Democrats but also by members within the Labour party, evident in the multiple defeats the government encountered in the House of Lords as well as the Commons. For example, a measure to ban religious incitement was first introduced in the broader security measure in the Anti-Terrorism, Crime and Security Act (ATCSA) in the aftermath of the 9/11 attacks.55 The measure was defeated in the House of Lords twice, forcing the Labour Home Secretary to strike the clause from the final bill. Many of the arguments put forth in this first debate, particularly a concern over free speech, resurfaced and were amplified in subsequent debates. Over the course of the next five years, the measure was introduced five times in various forms. During this time, Labour peers joined an alliance with the government opposition to defeat the measure, largely centered over a concern for free speech and defense of liberal values.56

This issue of reconciling the protection of religion and liberal values was addressed in every debate before Parliament, reflecting increased political tension over what were viewed as competing policy goals: the protection of the British-revered tradition of liberalism versus the protection of religion in the name of security and integration. The

---

55 Under clause 38 of the proposed bill, the government sought to extend the Public Order Act of 1986 to not only include the incitement to racial hatred but also the incitement to religious hatred.

56 For example, in October 2005, the Labour government’s proposed bill was soundly defeated in the House of Lords in which Peers voted by a majority of 149 across party-lines to add freedom of speech safeguards to the bill. Then, in February 2006, shortly before the government secured its goal, the House of Commons voted against a revised version of the bill. This was only the second time the Prime Minister Blair and his government suffered a defeat in the House of Commons—the first loss came over the detention without trial of terror suspects—by a vote of 282 for the proposed bill and 283 against, including 26 Labour members.
most common and forceful critique concerned the issue of free speech.57 What is more, several opponents criticized proposed measures on grounds that, in protecting religion, the government would tie its hands in protecting an illiberal force. Several particular points were brought forth repeatedly with respect to the Muslim community and the illiberal nature of religion. The Rushdie Affair—evoked in debates over the issue of religious incitement as well as whether to repeal (or extend) British blasphemy protection—was a key reference point for illustrating how arguments in support of protecting religion could have a chilling effect on freedom of speech. The Rushdie Affair was the prototypical example of the divisive nature of religion in the public square.58 Beyond the Rushdie Affair, critics pointed to the illiberal nature of Islam with regard to women and homosexual rights, two particular concerns for the political Left and reflecting a common concern among those on the Left across Europe over the issue of gender equality.

57 Especially in earlier attempts, the government was criticized for not maintaining a strict distinction between believer (viewed as a subject to protection) and belief (viewed as not subject to protection). In a particularly challenging debate for the government on January 31, 2006, the issue of distinguishing between religion as a belief that could be criticized similar to a political belief was debated. In criticizing the Government bill, the Conservative MP Dominic Grieve—a particularly forceful opponent of the government’s initiative—focused on the difference between race and religion, arguing they needed to be handled differently in legislation: “Race is immutable in its characteristics. Religion, however, is a matter of belief in exactly the same way as politics and political views. The attempt to run the two together is the main reason why the Government got themselves into such a mess.” (HC, January 31, 2006, c. 205). And, the argument went, people have the right to criticize beliefs. Those who opposed the measure—particularly Conservatives—were concerned that in protecting religion, the government risked eroding the right to free speech, a fundamental foundation of British society, saying, in effect, certain speech was not to be criticized because of its content.

58 Throughout the debates on the Racial and Religious Hatred Bill, Lords brought up the Rushdie Affair and the connection to the Muslim community’s call to extend blasphemy protection. Arguments against the legislation centered on how the Muslim community viewed the bill as extending blasphemy protection and how the Rushdie Affair portended how the Muslim community would use such a legislative shield for illiberal causes. For example, in a debate over the revised version of the Racial and Religious Hatred Bill in November 2005, Lord Plant noted that while “The Government have argued that it is not an extension of the blasphemy laws but there is little doubt that some Muslim leaders have though that that is what they are going to get” (HL, November 8, 2005, c. 529). The specter of book burning and violent calls for an author’s life were evoked. During this same debate, Baroness D'Souza sought to “remind your Lordships of the time in the early 1990s during the height of the Rushdie affair when Muslims thought it right and proper to burn copies of his novel The Satanic Verses and effigies of Salman Rushdie himself” (HL, November 8, 2005, c. 549).
These debates in Parliament, mirroring the debates over this period questioning the multicultural establishment, had the effect of pushing religion to the forefront of the debates in a similar way that race was made more salient in the 1960s and 1970s. The arguments put forth in the public and political arenas gave respectability to a world-view that the faith affiliation of a particular group was the most important characteristic, serving to further entrench the processes of identification underway at this time among Muslims who increasingly identified with their “Muslim” identity. Moreover, it is particularly important that the debates concerning the protection of religion were connected in the public debate to the British tradition of liberalism, particularly in the form of free speech. Through this construction, the very core of what it means to be “British” was challenged. As such, little room was left for political compromise and maneuvering by politicians who held less extreme positions.

3.3. The Community Cohesion Agenda

The problem of race relations in Britain was laid at the doorstep of “difference” in British ethnic communities. Consequently, the government adopted a “community cohesion” framework, a concept first introduced in the Cantle report in 2001. Used by the report and in future government initiatives, community cohesion referred to togetherness and bonding by community members, the “glue” that holds a community together, focusing on the interaction and commonalities of communities (Cantle, 2001). According to the report, “The desired outcome of social cohesion objectives is the avoidance of social and economic exclusion of faith communities from the wider British society” (2001, 40). Thus, the multicultural policies of the previous decades which encouraged separate cul-
tural development and celebrated difference as a right were to be overturned in a new concern for common values and cohesion.

One of the first areas the government responded was in immigration and citizenship policy. Along with a renewed focus on citizenship, including strengthening citizenship ceremonies, several reports warned that the government needed to do more to integrate immigrants (Cantle, 2001; Commission on Integration and Cohesion, 2007). For example, the Cantle Report suggested that immigrants take an oath of allegiance to the nation. This was taken up by the Home Office in its White Paper of 2002, Secure Borders, Safe Haven: Integration with Diversity in Modern Britain, which asserted that immigration should be contingent upon increased civic integration and shared values. As in other European countries, initiatives to require a basic knowledge of the native language and a citizenship test were officially considered and adopted by the Government as a strategy to deal with purported growing segregation during this time period (BBC, 2001c; Joppke, 2007a).

The New Labour Government, subsequently, embarked on its community cohesion agenda, a series of policy initiatives to deal with the problem of divided communities. In response to the Cantle report, John Denham, the Home Office Minister, stated, “We take on board the need to generate a widespread and open debate about identity, shared values and common citizenship as part of the process of building cohesive communities” and launched the government’s new approach in “Building Cohesive Communities” (The Denham Report), which embraced and set out an agenda to accomplish Cantle’s concept of community cohesion (DCLG, 2007c).
To certain extent, this policy agenda was largely symbolic in the sense that the government acted by forming taskforces and producing reports that dealt in broad themes. In contrast to the French case, the debate over multiculturalism did not coalesce around a core unifying British identity. Indeed, five years after the Cantle Report, the Commission on Integration and Cohesion—a government task-force set up in 2006 to discuss the difficult policy issues of integration and multiculturalism—could only define “Britishness” in terms of characteristics so broad as to be devoid of any substance. The official statement on the shared values of Britishness from this document reflected the lack of a mobilizing concept of British identity. The Commission stated that the shared civic values of British identity included: respect for the rule of law, democracy and engagement, protecting the disadvantaged, a commitment to making a contribution, a commitment to equality and fair play, not looking to blame, listening to all views and not excluding any, interaction and communication, including learning English and the freedom of speech where it does not incite harm to others. However, as the problem of security gained prominence after 7/7, the government increased funding and attention to complement this debate on what British citizenship means (see Chapter 4).

59 In 2003, the Home Office charged Ted Cantle with leading the Community Cohesion Panel, a group tasked with advising government ministers on the development of community cohesion in Great Britain. By 2005, the community cohesion agenda was merged with race relations in an overarching equality framework through the Home Office’s Improving Opportunity, Strengthening Society. A further expansion of the community cohesion agenda in the wake of the 7/7 bombings was addressed by the establishment of the temporary Commission on Integration and Cohesion in 2006, in the wake of the 7/7 bombings. By this time, the concern with extremism and terrorism dominated the agenda of community cohesion.

60 The final report of the Commission on Integration and Cohesion produced policy recommendations largely in line with those reports which came before it, arguing the most important task for the government was the development and cultivation of shared values and a sense of belonging, a focus on what binds rather than divides, underpinned by a new model of rights and responsibilities. In particular, the Commission stressed the issue of active citizenship and engagement in the democratic process that connected to more general notions of British values such as fair play, tolerance, and equality among individuals.
As was the case in the 1960s concerning race, the debates over multiculturalism helped raise public awareness of the purported failings of government policy. However, despite these high politicized debates, support for multiculturalism among the general public remained high. For example, a 2005 BBC/MORI poll found nearly 7 out of 10 British respondents disagreed that the government’s multiculturalism policy had been a mistake (BBC/MORI, 2005). Perhaps not surprisingly, support for multiculturalism is highest among ethnic minorities. The 2005 BBC poll on the state of British multiculturalism found that only 14% of Muslims agreed multicultural policies were a mistake and should be abandoned and nearly three-quarters of this population disagreed (Table 1).

**TABLE 1.1**

LOW OPPOSITION TO MULTICULTURAL POLICIES IN GREAT BRITAIN: 2005

<table>
<thead>
<tr>
<th></th>
<th>National</th>
<th>Muslim</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agree</td>
<td>21%</td>
<td>14</td>
</tr>
<tr>
<td>Disagree</td>
<td>68</td>
<td>74</td>
</tr>
<tr>
<td>Don’t Know</td>
<td>11</td>
<td>12</td>
</tr>
</tbody>
</table>

Source: BBC/MORI, 2005

Beyond this general commitment to multiculturalism, expressed in high support for statements such as “Multiculturalism makes Britain a better place to live” (see Table 2), though, the British public and ethnic minorities held divergent opinions on whether immigrants should adopt the country’s values and customs with 58% of the general Brit-
lish public agreeing that immigrants should adopt British values while only 29% of Muslims held the same view, providing evidence that there was a deeper concern over what multiculturalism actually meant.

**TABLE 1.2**

**DISAGREEMENT ON MULTICULTURALISM AMONG GENERAL POPULATION AND MUSLIMS**

<table>
<thead>
<tr>
<th></th>
<th>National</th>
<th>Muslim</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multiculturalism makes Britain a better place to live</td>
<td>62%</td>
<td>82</td>
</tr>
<tr>
<td>Multiculturalism threatens the British way of life</td>
<td>32</td>
<td>13</td>
</tr>
<tr>
<td>Don’t Know</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>People who come to live in Britain should adopt the values and traditions of British culture</td>
<td>58</td>
<td>29</td>
</tr>
<tr>
<td>People who come to live in Britain should be free to live their lives by the values and traditions of their own culture</td>
<td>35</td>
<td>59</td>
</tr>
<tr>
<td>Don’t Know</td>
<td>7</td>
<td>11</td>
</tr>
</tbody>
</table>

Source: BBC/MORI, 2005

However, despite the seemingly low support among Muslims for adopting British values and customs, when queried further, the gap between the British population and Muslims was minor regarding specific values or customs to adopt. For example, Table 3 demonstrates the high level of agreement among both the general British population and British Muslims regarding which British traditions and values should be adopted by immigrants who want to become citizens. Both respondents from the general and the Mus-
lim population agreed that immigrants should learn English, pledge loyalty to Britain, accept the authority of British institutions, and accept the rights of women as equals.

TABLE 1.3

WIDESPREAD AGREEMENT ON ADOPTING VALUES AND TRADITIONS AMONG GENERAL POPULATION AND MUSLIMS IN GREAT BRITAIN: 2005

<table>
<thead>
<tr>
<th></th>
<th>National</th>
<th>Muslim</th>
</tr>
</thead>
<tbody>
<tr>
<td>Learn English</td>
<td>82%</td>
<td>90</td>
</tr>
<tr>
<td>Pledge their primary loyalty to Britain</td>
<td>73</td>
<td>76</td>
</tr>
<tr>
<td>Swear Allegiance to the national flag</td>
<td>50</td>
<td>55</td>
</tr>
<tr>
<td>Swear Allegiance to the Crown</td>
<td>51</td>
<td>50</td>
</tr>
<tr>
<td>Accept the authority of British institutions</td>
<td>93</td>
<td>91</td>
</tr>
<tr>
<td>Integrate fully into British society</td>
<td>73</td>
<td>69</td>
</tr>
<tr>
<td>Accept the rights of women as equal citizens</td>
<td>96</td>
<td>95</td>
</tr>
</tbody>
</table>

Source: BBC/MORI, 2005

However, there is evidence of a potential constituency that could be mobilized against multiculturalism. In a 2007 Pew Global Attitudes project survey, a high number of British respondents—over three-fourths—held the view that their way of life was being lost. And, in a 2007 Harris poll, 83% of respondents polled in Britain supported initiatives which would require new immigrants to take citizenship and language tests in order to remain in the country (Harris Interactive, 2007).
This concern over multiculturalism was most intimately connected with concerns over “race relations” over this time period. There are indications that the 2001 riots followed closely by the 9/11 attacks and then the London bombings in 2005 affected the state of British race relations. Shortly after 9/11, an IPSOS-MORI poll found 57% of Muslims and 47% of Hindus and Sikhs thought that race relations had gotten worse in Britain since 9/11. In this same poll, 23% of Sikhs and Hindus reported holding less favorable attitudes toward the Muslim community (although 70% said their opinion did not change) and 80% of Hindus and 72% of Sikhs expressed support for the banning of extremist Muslim groups while only 38% of Muslims agreed. In a poll conducted for the CRE in 2006, while almost one-third of the general British public and four out of 10 ethnic minorities believed ethnic and religious groups mixed more compared to five years ago (Table 4), this same poll found a majority of the general public thought 7/7 and other terror-related events created a less racially-tolerant Britain (Table 5).

TABLE 1.4
PERCEPTION OF CHANGE IN RACE RELATIONS SINCE 2001: 2006

<table>
<thead>
<tr>
<th></th>
<th>2006 General Public</th>
<th>2006 Ethnic Minority</th>
</tr>
</thead>
<tbody>
<tr>
<td>More</td>
<td>32%</td>
<td>42</td>
</tr>
<tr>
<td>Less</td>
<td>22</td>
<td>24</td>
</tr>
<tr>
<td>Made no difference</td>
<td>35</td>
<td>26</td>
</tr>
<tr>
<td>Don’t Know</td>
<td>12</td>
<td>8</td>
</tr>
</tbody>
</table>

Source: CRE, 2006
### TABLE 1.5

**IMPACT OF 7/7 ON RACE RELATIONS: 2006**

<table>
<thead>
<tr>
<th></th>
<th>2006 General Public</th>
<th>2006 Ethnic Minority</th>
</tr>
</thead>
<tbody>
<tr>
<td>More</td>
<td>18%</td>
<td>30</td>
</tr>
<tr>
<td>Less</td>
<td>58</td>
<td>44</td>
</tr>
<tr>
<td>Made no difference</td>
<td>20</td>
<td>20</td>
</tr>
<tr>
<td>Don’t Know</td>
<td>4</td>
<td>6</td>
</tr>
</tbody>
</table>

Source: CRE, 2006

### TABLE 1.6

**STATE OF RACE RELATIONS IN GREAT BRITAIN: 2008**

<table>
<thead>
<tr>
<th>“How much tension is there between people of different races and nationalities?”</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>A great deal</td>
<td>24%</td>
</tr>
<tr>
<td>A fair amount</td>
<td>52</td>
</tr>
<tr>
<td>Not very much</td>
<td>18</td>
</tr>
<tr>
<td>None at all</td>
<td>4</td>
</tr>
<tr>
<td>Don’t know</td>
<td>2</td>
</tr>
<tr>
<td>At least some tension</td>
<td>94</td>
</tr>
</tbody>
</table>

Source: IPSOS-MORI, 2008b
TABLE 1.7
LIKELIHOOD OF VIOLENCE IN BRITISH RACE RELATIONS: 2008

<table>
<thead>
<tr>
<th>Of those who say there is some tension, “How likely or unlikely do you think it is that this tension will result in violence?”</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Certain to</td>
<td>9%</td>
</tr>
<tr>
<td>Very likely</td>
<td>17</td>
</tr>
<tr>
<td>Fairly likely</td>
<td>38</td>
</tr>
<tr>
<td>Fairly unlikely</td>
<td>25</td>
</tr>
<tr>
<td>Very unlikely</td>
<td>8</td>
</tr>
<tr>
<td>Certain not to</td>
<td>2</td>
</tr>
<tr>
<td>Don’t know</td>
<td>2</td>
</tr>
<tr>
<td>Certain to/likely</td>
<td>64</td>
</tr>
<tr>
<td>Unlikely/certain not to</td>
<td>35</td>
</tr>
<tr>
<td>Net likely</td>
<td>+29</td>
</tr>
</tbody>
</table>

Source: IPSOS-MORI, 2008b

Indeed, over 94% of those surveyed perceived at least some tension between people of different races and nationalities and, of these, a full 64% believed violence was likely to happen as a result (Tables 6-7).

The concern for social order and immigration rose in tandem during this period. A MORI political monitor poll tracking the most important issues to the British public for this period demonstrates that a concern for crime, law and order, and violence nearly doubled from 14% of the general population citing it as the most important issue in Octo-
ber 2001 to 30% in June 2005. Concern for race relations and immigration also nearly doubled during this time period: rising from 17% of the British public citing it as the most important issue facing Britain to one in three Britons expressing this opinion in June 2005 (See Table 8).

TABLE 1.8

CONCERN WITH SOCIAL ORDER AND IMMIGRATION: 2001-2005

<table>
<thead>
<tr>
<th></th>
<th>Crime, law and order, and violence</th>
<th>Economy</th>
<th>Education</th>
<th>Race relations, immigration, immigrants</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oct. 2001</td>
<td>14%</td>
<td>12</td>
<td>31</td>
<td>17</td>
</tr>
<tr>
<td>Sept. 2002</td>
<td>28</td>
<td>10</td>
<td>31</td>
<td>21</td>
</tr>
<tr>
<td>Sept. 2003</td>
<td>24</td>
<td>14</td>
<td>28</td>
<td>29</td>
</tr>
<tr>
<td>Sept. 2004</td>
<td>27</td>
<td>10</td>
<td>29</td>
<td>26</td>
</tr>
<tr>
<td>Jun. 2005</td>
<td>30</td>
<td>11</td>
<td>24</td>
<td>33</td>
</tr>
</tbody>
</table>


Polls gauging the level of concern over immigration since the late 1980s conducted by IPSOS-MORI provide further evidence for the argument that social order events in the 2000s heightened public concern over immigration. Table 9 demonstrates the varying concern for immigration over the last two decades (1989-2008). As clearly shown, concern for immigration decreased in the 1990s and then significantly increased starting in 2000 with 66% of those polled agreeing with the statement that “There are too many immigrants in Britain” compared to 17% who disagreed. This concern remained high in
2001 with over a majority, 54%, agreeing. By 2007, almost 7 out of 10 Britons (68%) agreed that there were too many immigrants in the country and only 13% disagreed.

### TABLE 1.9

**ATTITUDES OF BRITONS TOWARD IMMIGRANTS: 1989-2008**

<table>
<thead>
<tr>
<th>Year</th>
<th>Strongly Agree</th>
<th>Tend to Agree</th>
<th>Neither/nor</th>
<th>Tend to disagree</th>
<th>Strongly disagree</th>
<th>Don’t know</th>
<th>Total Agree</th>
<th>Total Disagree</th>
<th>Net Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td>1989</td>
<td>37%</td>
<td>26</td>
<td>18</td>
<td>10</td>
<td>8</td>
<td>1</td>
<td>63</td>
<td>18</td>
<td>+45</td>
</tr>
<tr>
<td>1994</td>
<td>24</td>
<td>40</td>
<td>-</td>
<td>24</td>
<td>9</td>
<td>3</td>
<td>64</td>
<td>33</td>
<td>+31</td>
</tr>
<tr>
<td>1997</td>
<td>25</td>
<td>36</td>
<td>-</td>
<td>24</td>
<td>11</td>
<td>4</td>
<td>61</td>
<td>35</td>
<td>+26</td>
</tr>
<tr>
<td>1999</td>
<td>22</td>
<td>33</td>
<td>-</td>
<td>22</td>
<td>11</td>
<td>13</td>
<td>55</td>
<td>33</td>
<td>+22</td>
</tr>
<tr>
<td>2000</td>
<td>35</td>
<td>31</td>
<td>13</td>
<td>11</td>
<td>6</td>
<td>3</td>
<td>66</td>
<td>17</td>
<td>+49</td>
</tr>
<tr>
<td>2001</td>
<td>33</td>
<td>21</td>
<td>10</td>
<td>20</td>
<td>11</td>
<td>5</td>
<td>54</td>
<td>31</td>
<td>+23</td>
</tr>
<tr>
<td>Feb. 2007</td>
<td>39</td>
<td>29</td>
<td>15</td>
<td>9</td>
<td>4</td>
<td>3</td>
<td>68</td>
<td>13</td>
<td>+55</td>
</tr>
<tr>
<td>Nov. 2007</td>
<td>41</td>
<td>27</td>
<td>8</td>
<td>14</td>
<td>8</td>
<td>2</td>
<td>68</td>
<td>22</td>
<td>+46</td>
</tr>
</tbody>
</table>

Question: “There are different opinions about immigrants from other countries living in Britain. By immigrants we mean people who come to live in Britain. How much do you agree or disagree with the following statement? ‘There are too many immigrants in Britain’”

Source: IPSOS-MORI, 2008a

What is more, these figures may not reflect the entire population that could be mobilized against immigrants, particularly Muslims. An IPSOS-MORI poll in 2007 found that a third of the British public agreed with the statement that “I am unwilling to
say what I really think about immigration in case I am seen as a racist” and a full 85% of the population agreed that political correctness had gone too far. This same poll found that nearly similar portions of the general population agreed that “Most terrorists threatening Britain now are Muslims” than those who disagreed (41% versus 43%). When read in light of the previous statements, illiberal sentiment among the general British population toward certain categories of people may be higher than documented. These figures are presented in Table 10.

**TABLE 1.10**

**IMMIGRATION, RACE RELATIONS, AND ILLIBERAL SENTIMENT AMONG BRITISH PUBLIC: 2007**

<table>
<thead>
<tr>
<th></th>
<th>Agree</th>
<th>Disagree</th>
<th>Neither Agree/Disagree</th>
<th>Net Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td>There are too many immigrants in Britain</td>
<td>64%</td>
<td>26</td>
<td>5</td>
<td>+38</td>
</tr>
<tr>
<td>Most terrorists threatening Britain now are Muslims</td>
<td>41</td>
<td>43</td>
<td>5</td>
<td>-2</td>
</tr>
<tr>
<td>Schools should be free to demand that Muslim students remove headscarves when at school</td>
<td>62</td>
<td>29</td>
<td>4</td>
<td>+33</td>
</tr>
<tr>
<td>Political correctness has gone too far</td>
<td>85</td>
<td>8</td>
<td>2</td>
<td>+77</td>
</tr>
<tr>
<td>I am unwilling to say what I really think about immigration in case I am seen as a racist</td>
<td>33</td>
<td>61</td>
<td>2</td>
<td>-28</td>
</tr>
</tbody>
</table>

Source: IPSOS-MORI, 2007
The last column which reflects the net agreement with the survey statement demonstrates a substantial range of illiberal sentiment toward both immigrants and Muslims.

A Pew Global Attitudes Project survey has documented increased negative opinions among the British public over immigration since 2005, particularly with respect to immigration from the Middle East and North Africa. In 2007, only 51% of Britons agreed that immigration from this region was a good thing compared to 61% in 2005. This same poll found a high level of support for immigration restrictions among the British public, with 75% of respondents in favor of some form of restriction (Pew, 2007). The highest level of support for immigration restrictions came in the immediate post-2001 riot and 9/11 period with nearly 8 out of 10 of Britons expressing support for government restrictions.

These concerns over immigration and race-related issues after the 2001 riots and 9/11 terrorist attacks, in turn, affected public opinion concerning the desirability of restrictive security measures pursued by the Blair government. Put simply, these concerns led to a constituency that could be mobilized to support more restrictive anti-terrorism legislation illustrated in the figures in Table 11. In the heightened security atmosphere after the July 2005 bombings, as much as 91% of the general public supported measures to deport or exclude non-British citizens who encouraged terrorism, 82% supported measures to place suspected terrorists under house arrest, 65% supported making it easier to convict terrorist suspects, and over half of the population (52%) supported limiting the freedom of speech to prevent the spread of radical Islamist views (see Table 10). Other measures did not garner as high of public support but still reflect that a significant portion
of the British population supported illiberal measures during this time period, including around a third of the population who supported measures to stop and search people based on racial profiling and ceasing all asylum to the United Kingdom (32% and 37%, respectively).

**TABLE 1.11**

**SUPPORT FOR ANTI-TERRORISM MEASURES WITHIN BRITISH AND MUSLIM POPULATIONS: AUGUST 2005**

<table>
<thead>
<tr>
<th>Measure</th>
<th>National</th>
<th>Muslim</th>
</tr>
</thead>
<tbody>
<tr>
<td>Detain suspected terrorists without trial</td>
<td>60%</td>
<td>35%</td>
</tr>
<tr>
<td>Place suspected terrorists under house arrest</td>
<td>82%</td>
<td>61%</td>
</tr>
<tr>
<td>Conduct some terror trials without a jury</td>
<td>31%</td>
<td>25%</td>
</tr>
<tr>
<td>Make it easier to convict terrorist suspects</td>
<td>65%</td>
<td>59%</td>
</tr>
<tr>
<td>Limit freedom of speech to prevent the spread of radical Islamist views</td>
<td>52%</td>
<td>40%</td>
</tr>
<tr>
<td>Stop and search people on the basis of their race</td>
<td>32%</td>
<td>24%</td>
</tr>
<tr>
<td>Stop all asylum to the UK</td>
<td>37%</td>
<td>36%</td>
</tr>
<tr>
<td>Deport or exclude non-UK citizens who encourage terrorism</td>
<td>91%</td>
<td>74%</td>
</tr>
</tbody>
</table>

Source: BBC/MORI, 2005

3.4. The London Bombings and Britain’s “Muslim” Problem

The community cohesion agenda increasingly highlighted problems of integration within a particular community: the Muslim community. As the government sought to un-
derstand the nature of polarized communities, the Muslim community was constructed as the most problematic of British minority communities. As such, faith—as a characteristic of the Muslim community—was implicated in issues of social conflict, resulting in a greater focus on religious identity as a potential source of conflict in interaction with race, ethnicity, and socioeconomic deprivation. When the community cohesion agenda merged with the counterterrorism agenda after the 7/7 bombings, this debate more explicitly questioned the compatibility of Islamic values with British values. The debate centered around promoting a particular version of Islam, stressing the issue of active citizenship and engagement in the democratic process.

A series of independent and government-commissioned studies provided empirical credence to the Cantle Report’s main findings that British minority communities were segregated and particularly divided along faith lines. First, these reports confirmed that a “believing and belonging” divide (Davie, 1994) existed among British ethnic minority communities and the white population. Starting in the mid-1990s, religion and faith were key topics in several surveys of British ethnic minority populations, confirming earlier studies that found religion was increasingly significant to particular ethnic minority populations. The 1997 Fourth Survey on Ethnic Minorities by the Policy Studies Institute was the first of these studies to contain a section on religion and faith. While the research questions were rather simplistic,61 the study found that religion was an important self-defining attribute for certain ethnic populations. For example, among the British Paki-

61 For example, the main survey question asked “Do you have a religion or church?” and if the respondent answered yes the follow-up question required the respondent to identify with ten mainstream religions (Muslim, Sikh, Muslim, Christian, Buddhist, Confucian, Jains/Parsi/Zoroastrian, Rastafarian, Jewish, Other). Thus, issues of religious belief and practice were not addressed.
stani community 83% replied that religion was a significant identity marker. What is more, surveys suggest there was a growing religiosity among the younger generation of Muslims. In a 2007 Policy Institute study, 86% of Muslims agreed with the statement “my religion is the most important thing in my life” (Mirza et al., 2007, 5). This core finding—that religion was important to minorities and minority communities—was all the more significant when compared to the general British population. Repeatedly, surveys such as the 2001 Census and 2001 Home Office Citizenship Survey as well as multiple European Values Surveys conducted since the 1980s found that while a large majority of the population may consider themselves Christian in a general sense, religion was not a particularly salient priority for the British public. Thus, while religion ranked ninth in priorities among the general British population in a Home Office Citizenship Survey in 2001, for ethnic minorities (“Asians”) it ranked second (after family).

Second, government and private sector research documented some of the underlying causes of segregation along faith lines, confirming the relative deprivation of minority and ethnic communities generally, and especially for the British Muslim community. The 2001 Census, containing a questioning pertaining to religious affiliation for the first time, revealed “a consistent picture of the vulnerable position of the aggregated Muslim

---

62 In a large study of the British Muslim population conducted in 2007, the Policy Institute not only found a general trend of growing religiosity among British Muslims, especially the youth, but also indications of a rise in Islamism among British Muslim youth. For example, 37% of 16-24 year olds responded that they would prefer to live under sharia than British law (compared to 28% in the general British Muslim population and only 17% of those 55 or older), 36% of Muslims aged 16-24 believe that if a Muslim converts to another religion he should be punished by death (compared to 19% 55 or older who responded similarly) (Mirza et al., 2007, 5). Nearly three-quarters (74%) of 16-24 year olds preferred Muslim women to wear the veil. And while only 7% of British Muslims were found to “admire organisations like Al-Qaeda that are prepared to fight the West,” support for this view nearly doubled among those 16-24 (13%). These trends are against a background in which a majority of the British Muslim population have accepted British values. Indeed, the study found that 59% of British Muslims felt they had as much, if not more, in common with non-Muslims in the UK than with their co-religionists abroad (Mirza et al., 2007, 6).
population compared to people of other minority faith groups” according to a 2006 government-commissioned study on faith communities (Mercia Group, 2006, 18).63 Other studies confirmed this picture, providing evidence that Muslims were disproportionately represented in the most deprived urban communities, experienced poor housing conditions, had below-average educational achievement, experienced higher unemployment rates and were over-concentrated low-paying economic sectors, and had higher rates of illness (Home Office, 2001; EUMAP, 2005; Mercia Group, 2006; Furbey et al., 2006). Moreover, according to government and private studies, this vulnerability was exacerbated by the perception and experience of discrimination (EUMAP, 2005).

As a result of being repeatedly singled out as the most “problematic,” the Muslim community became the target community for government service programs. As religion emerged as an object related to issues of social control, it also was viewed as an asset—and a particularly salient one with respect to the Muslim community—in governmental initiatives to address problems of deprivation and polarization. Even while the community cohesion agenda was emphasizing shared values and the danger of “difference,” the British government, often through bureaucratic programs to address socioeconomic disparity, was emphasizing this difference. This period saw the initial merging of religion as an object and as an asset in governmental policy, prefiguring the steps the La-

---

63 The 2001 National Census provided evidence that while only comprising 2-3% of the population at 1.6 million, British Muslims were disproportionately represented among the most deprived communities in Britain. For example, 31% of young British Muslims left school with no qualifications compared to 15% of the total population, 35% of Muslim households had no adult employment which was more than double the national average, 28% of 16-24 year olds were unemployed compared to 11% of Christian youth, nearly 70% of Muslim women of working age were economically inactive, 73% of Bangladeshi and Pakistani children were living in households below the poverty line, 32% of Muslim households were considered overcrowded compared to 6% of Christian households (Home Office, 2001; Mirza et al., 2007).
bour government took after the security agenda became paramount in July 2005 and described in greater detail in Chapter 4.

This, in some ways, had the effect of framing religion or faith as a characteristic specific to the Muslim community, reinforcing its “outsider” position within British society. It is at this time that the term “faith communities” started to have a more specific connotation, referring to the Muslim community rather than a more general term encompassing minority religions, and the government started to engage the Muslim community through its religious identity (Smith, 2004). This is important because it placed the emphasis of difference that was significant on the religious affiliation rather than other characteristics that could be more important as indicators of social and economic deprivation and/or radicalization and, thus, potential intervention points for the government.

The construction of religion as a problem generally—and within the Muslim community specifically—was reinforced by terrorist attacks, particularly the London terrorist attacks in the summer of 2005. On July 7, 2005, four British-born and educated Islamist extremists attacked central London in a series of coordinated suicide bombing attacks against London’s transport system, resulting in the deadliest attacks against London since World War II, killing 52 people and injuring over 700. By targeting three Underground trains and a double-decker bus, the terrorists severely disrupted the city’s transportation system, causing a complete closure of the underground system, evacuation of a major public square, and curtailed bus service on July 7. More importantly, the bombings created a climate of fear in Britain, especially after a second series of attacks on London’s transportation services two weeks later on July 21.
The July 7, 2005 bombings ushered in a new security concern across Western Europe, and particularly within Britain, over homegrown extremism and prompted a vigorous public debate in Great Britain on policies designed to integrate the Muslim population more rapidly, resulting in more rigorous security measures as well as intensified contact with the Muslim community. The debate over multiculturalism and shared values reached a crescendo after the revelation that the terrorists were British citizens. Challenging questions were posed concerning how radical Islamists terrorists acts could be planned and executed on British soil, not only from a security perspective of intelligence, but also from a societal perspective of integration of the British Muslim community. Questions about the compatibility of “different values” became articulated as to whether Islamic values were compatible with British and/or Western values, continuing a debate started nearly 20 years earlier during the Rushdie Affair.

During this time, although there was antipathy to minorities generally, the religious characteristics of “Muslims” were specific targets of rising illiberal sentiment. This is reflected in public opinion polls taken during this time that provide evidence of a significant negative perception among the general public regarding the rise of religious identities among the Muslim population and the role of religion in public life. The evidence suggests that the negative perception was attributed to beliefs that a religious identity conflicted with Western values and contributed to a lack of integration, and, importantly, a fear of radicalization and violence. For example, in a 2006 Pew Forum survey, when asked whether an increase in the Islamic identity of Western Muslims was a good or bad thing, 59% of respondents in Great Britain considered it a bad thing (Pew Forum, 2006,
9-10). The negative opinions held by the British public was linked to several concerns, perhaps paramount being a belief that a religious identity conflicted with Western values and contributed to a lack of integration with 64% of British respondents in another Pew survey believing that Muslims do not want to adopt customs of their country (Pew, 2006, 8).

Indeed, a Commission for Racial Equality poll, probing the state of race relations in Britain in 2006, found substantially different orientations toward religion among the general British public and the ethnic minority population which provides evidence that religion acts as a barrier to minority communities.

**TABLE 1.12**

**DIVERGING VIEWS OF RELIGION AS DIVISIVE AMONG GENERAL PUBLIC AND ETHNIC MINORITIES: 2006**

<table>
<thead>
<tr>
<th></th>
<th>2006 General Public</th>
<th>2006 Ethnic Minority</th>
</tr>
</thead>
<tbody>
<tr>
<td>On balance, religion causes divisions between people</td>
<td>73%</td>
<td>35</td>
</tr>
<tr>
<td>On balance, religion acts to bring people together</td>
<td>16</td>
<td>53</td>
</tr>
<tr>
<td>Don’t know</td>
<td>11</td>
<td>11</td>
</tr>
</tbody>
</table>

Source: CRE, 2006

As Table 12 shows, 73% of the general population believed that religion caused divisions between people rather than acting to bring people together (only 16% of the
general public believed this). The ethnic minority community, on the other hand, was more sanguine concerning religion’s role in society, with 53% saying religion brings people together (and only 35% saying religion is divisive).

A 2005 BBC/MORI poll on multiculturalism found one-quarter of the British population agreed that Islam was incompatible with the values of British democracy (only 18% of British Muslims agreed with this statement). What is more, there is evidence that the British public did not extend as much tolerance to faith-related activities. For example, in a TES/MORI poll in 2001 nearly twice as many Britons opposed the expansion of state-funded religious schools as those who expressed support (43% compared to 25%, respectively). When asked why respondents opposed such a measure, the main reason cited was a belief that religion should not be a part of education (34% of respondents felt this way) and that faith-based schools increased community divisions (29% of respondents). Moreover, opposition to faith-based schools was higher for minority religions compared to the Church of England or Roman Catholic faiths, each of which have around 4700 and 2100 faith-schools, respectively, operating in Britain. Thus while 35% of the public supported Church of England or Roman Catholic faith-based schools—and only 27% of the public opposed such schools—only 25% of the public supported a Muslim, Sikh, or Greek Orthodox publicly-funded school and a higher 43% opposed such measures (TES/MORI, 2001). Mirroring developments in France during the same period, the Islamic headscarf was also targeted as divisive by the British public, particularly since
October 2006 when a high-ranking government official focused the media-spotlight on the issue.\textsuperscript{64}

Table 13 provides further evidence that the opinions of the British public and Muslims diverged regarding the substance and limits of multiculturalism immediately after 7/7, hinging primarily on state-Muslim relations. Recall that this same poll provided evidence that the general public and Muslims expressed highly convergent opinions regarding the values and actions that immigrants must take once they enter Great Britain (refer to Table 3 above). However, compare these responses to those presented in Table 11 which suggests that the British public held illiberal sentiments toward Islamic practices in particular. For example, by over 2 to 1, the general public agreed that it is acceptable for schools or employers to demand a Muslim pupil/employee remove her head-

\textsuperscript{64} At the time, former Foreign Secretary Jack Straw wrote in the local press that he requested women to remove the full face veil, also referred to as the niqab, a style of dress for Muslim women in which the woman is completely covered except for her eyes and hands, during meetings with him.\textsuperscript{34} He cited difficulties in communicating with the women when he could not see their eyes and mouths. He also cited more general concerns with the face veil in terms of community relations and fears of separateness, stating “Communities are bound together partly by informal chance relations between strangers - people being able to acknowledge each other in the street or being able pass the time of day. That's made more difficult if people are wearing a veil” (BBC, 2006a). These comments elevated the issue of the face veil in the public domain. In an IPSOS-MORI/\textit{Evening Standard} (2006) poll conducted the same month, 59\% of Londoners agreed that Muslim women concealing their faces was bad for race relations as it was a clear statement of separation and difference and 61\% said it was a sign that Muslim women wanted to segregate themselves. A series of high-profile court cases involving Muslim women and the veil followed which framed the veil in light of the security situation. Shortly after Straw’s comments made headlines, a Muslim classroom assistant in West Yorkshire was fired for wearing a face veil. Then, in February of 2007, a British judge ruled against a young girl’s request to wear the full face veil in the classroom. In the ruling, the judge cited that banning the niqab was a proportionate response by the school underscoring the importance of communication and interaction in the learning process, the fear of peer pressure for other Muslim girls not wearing the niqab, and a concern with security (BBC, 2007a). This ruling prompted the Department for Education and Skills (DfES) to release new guidance on uniforms permitting schools to ban students from wearing the full face veil, stressing the importance of communication in the learning process (BBC, 2007b). During these debates, the issue of accommodating religious practices was balanced against security, safety, and learning concerns, with learning taking precedence. In other professions, however, the balance regarding the individual right to religious practice and the concern with community relations and security has come down on the side of individual rights. Thus, when a legal advisor refused to remove face veil before an immigration tribunal in November of 2006, a temporary guidance was issued that permitted the religious dress unless it interfered with the “interests of justice” (BBC, 2006b).
scarf. Interestingly, while only 39% of the public agreed that Muslim clerics in Britain should be made to preach English, 65% of Muslim respondents believed so.

### TABLE 1.13

**DIVISIVE STATE-MUSLIM ISSUES: 2005**

<table>
<thead>
<tr>
<th>Issue</th>
<th>National</th>
<th>Muslim</th>
</tr>
</thead>
<tbody>
<tr>
<td>Schools should be free to demand that Muslim students remove headscarves when at school</td>
<td>35%</td>
<td>17</td>
</tr>
<tr>
<td>Employers should be free to demand that Muslim women remove their headscarves at work</td>
<td>30</td>
<td>13</td>
</tr>
<tr>
<td>Muslim clerics in Britain should be made to preach in English</td>
<td>39</td>
<td>65</td>
</tr>
<tr>
<td>Muslims should be allowed to set up their own faith schools</td>
<td>57</td>
<td>77</td>
</tr>
<tr>
<td>Christians should be allowed to set up their own faith schools</td>
<td>67</td>
<td>70</td>
</tr>
</tbody>
</table>

Source: BBC/MORI, 2005

3.5. Post-7/7 British Policy: Marginalizing the “Bad” and Partnering with the “Good”

After the bombings in July 2005, illiberal sentiment within the general society grew more vocal and in strength, placing pressure on those in power to “do something.” Within weeks of the terrorist attacks, Blair’s government introduced a series of legislative measures to tackle terrorism, including more restrictive deportation and extradition powers, a new offense of glorifying terrorism and powers to close a place of worship. These measures were intended to complement the counterterrorism powers the government had
secured in previous legislation and justified with the argument that “the rules of the game had changed.”

The security measures were initiated and debated within Parliament against a backdrop of significant public and political scrutiny. In a 2005 poll, as many as 71% of the British public agreed with the statement that the threat to the people of Britain from terrorism has “fundamentally changed” compared to 24% of those polled who stated that the threat from terrorism was “nothing new” (Sky News, 2005). The length of the control order extension was a particularly contentious issue and the subject of the first major opposition to the Blair government. Under the Criminal Justice Act of 2003, the maximum length of detention before a suspect needed to be charged was increased to 14 days. The government, citing increased complexity in terrorism cases and security risks, argued that this pre-charge detention period needed to be extended, at the request of the police and security services, to 90 days.

Opponents questioned whether the proposed period was compatible with British obligations under the European Convention of Human Rights (ECHR) and, more broadly,

---

65 In October 2005, the government sought to amend the Terrorism Act of 2000 by introducing the Prevention of Terrorism Bill (later, Terrorism Act 2006) to Parliament, proposing three new offenses in relation to terrorism, including an offence of encouragement (or glorification) of terrorism, extending the maximum period an individual can be detained without charge, and extending powers of proscription. The final act created several new offenses, including making illegal acts preparatory to terrorism; encouragement to terrorism; dissemination of terrorist publications, including extremist bookshops and through Internet activity; and to give or receive terrorist training or attend a terrorist training camp. Furthermore, the act amended existing counterterrorism legislation, lobbied for by the government in order to close loopholes and improve operational efficiency, by extending stop and search powers to new areas, extending the power to detain a suspected terrorist without charge from 14 to 28 days, improving search powers at airports, increasing flexibility in proscribing terrorist groups (to include groups that glorify terrorism), and increasing police power to issue warrants on property owned or controlled by terrorist suspect.

66 This would allow the police to arrest an individual when a case had not been established but whom the police believe to be a threat. The government, in making its case before Parliament, stressed that only in a few cases had the 14-day period been used, arguing, in effect, that this measure would only apply to very few cases but ones in which more time was needed to develop a case.
criticized the measure as unnecessarily curtailing an individual’s civil liberties, an argument particularly shouldered by the Conservative opposition.\textsuperscript{67} The basis for the Conservative Party’s opposition has been both political as well as philosophical. Expressed in other political debates concerning national identity cards, control orders, and even an offense to ban incitement to religious hatred, the Conservative Party has staunchly supported an individual’s liberty as a philosophical commitment. The Conservative Party, though, has supported other restrictive measures that form the Labour government response to terrorism in the post-9/11 period, including making it easier to interrogate suspects after they have been charged, allowing wiretap evidence to be used in court, and increasing deportation of foreigners. This support for other restrictive measures suggests that the particular opposition Blair’s Labour government was facing from the Conservative back-bench was also a political move as Conservatives found that pre-charge detention was a particularly explosive issue to challenge the Labour government.

In particular, the Blair government was criticized for pandering to illiberal public opinion. During the debate, a Sky News poll was cited that 72\% of the general public supported the proposal to extend pre-trial detention to 90 days. Despite controversy surrounding this particular poll, other polls have shown the high support among the British public for restrictive anti-terrorism measures, including lengthier detentions.\textsuperscript{68} A March

\textsuperscript{67} The government was also criticized both for the seemingly arbitrariness of the maximum period, being unable to provide a logical rationale for 90 days. This measure was interpreted by some as increasing the police’s powers and ushering in a police state.

\textsuperscript{68} The Sky News poll was charged with biasing the results by misrepresenting several provisions in the government’s proposal. In 2008, an Economist poll found that 61\% of Britons supported the government’s efforts at the time to extend detention to 42 days (YouGov, “Civil Liberties,” 2008). And when asked in this same poll whether the proposals by the government would undermine civil liberties, almost 4 out of 10 Britons (38\%) disagreed that such measures such as ID cards, DNA and biometric databases, and increased time allowed to question terrorist suspects curtail civil liberties.
2005 YouGov/Daily Telegraph poll found that 76% of Britons supported curtailing the civil liberties of suspected terrorists, agreeing with the general statement “it may be necessary sometimes to take action against people who have not yet committed any offence, but about whom the intelligence services have evidence that they are planning an act of terrorism.” Nearly 6 out of 10 Britons supported new government powers in the form of control orders including measures such as house arrest, curfews, and restrictions on communication technologies (including the use of telephones and the Internet). A Spectator poll in 2006 found support for the 90-day detention period remained high, with 69% of Britons expressing support for Blair’s proposal. The highly-charged atmosphere during the debate can be illustrated by a front-page article in The Sun which tried to stoke support among the British electorate by placing a picture of the bomb victim under the headline “Tell Tony He's Right” by calling a dedicated phone line.

Despite this political opposition, Tony Blair continued to advocate for a 90-day detention period, refusing to compromise. However, the government’s objective was resoundingly defeated by an amendment that proposed to extend the period to 28 days rather than 90 days. This was the first defeat in the House of Commons for the Blair government after nearly eight years of leadership. Even after the passing of the Terrorism Bill 2006 with the 28-day detention period, the government put forth subsequent proposals for an increase to the detention period.

The events of 7/7 fundamentally refocused the British government’s policies; thus, while much of the post-9/11 legislation and policy initiatives focused on foreign nationals, the post-7/7 initiatives implicated a response targeting the domestic Muslim
community. The broader concerns of socioeconomic deprivation and marginalization of Muslim community in the community cohesion agenda became security concerns after 7/7, especially the issue of Muslim youth radicalization.⁶⁹

At this time, policy-makers embarked upon a twin strategy in response to terrorism concerns. On the one hand, the Blair government sought, and largely achieved, increasingly restrictive measures—some specifically designed to marginalize and restrict the freedom of religion of Muslim citizens—to exclude illiberal elements from British society. On the other hand, while the first pillar implicated religion and the Muslim community as a source of the problem, particularly as the public debate shifted the focus to problems particular to Islam such as radical imams, there was an important policy shift within the government: one that saw Muslim organizations and leaders as partners in the solution. The cornerstone of the government’s second pillar similarly implicated religion and the Muslim community as explicit partners in the government’s new strategy to create and support a British Islam and an “integrated” domestic Muslim community. As the new threat required a new approach, the response aimed to support a particular type of faith in the public sphere, a civic religion that supports British values and citizenship. This policy response was accomplished through the delegation of policy to a new institution, what I have termed the religious buffer institution to be discussed in greater detail in Chapter 4.

⁶⁹ According to the Intelligence and Security Services official report on the attacks, the speed of Muslim youth radicalization was underestimated and the government did not have a good understanding of radicalization before the attacks, leading the report to highlight “perhaps above everything else—the need to do more to tackle the radicalization of British Muslims in the UK. The attacks showed very clearly that terrorism is a ‘home-grown’ problem and reconfirmed pre-July judgements [sic] about the need to double surveillance and investigative capability” (2006, 35).
Directly after the July bombings, Prime Minister Tony Blair held initial consultative meetings with a wide range of Muslim community leaders and set up temporary working groups to develop recommendations to “tackle extremism.” The Preventing Extremism Together (PET) Working Groups focused on seven issue areas: engaging with young people, Muslim community and education, engaging with Muslim women, supporting regional and local initiatives and community actions, imam training and the role of mosques, security (dealing with various issues such as Islamophobia, protecting Muslims against extremism, and community confidence in policing), and tackling extremism and radicalization. Over 1000 British Muslims participated in consultations with PET working groups. The working groups produced the Preventing Extremism Together report which was released in November 2005 in a large public government public relations campaign. After the initial consultations, the working groups disbanded; subsequently, the government created an institutional structure to address the problems and suggestions set forth by the PET working groups, establishing the Preventing Extremism Unit in the Home Office (see Chapter 4).

If religion was viewed as a significant source of the problem as the previous section demonstrated, why did the British government use religion, especially in the form that it did, as the center of its policy response to deal with extremism? I argue that there are at least three broad reasons why the government undertook the response that it did.

---

70 The report contained 64 recommendations, with 27 of these recommendations directed at the national Government and the rest directed toward local government or Muslim community which would require various levels of support from the government. These recommendations ranged from proposals to improve relations between the police and Muslim communities to the creation of accreditation procedures for mosques. Several prominent recommendations included a National Advisory Council of Imams and Mosques, creating a national forum against extremism and Islamophobia, and a panel of religious scholars for a national “road show” (DCLG, 2005).
First, within the Muslim community, the government suffered from a low degree of legitimacy, access, and, to some degree, sensitivity in program delivery. In partnering with and delegating certain government services to British Muslim organizations, the government was able to overcome some of these pragmatic concerns and develop a more effective and adaptable state policy response. Second, in defining the fight as one over values and ideas, it was incumbent on the government to offer a compelling counternarrative based on values. To a certain extent, the multiculturalism debate in the early 2000s placed front and center for the government the lack of a fighting creed to battle extremist arguments. One simply could not rally the British public—much less an alienated British Muslim community—around cries of “tolerance, fair play, and equality.” But, at the same time, government elites saw Islam was an effective—and, often, visceral—rallying cry, particularly among British Muslim youth. Thirdly, the government turned to faith organizations as a result of bureaucratic inertia. Since the 1990s, and particularly after 1997, the government used faith groups to aid in the delivering of public services and fostering community cohesion. To a certain extent, the infrastructure and bureaucratic procedures were in place when the Labour government reached out for solutions. The next section will offer the second pathway through which faith became an important public policy concern: in this case, as an asset for the Labour government.

4. Religion as an Asset in the Administrative Realm

Prior to 2001—and consequently, those events which increasingly implicated religion in matters of social control—religion was viewed as a pragmatic resource for the British government. While the Rushdie Affair brought religion to the forefront of public
policy in terms of the Muslim community and especially highlighted the issue of integration, a parallel process was unfolding within government (largely bureaucratic) circles regarding the role of faith in urban regeneration. Thus, as Islam was being reviled as illiberal and foreign element in Western society, in the media and by politicians, civil servants pursued the institutionalization of faith-based initiatives based on a positive (or at least neutral) view of religion. However, it was not until 1997 when New Labour under the leadership of Tony Blair assumed the helm of government that government-faith partnerships gained greater significance and wider applicability. This period saw the rise in faith-based initiatives (FBINs) and initial government-faith partnerships. The first faith-based initiatives emerged out of a faith forum dealing with issues of urban regeneration in the early 1990s, steering government-faith partnerships by a pragmatic concern with marginalized urban areas. At first, government policies dealing with faith in public policy largely consisted of a form of symbolic recognition: perhaps the most notable policy was the inclusion of a religious affiliation question on the 2001 Census. However, it was not until local, national, and international events underscored the role of religion in processes of polarization and radicalization that a more profound shift occurred within the government—both among elected officials but also among civil servants—regarding faith groups as preferred, and even vital, partners to tackling social control issues. By this time, bureaucratic procedures and infrastructure established during this initial period offered the Labour government a ready-made policy solution and, subsequently, were expanded, particularly in the establishment of a new faith institution: the Preventing Extremism Unit.
In the first path, policy was developed within a context of heightened public and political scrutiny. In contrast, in this second path, policy was developed and implemented, to a great extent, by civil servants within bureaucratic circles without much fanfare. There was a notable lack of politicization, particularly as these developments were not the primary focus of politicians at the time. Instead of highly rancorous debates such as those concerning counterterrorism measures and proposals to ban religious incitement, bureaucrats—first within the race bureaucracy and then in the specialized faith units established in 2003 and 2006, respectively—were in charge of policy elaboration and oversight.

In the case of Great Britain—as was the case with race relations in the 1960-1980s—the government adopted new institutions and commissions designed to deal explicitly with “faith” matters. Thus, this path is largely a story about how the state managed policy outcomes by turning to bureaucratic structures (and civil servants) as well as and third-party actors, particularly faith organizations, to address policy problems. The government did so out of a concern for policy efficiency and effectiveness.

As was equally the case with the race relations institutions, once the government established specialized institutions a certain institutional inertia resulted. First, with the creation of the Faith and Cohesion Unit in the Home Office in 2003, the government appointed civil servants to address the issue of faith in government policy. Through the creation of the faith institutions, individuals were given privileged positions as faith experts and had institutional incentives to utilize their new positions to push for the extension of a “faith frame,” that is viewing policy problems and solutions as having a faith
component. For example, since 2003, there have been as many as nineteen publications on the issue of faith and government partnerships or policy. Moreover, these bureaucrats were put in charge of various funding streams that produced further incentives to highlight policy problems related to faith as well as producing solutions utilizing faith.

An important development was the formation and facilitation of more formal policy relationships between these units and different faith representatives. At the start of New Labour’s tenure, the government accorded the Muslim Council of Britain semi-official status as the privileged Muslim interlocutor of the state. At this time, the MCB was contacted by the government to submit comments and reports on policies for the Muslim community’s “response” and met regularly with MI5 and the Metropolitan Police (McLoughlin, 2005). However, since 2005 and the government’s “winning hearts and minds” approach, the government distanced itself from the MCB and partnered with a broader range of Muslim organizations at the local and national level. The faith bureaucracies have been charged with cultivating these relationships, providing key contacts within the Muslim community when a policy problem develops. To a certain extent, the British government has enlisted Muslim partners in a principal-type relationship, as Muslim organizations were viewed as having a comparative advantage in delivering services for the government and providing crucial information, particularly in the area of security intelligence.

There were two broad camps within the British government that viewed religion as an asset. In the first camp, religion was viewed as a variable similar to other socioeconomic indicators, as a utilitarian resource but not of intrinsic value for policy. This posi-
tion was most commonly held by government officials in the race relations regime and by members of the Labour Party with a more secular outlook. In the second camp, religion was valued as an important component of an individual’s identity, as a valuable resource beyond pragmatic considerations of the first camp. Religion was an important container of societal values and an important motivator of civic engagement. During this time, Prime Minister Blair was the most staunch supporter of this position as well as the bureaucrats within the religious buffer institutions.

As a physical presence in marginalized neighborhoods and a trusted institution of disenfranchised populations, the first camp viewed faith organizations as important resources for governmental policies and increasingly sought partnerships with faith organizations in order to capitalize on this (Dinham et al., 2003; Furbey et al., 2006; Furbey and Macey, 2005). This “pragmatic approach” viewed religion or faith institutions as undifferentiated from secular institutions. In particular, this approach viewed faith organizations as important resources in the form of infrastructure and personnel as well as access for government policy.

It was those populations that the government had the least access to—ethnic minorities, especially newer immigrant communities—that religion was found to be a particular important policy lever. Faith institutions, by their mere existence in particular neighborhoods, were often the only institution that could reach a target population. Among this target population, researchers found, religion was increasingly significant and salient. Thus, it was not just that faith institutions acted as meeting spaces but that
these meeting spaces were able to reach a broader swath of the population than other civil society institutions. In his analysis of British faith-based initiatives, Zehavi wrote:

Largely, it was the dire situation in the inner cities that pushed government into a relationship with FBOs. The churches, it was hoped by government officials, could not only deliver services effectively, they could also use their unique position to get previously alienated populations involved in the community and the policy process” (2006, 11).

Faith institutions were also important as they commanded a significant level of community trust. The government, in utilizing faith institutions in its service provision, could capitalize on this level of trust. Lacking legitimacy itself among this population, the government turned to religion as a way to not only provide services but also as a path to re-engaging alienated and disaffected citizens.

Overall, though, this approach viewed religious institutions and communities rather ambivalently, treating faith as a residual variable that did not affect the overall outcome. In fact, through various policy and funding rules, aspects of faith particular to the institution or community were ignored or required to be separated out from public sphere. Reports that advocated for faith-based involvement in public service provision often explicitly discouraged funding and support for the “religious” or “faith” aspects of the particular organizations. Many government mandates sought to support the community and explicitly rejected funding religious activities, fearing the use of public money to support
proselytizing or illiberal activities. The arguments used by government officials and reports often utilized secular language to underscore the pragmatic reasons; phrases used extensively included social capital, meeting spaces, networks, infrastructure, manpower, and leadership to highlight the least problematic aspects of faith institutions receiving government funding (Dinham et al., 2003; Dinham et al., 2009; Furbey et al., 2006; Furbey and Macey, 2005).

There was a second group within government that viewed religion as an important resource as such, believing that people who mobilized resources, generated social capital, or engaged in civic life in a religious context mattered. This approach focused on the unique resources religious organizations and communities contained and could mobilize. In this approach, faith communities were viewed as being a “distinctive” component of the voluntary and community sector. The elaboration of the distinctiveness of the faith sector, however, often did not move beyond pointing to faith values that helped in providing service and promoting community bonding and bridging (and here it is important to note the social capital language that permeated the discussion) (Furbey et al., 2006). The foundation of the value approach was the recognition that faith was an important basis of individual and communal identity. A Faith and Cohesion Unit report in 2004 stated, “The

---

71 For example, a report for the Commission on Integration and Cohesion recommended engagement with faith groups as being “clearly in the best interests of government to encourage faith groups (though not their proselytising activities)” (Billings and Holden, 2007, 10, ital.). However, this pragmatic approach, separating out the community activities from the religious activities, appeared to be hard to disentangle in practice. A government report looking at government-faith partnerships underscored this difficulty, especially given the lack of what it calls “religious literacy” within government. In demanding a wall between religious and community activities, the report questioned the government’s ability to take such an approach, questioning whether “officials in funding bodies have sufficient understanding of emergent faith communities to appreciate the difficulty of making a categorical distinction between ‘religion’ and ‘community’” (Mercia Group, 2006, 83). In addition, government initiatives and funding often required a level of accountability and results that point to it seeing faith as a pragmatic policy lever like race and ethnicity indicators before it. There were often stringent government requirements including an extensive application procedure, end targets in the form of numbers and statistics, requirements for accountability, and a preference for short-term rather than long-term projects.
place of faith communities in the public life of communities has been increasingly understood and acknowledged in recent years. Faith can be a powerful factor in personal and community identity, and the diversity of British society cannot be fully described if faith is left out of the picture” (FCU, 2004b, 1). The 2006 Office for the Deputy Prime Minister (ODPM) “Review of Faith Communities” report acknowledged the growing salience of religion in this way:

This focus on religion has been driven both by major international events which have highlighted the political demands associated with religious movements and by an increasing recognition by academics, policy-makers and service providers of the importance of religion in defining identity, particularly among minority communities (Mercia Group, 2006, 11).

Recent research and events have pointed to the importance of the personal commitment of Blair and other members of New Labour as a key motivator in embracing faith communities within Whitehall (see Taylor, 2003; Taylor, 2004; Smith, 2004). Indeed, after Blair left office, his views on faith have become more explicit, reflecting a commitment to bringing faith into the public realm as a balm to social conflict. In May 2008, during the launch of his Blair Faith Foundation, he clearly stated his own worldview: “you cannot understand the modern world unless you understand the importance of religious faith. Faith motivates, galvanises, organises and integrates millions upon millions of people” (http://www.tonyblairfaithfoundation.org/2008/05/tony-blairs-speech-to-launch-t.html).

Faith was viewed by the Blair leadership through a (largely) uncritical lens as being beneficial to British society (Smith, 2004). Many government reports referred obliquely to values of faith communities rather than highlighting distinctive characteris-
tics of the faith sector, particularly as the government was keen to use inclusive language. In justifying its support of faith institutions, the Faith and Cohesion Unit’s Community Cohesion Pathfinder Fund only referred to general “faith values.” What is important to underline is that when these values were elaborated upon such as in a 2007 DCLG consultation document on increasing interfaith structures in government-faith partnerships, they were regarded as supporting “good,” “democratic,” “participatory” or “British” citizenship.

Once can trace the view of faith as an asset for government to a report by the Church of England following a series of urban riots in the early 1980s. The “The Faith in the City” report argued that faith organizations, in this case the Church of England, should be involved in ministering to people beyond “religious” or faith matters, such as tackling poverty and urban blight, beginning the debate over the role of faith in combating larger social ills. The report and the intense scrutiny it engendered led to an increased governmental engagement with the faith sector.

Although the Labour Party has been a staunch supporter of government FBINs, especially under the guidance of Tony Blair, the initial steps in government partnership with faith organizations began under Conservative leadership. The start of an infrastructure for government-faith partnership can be traced to the creation of the Inner Cities Religious Council (ICRC) in 1992 which was a direct response to the “Faith in the City”

72 “In most cases, at the personal and community level, it translates into good community relations and integrity in public life” the report noted, and “Such values can be a real resource in the practical implementation of community cohesion strategies” (FCU, 2004b, 1).

73 “At all levels of government – local, regional and national – the contributions faith communities make to community life are increasingly being recognised,” the government stated, adding, “The values and behaviours they demonstrate, such as altruism, respect for others, ethical behaviour and community solidarity which underpin good citizenship” (DCLG, 2007d, 7).
report. Housed in the Department for the Environment (currently the ODPM), this Council’s central concern was engaging faith communities in the areas of neighborhood renewal and regeneration. At the time it was an initiative started by a civil servant, Robert Keys, in the Department of the Environment. This forum was an important platform for faith in government, and, perhaps more importantly, for minority faiths as a forum that provided an institutional channel for minority faiths. The ICRC, comprised of the five largest faith groups in urban areas—Christians, Hindus, Jews, Muslims, and Sikhs—acted as a forum where the faith groups and government discussed policy and also as a funding stream to make funds available to faith-based organizations.

The shift to including a faith perspective more broadly across government can be traced to a general receptiveness within the New Labour government to faith groups, evidenced in its “third way” political orientation. Under Blair’s leadership and with a landslide victory for Labour in the 1997 elections, the Labour party abandoned many policies that it had held for decades and espoused FBINs in what it called a “third way” approach to governance, an overarching government philosophy that espoused a general reorientation of government services to a more consumer-oriented approach. This agenda focused on notions of inclusion, partnership with the private sector, and a belief in the community and civil society rather than individuals as an entity for government support. This Third Way governance model was particularly concerned with participation and the potential of the community as a vehicle for governance. The New Labour approach to FBINs, thus, should be seen in light of this larger trend toward welfare-reform and privatization of social policies in government. In this view, the rise of faith in government was not a dis-
tinct phenomenon but emerged from a broader expansion of publicly-funded private delivery that was conceived as a response to welfare state failure.

The new emphasis on inclusion, in the sense of economic opportunities as well as broader concerns of citizens and equality, provided a conducive platform for British faith communities and the government to seek broader, as well as deeper, partnerships. During the New Labour tenure, the term “faith communities” entered government discourse (Smith, 2004). Within this discourse, faith communities were referred to in a positive manner as generators of social capital and important partners in public services, especially in the area of urban regeneration due to their connection to marginalized minority communities and wide geographic scope. A significant rationale for establishing the ICRC and liaising with the faith sector was a pragmatic consideration; the faith organizations were succeeding where the government was failing: in the priority areas of the inner cities (Zehavi, 2008). After 1997, this recognition by various government agencies of the potential power of the faith community in delivering policy goals moved beyond urban regeneration to education, healthcare, religious discrimination, and, most recently, preventing extremism.

74 One recurring theme is the focus on community and recovering or developing a sense of solidarity, a binding of people together with a shared sense of identity and belonging. This focus on the community has also been paired with a discourse on social capital in the British context, both by politicians and academics (see Smith, 2004). This perspective holds that the community is an important unit and container of values, and thus, one must seek to support and foster the community, rather than an exclusive focus on individuals. Greg Smith’s work has drawn the connection between the New Labour government’s focus on the community and its turn to faith groups, emphasizing not just the pragmatic resources that is evident in other work but also the moral basis of community within the major faith traditions (Smith, 2004, 189-190). Indeed, Smith demonstrates how the concepts of community within all the major faith traditions have provided a value foundation for the New Labour’s communitarian agenda, including the Islamic concept of the ummah. He concludes, however, that the New Labour government, in using faith communities has been “highly pragmatic and unsophisticated in theoretical understanding” and, he portends, “probably doomed to confusion and failure” (2004, 192).
Religion, although viewed positively by the Blair leadership, was marginal at this time and steps taken during this period were largely symbolic in nature. During this time, faith communities were actively seeking recognition, demanding governmental recognition of the importance of faith to individual and community identity similar to the demands of racial and ethnic minorities in the 1970s and 1980s, and, in part, to receive government funding and support for their activities. The symbolic recognition of religion was reflected in several developments during the late 1990s and early 2000s. The inclusion of a faith perspective in the Millennium Dome in the form of the faith zone represented a forum in which faith was publicly recognized and celebrated. The Left-controlled government sought legislation against religious discrimination and hatred during this time period as well, although not ultimately successful until 2006 when the security agenda rendered it necessary to placate faith communities. Moreover, the introduction of a question on religion in the national Census, much like the introduction of the ethnic question in the previous Census, marked a new level of official government recognition of the importance of religion in the public sphere. Support for a religious question on the Census, first deemed unnecessary by the government in the mid-1990s, resulted in part from an evolving recognition within the government of the salience of religion to minority communities within Britain. No longer would religion be considered a private matter but it was now a variable that the government could count, categorize, and connect to other indicators of public policy concern such as poverty, educational achievement, and civic and political participation.
A shift decisively occurred after the 2001 riots. Religion—during a time of concern with creating shared values and a new concept of British citizenship—was highlighted as part of the problem as one of the many dividing lines of polarized, parallel communities after the 2001 riots. At the same time, faith was also viewed as a key resource in the solution. Mirroring reports looking at the role of faith in urban regeneration, faith groups were viewed in a positive light. The Cantle report tasked faith communities to be “much more involved in all aspects of social policy and, in particular, in helping communities to understand each other and to assist the statutory agencies to work across faith boundaries” (2004, 20). The stated justification for looking at the faith dimension included “an increased recognition in the role of faith has in shaping local communities” (Cantle, 2004, 29). While previously the government had focused on providing a degree of symbolic recognition to faith groups, after 2001 faith was viewed as an important pragmatic resource to be used.

The evolution of government frame toward faith partnerships can be seen in several government documents written during this period. The first document, the 2001 National Strategy Action Plan of Office of the Deputy Prime Minister, issued guidance to local government structures stressing that faith organizations were not subject to special restrictions and marked the first official policy statement of the government’s “pragmatic approach.” Beyond seeking to “level the playing field” by issuing a clear policy statement that faith-based organizations were to be considered as any other secular organizations in the provision of government funding, the guidance went one step further and encouraged government-faith partnerships, noting “Faith groups may offer a channel to
some of the hardest-to-reach groups. A pragmatic approach will be taken to funding faith groups, recognising that they may be the most suitable organisation to deliver community objectives” (ODPM, 2001, 52). By 2004, a “pragmatic” policy of encouraging faith involvement in government became an official mandate in an ODPM document that mandated local strategic partnerships (LSPs) work with faith communities. This provides evidence of an evolving “pragmatic approach” to faith-based partnerships, a change from viewing them as potential partners to crucial partners. By 2006, a government-commissioned review of faith communities in Great Britain recommended that all government policies were to be regarded through a “faith frame,” in which policy implementation and results needed to meet certain criteria regarding “faith sensitivity” much like preceding race and ethnic frames.

This shift to faith monitoring reflects a governmental mindset that viewed faith as a positive partner. The focus was on the contribution faith makes or could make to government objectives and how the government could support this. During this stage, the government viewed faith as providing essential social capital within the community, framing the problem as one in which communities must be encouraged to interact and reach out more broadly. Faith was a positive resource if harnessed correctly, illustrating a push toward the government management of religion. The 2001 Census, in which over 92% of people responded with a faith affiliation, provided an insight into how the government understood the contribution of faith to community cohesion. Faith was considered a shared value among British citizens. During this time, the government was not concerned with the content of faith, focusing on emphasizing shared similarities and con-
necting faith communities to government structures. The government commissioned re-
search on faith, trying to figure out how to harness this good faith capital. These reports 
were undertaken in a “period of renewed interest in religion in policy developmental re-
search” according to a Home Office report on religious discrimination (Home Office, 
2001). Consequently, government departments commissioned various reports to under-
stand, as one government document phrased it, “the particular needs and perspectives of 
faith communities” (Home Office, 2001).

This research provides evidence of how the government viewed religion at this 
time, suggesting what was considered significant and how it saw different policy issues 
connecting to religion. First, these reports highlighted the salience of religion for minor-
ity faiths, particularly for Muslims, in contrast to the wider British population. What this 
suggests is the government viewed religion in a particular manner: as one connected to its 
minority communities and, thus, implicating the larger concerns of the ethnic minorities. 
Second, a common research finding in government reports highlighted the relative depre-
vation of the Muslim community across indicators. These reports also emphasized how 
faith raised “distinct” issues for various policy domains, providing support for the gov-
ernment’s move to create new structures to deal with faith (Cabinet Office, 2003; ONS, 

While the government was commissioning research on the nature of faith in Brit-
ish society and how its bureaucracies could harness this “faith capital,” it also set about 
organizational change to reflect this new agenda. The government set up a separate unit 
to deal with faith-government liaison: the Faith Cohesion Unit. In May 2006, this unit
was placed under the newly-created Department for Communities and Local Government. The “faith issue” was still addressed under the larger social cohesion and equality policy areas as the newly termed Cohesion and Faith Unit was under the aegis of the Race, Equality, Cohesion and Faith Directorate. Faith, while addressed in the same overarching framework as race relations issues, nevertheless, was viewed by the government as requiring more specialized attention. At this time, the government also sought legislative measures that addressed the issue of religious discrimination and incitement, largely in response to pressure from faith groups.

The Preventing Extremism Unit—established in December 2006 and housed within the Department of Communities and Local Government as a separate institutional unit alongside the Race, Cohesion and Faith Directorate—was set up to implement the British government’s prevent strand of the counterterrorism strategy within the domestic context. The focus of the unit, while complementing broader issues of community cohesion and integration, has a rather limited organizational mandate of working with the Muslim community to prevent violent extremism by supporting—and in some cases, creating—the conditions that stop people from wanting to commit acts of radicalization. While this is a large remit, the policies undertaken by the unit have implicated matters of faith both as an object of governmental concern and as part of the policy solution.

The government also set up several funding schemes to support capacity-building within faith communities. In addition to the Community Cohesion Pathfinder Fund—a more general fund intended to support community cohesion initiatives—the Faith Communities Capacity Building Fund (FCCBF) contained an explicit focus on faith. This
funding strand sought to develop the capacity of faith organizations and to promote more interfaith work (FCU, 2004b). As of 2008, there have been three rounds of funding. In the first round of funding, £7.5 million was awarded to 588 faith-based groups of which £1.5 million was given to Muslim organizations. The maximum individual grant value was £30,000. Since 2006, the Government has invested £13.8 million to enhance the capacity of faith communities through FCCBF funding. In addition, another avenue of funding for faith initiatives is provided through the Cohesion and Faith Unit’s Connecting Communities Plus Grants which provided up to £18 million for the period 2006-2009 for projects that promoted racial equality and community cohesion.

The development of a faith organization’s capacity had two discrete objectives: first, by funding faith organizations to improve service provision, widen program participation, and increase efficiency, the government, by this faith proxy, was able to engage more “at risk” individuals. Second, the government, through funding mandates, could encourage greater engagement of the organization with civil society as well as the government and, thereby, promote a more “civic-oriented” faith, particularly among minority faiths and more insular organizations without a history of state engagement.

In devoting considerable resources to develop this “faith” infrastructure, through the creation of permanent bureaucratic structures as well as dedicated funding streams and formal working relationships with faith partners described in this section and in more detail in Chapter 4, the government influenced future policy outcomes by defining and delimiting the policy path in which “faith” issues would be addressed.
5. The Politics of British Faith Policy

As this chapter has illustrated, contemporary British policy toward the Muslim community has been driven by key events—the Rushdie Affair, the 2001 riots, 9/11, and 7/7. However, one cannot understand how this major sea change came about without understanding the politics surrounding these key events. There are two distinct, yet interconnected, paths that help explain the move to a “faith” frame and the politicization of religion within public policy.

Security events implicated the Muslim community as a “problem community” and faith as a part of the problem, particularly after the London bombings by British-born Muslims in July 2005. While it is clear that the government’s faith agenda concerned a larger community than the Muslim community, nevertheless, this community became the primary reference point when security concerns dominated the political agenda. This was reinforced by government and private sector research that pointed to the Muslim community as the most deprived minority across public policy indicators. The exclusive focus on the Muslim community, in turn, implicated problems within the Muslim community such as the imam and mosque problem, youth radicalization, lack of compatible values, and the transnational nature of the community. This was a highly politicized process, fueled in part by increased societal concern.

This first path is perhaps not surprising in a post-9/11 context. However, to understand the particular form of the policies undertaken by the British government—that is to say, how the religious values within the Muslim community became important components in the solution—it is also important to understand a second path which brought re-
ligion to the government agenda. In this second path, religion was viewed as an asset—rather than an object—of policy and facilitator of government objectives. This path was a story of institutional creation and bureaucratic procedures which provided the government with the infrastructure—specifically in the form of more formalized partnerships with faith organizations—to utilize faith as resources in the government’s post-7/7 response. The administrative venue also offered the Blair government an important buffer to the highly politicized debates focusing on how to respond to the 7/7 bombings and Muslim radicalization.

With the merging of the security agenda and the community cohesion agenda after the July 2005 bombings, the Blair government—spurred by increased societal and political scrutiny—began to critically assess its relationship with faith, no longer viewing faith involvement within government or civil society as uncritically “good” particularly after 7/7 when the public and political attention were focused on “religious issues.” Now there was a need to separate out “good religion” from “bad religion,” as now there was an increasing view held both within society and among policy-makers that religion was also an illiberal force. Up until this point, the Blair leadership was content to use faith communities in government service provisions—and extol their virtues in government publications and speeches to the bureaucratic and voluntary communities—until social order concerns politicized what was previously an issue within the bureaucratic domain.

At this time, the governmental dramatically overhauled its faith policy, still viewing faith organizations and leaders as vital partners but, crucially, differentiating among faith organizations, seeking to legitimize those with particular characteristics. While pre-
vious government policies sought to support “faith” in general, this became an increasingly tenuous public policy commitment. These two streams, viewing faith as an important pragmatic and moral resource, merged with the government’s new emphasis on combating extremism through values. At this point, the Blair government sought to shift the policy back to the bureaucratic realm with the creation of the Preventing Extremism Unit. Through this unit, the government sought to construct an acceptable form of Islam within the British state, supporting “moderate” and “liberal” faith organizations, particularly focusing on women, youth, and interfaith bodies as key partners. The government not only needed faith organizations as partners to utilize its space, people and networks, and access but also its value narratives. However, the government channeled the type of value narrative coming from the faith sector, privileging a liberal, civic-oriented faith to counter the extremist message. The administrative tools the government used to accomplish this task are discussed in detail in Chapter 4.

Religion was at the center of public policy debates due, in large part, to how politicians sought to steer the debate. And, when one looks at the issues that were not addressed by the government, namely the area of foreign policy—which critics have suggested have played an equally important role in the radicalization of the British Muslim community 75 and, by contrast, has been the almost exclusive focus of American policymakers—the politicization of religion is more prominent. As one example, the Iraq war has been a polarizing political issue for the Labour government. Before the invasion in

75 Scholars have suggested that British foreign policy—in interaction with domestic cultural and socioeconomic marginalization—has been a significant source of alienation and radicalization among young British Muslims (Kepel, 2004; Roy, 2004; Brighton, 2007; O’Duffy, 2008). Tony Blair responded to this argument in a Foreign Affairs article in 2007, arguing that the struggle, rather than being over foreign policy, was one of values.
2003, there were massive anti-war demonstrations, and, in the run-up to the 2005 general elections, the Iraq war once became a particularly divisive issue for the Labour government. During this period, Muslim support for Labour Party dropped significantly, as evident in the 2005 election results.\footnote{In an illustration of the divisiveness of the Iraq issue, George Galloway, once a Labour member but who broke away to form the Respect Party, won the safe Labour seat of Bethnal Green and Bow in East London on the issue of the Iraq war.}
CHAPTER 2:

THE RISE OF THE POLITICS OF RELIGION IN FRANCE

In the previous chapter, it was demonstrated how Great Britain experienced a “turn to religion” during the 1990s which was the result of a parallel process of responding to specific security events that implicated religion in matters of social control—thus, constructing religion as something to be managed by the state—and seeking out faith as a partner in government programs—a pragmatic resource to be used and channeled to government purposes. France also experienced a “turn to religion”—faith increasingly became the subject of public debate in France and became a matter of public policy concern—during this time period. This “turn to religion” was most clearly demonstrated in the significant religious cleavage that re-emerged over this time period concerning the proper place of religion in the public sphere, debated largely over whether the Muslim headscarf should be banned in the Republican school. It pitted those who desired a “neutral” public space, free of religious connotations, from those who argued for the need, if not to embrace, at least to enable religion to enter the public space. This chapter provides an historical survey to demonstrate when this “turn to religion” occurred and the processes by which religion became a matter of public policy concern. Through an analysis of the historical path, this chapter offers an argument for why religion rose in salience within French society, among political elites, as well as for public policy when it did—starting in the 1990s after the first affaire du foulard and accelerating after a third affaire in 2003—
and also provides an explanation regarding why the policies took the form—both restrictive and inclusive—that they did.

The central argument of this chapter is that religion became a matter of public policy concern in the 1990s through the political process—driven by a successful far right and divided left—as a “problem” for the French state. In the 1990s and 2000s, as religion, inextricably connected to issues of illiberalism and transnationalism through international and domestic events, rose to the forefront of societal and governmental concern, both governments on the right and left were prompted to pursue initiatives to address a perceived growing “religion” or “national identity” problem.

As was the case in Great Britain, while domestic and international events raised the issue of religious difference as a problem for national identity, the politicization of religion was not a natural result of events. In particular, the policy process was significantly affected by the presence of a strong far right party, the Front National, under the leadership of Jean-Marie Le Pen. The success of the far right in France, both in electoral terms and the party’s ability to affect the tenor and subject of policy debates and positions of mainstream parties, had at least two important consequences. First, by addressing issues that were initially ignored by the mainstream parties, the far right was able to steer the debate concerning immigration and national identity issues. This resulted in the placing of Islam at the center of the problem, making it something to be managed. The debate over Islam, then, focused on how it was a “problem” for the French Republic and a threat to its national identity. Indeed, far right political movements across Europe have managed to do the same to greater or lesser success. Second, through its relatively high
electoral success throughout this period, the far right forced the mainstream right and left to take restrictive political positions particularly in the area of immigration and “national identity” in order to win back votes. The far right not only affected how the problem was defined but also circumscribed the parameters for the mainstream political parties in the solutions sought.

There was another equally important political development among the French Left during this period. The emergence of a “religious cleavage” caused a split among the political Left. The Left split over the issue of the proper interpretation of laïcité, creating the facilitative conditions for a new Left-Right coalition that supported repressive policies toward Muslims. While not the only factor in the rise of the far right and the cleavage among the Left, the introduction of Islam into the French public space was an important variable in the changing political context. That Islam was considered not only a foreign religion but a patriarchal and oppressive one toward women was one factor in the split on the Left, forcing those on the Left to choose between two important values: individual religious freedom versus gender equality.

What is more, both right and left governments, through the advocacy of restrictive measures continually placed up front the argument that religion was a problem for national identity and the very survival of the French Republic in threatening laïcité. Even in the inclusive measures, the government focused a spotlight on religion as a subject of policy concern. The outcome of this process, much like what happened in Britain during this time period, was a contradictory policy regime of restrictive and inclusive measures both seeking to depoliticize religion—that is, to take religion out of the public debate.
and/or the political process – but, paradoxically, it had the opposite effect: a further politicization of religion and greater—rather than less—state involvement in religious matters. Indeed, even though the historical and constitutional structure—and, particularly, societal view of the role of religion—would seem to point to a very different policy outcome in the French case, the French government sought to create closer ties with “good” religion through partnerships and delegation of certain policy responsibilities. Because of the important role laïcité played in the French national identity, the pursual of such an approach needed to be, in many ways, “invisible” to the public as well as political opponents on both the right and left. This was done by shifting policy to the bureaucratic realm.

1. The Rise of Ethnicity in Republican Politics

The French government was not initially or primarily concerned with the religious characteristics of its domestic Muslim population. Up until the 1990s, religion, quite simply, was not a matter of public policy concern. Both French society and French politics were concerned with the ethnic difference brought upon by post-World War II immigration: first treating the population as guests who were to return and then focusing on the contradictions and policy complications brought about by integrating “difference” within the Republican space after concerns over social order focused on the minority community as a “problem community.” During this time, ethnic minorities sought a “right to be different,” sparking considerable debate over whether ethnic identities, recognized as such, were compatible with Republican values (based, foremost, on the principle of universalism). The contemporary debate in which French politicians and society
questioned whether Islam was compatible with French Republican democracy, thus, is a continuation of—rather than a departure from—the debate over whether the racial minority population was compatible. It was not until the late 1980s, coinciding with the rise of the far right and its rhetoric against immigrants, that Muslims were viewed more distinctly and, consequently, this difference was increasingly viewed as a “problem” for the French nation, particularly for national cohesion and identity. The Front National’s rhetoric increasingly exploited the religious dimension of Muslims going forward.

The “turn to religion” as a public policy concern is most clearly illustrated by the lack of debate and reference to the French principle of laïcité during this time period. The political debates concerning citizenship and national identity which erupted over this process of integration implicated laïcité and the Muslim identity of the minority population only after the first affaire du foulard and the politicization of these issues by political elites. That is to say, only after the political process rendered laïcité an issue did it rise to the forefront of public and then electoral concern. The presence of the strong far right was particularly important to how the debate and process was structured at this time: first by inflaming—and, at times driving—illiberal sentiment among the general population against the minority population, and, second, by deploying a rhetoric which simplified complex social problems which used the Muslims community as a scapegoat for the source of all France’s ills. Moreover, this section provides evidence that the policy response undertaken in the contemporary period shares important similarities to the policy regime established in the 1980s to deal with ethnicity. In this case, as in the British case, administrative mechanisms were developed to promote, manage, and, ultimately, co-opt
an ethnic beur identity due to concerns of social order and divided loyalty. The management strategies developed to address problems of “religion” parallel the ones taken during this time period.

The French state, unlike the British, actively recruited foreign labor in the post-WWII period in order to fulfill her economic needs. For roughly 30 years after the end of World War II, the French state, in conjunction with the private sector, turned to her former colonial holdings, especially those in the Maghreb, as a significant source of manual labor for the metropole in addition to experiencing spontaneous migration. It is during this period that immigrants arrived from predominantly Muslim countries of Algeria, Morocco, Tunisia, and Turkey in unprecedented numbers and over a relatively short period of time (Fetzer and Soper 2005; Laurence and Vaisse 2006). The favorable economic context under which these migrants came to France, then, would mean that immigration was a welcome feature.

The French state also sought to recruit a certain type of worker, one that was more easily assimilated, and this was based on ethnic and/or cultural criteria. State recruitment centers favored those immigrants from within the European Community (the Italians, Spanish, and Portuguese) over immigrants of Muslim origin from Turkey and North Africa, suggesting a cultural preference in favor of European immigration that was maintained through the newly created Ministry of Public Health and Population (MSPP). Vincent Viet (1998) offers evidence that these selective practices were based, in part, on the notion that European populations were more culturally assimilable than non-European populations, and specifically, those populations from the Maghreb.
Over a decade after Britain passed its first restrictionist immigration act, the French government took steps to reduce immigration and tighten requirements for citizenship. As with the introduction of immigration restrictions in Britain, restrictionist policies had the effect of encouraging permanent settlement by the workers and their families. During this period, the government attempted various strategies to reduce both immigration and permanent settlement. The issue of immigration eventually led to a debate over citizenship, republican values, and universal nationhood, prompting politicians to undertake efforts to narrow citizenship as well as channel this new minority’s activities to those which were commensurable to the state.

The concern with immigration and color found in the Britain, however, unfolded differently in France due to the French Republic’s national philosophy of integration and notion of the citizen. In the Republican notion of citizenship, stemming from the 1789 French Revolution, the individual is recognized as the only legitimate holder of rights by the state—ethnic, regional, and religious categorizations are ignored. As Scott describes: “According to its defenders, French universalism has been, since the Revolution of 1789, the guarantee of equality before the law. It rests on a notion of politics that takes the abstract individual to be the representative not only of citizens but also of the nation. And it rests, as well, on the assumption that all citizens, whatever their origins, must assimilate to a singular standard in order to be fully French” (2005a, 1).

This tradition holds that people living together in a society require an agreement on a basic set of values. The state plays an important role in achieving this agreement and integrating new people into society through the dual role of instruction and exempli-
fying what it means to be a citizen (Bowen, 2007). Thus, French citizenship is a transforming process from individual to “citoyen” (citizen). Certain French institutions, such as schools, trade unions, voluntary organizations and/or military service, have been charged historically with shaping the citizen. As such, freedoms and liberties are guaranteed through political power in France, not invested with the individual as in the Anglo-Saxon tradition.

The issue of “nationhood” and French citizenship reached the national agenda during the mid-1970s. During this time, problems of social order were highlighted in the media and there was increased public attention to racist crimes, both the increased numbers and seriousness. As in the British case, the rise of the permanent minority population due to immigration restrictions and particular events of social disorder involving this new population provided an impetus for domestic legislation against racism and racial discrimination even with the government’s reluctance to acknowledge a need. At the official level, French politicians have been reluctant to adopt policies designed to recognize and target racial, ethnic, or religious minorities as officials fear that granting legal status based on group identity perpetuates the very boundaries that undermine a national sense of community (Bleich, 2003; Lieberman, 2001; Gehring, 2009).  

77 The Affaire Djellali was particularly important in spurring action among the public. In October 1971, the teenager Djellali Ben Ali was shot in Paris. This death led to a several thousand-person march against racist crime at the time. During this time period, the French newspaper, Le Monde, ran a three-day series entitled “Are the French Racist?” (Bleich, 2003, 130). Race was becoming the dominant paradigm, especially a concern with equality between the races. In 1972, the government passed its first race legislation. Revisions to the 1972 law have tended to reinforce official color blindness. The most important was a 1978 provision in an omnibus bill that prohibits the collection of racial or ethnic data by the government.
1.1. Questions of Citizenship and Representation

The debate over immigrants and citizenship initiated by the French elites and intellectuals, spurred by the exclusionary politics of the Front National and its ability to frame the issue, was a defining feature of this period and well into the 1990s. Immigration, initially welcomed by the French state, gave rise to questions of unity and social order of the nation. Thus, more narrow issues of integration of immigrants began to spiral into larger epistemological ones regarding the viability of the nation and its political institutions. Within France, an intense debate over immigration and integration, utilizing grand themes of republicanism and citoyenneté, became “arguably the most visible and salient issue in French politics” in the mid-1980s to early 1990s, bringing forward “the big symbolic questions of ‘belonging’ and the cultural integrity of France” (Favell, 1998, 40, 48). During this time, there was a reaffirmation of the Republican model.

During the 1980s, there emerged a nationalist politics of citizenship in France in response to the visibility of post-colonial migrants. The national debate which resulted demonstrated an important tension in the France over the dilemma of a Republican notion of citizenship versus ethnicity. In particular, a large debate surfaced concerning the citizenship of the Algerian population in France. At the time, under Article 23 of French citizenship law, French citizenship was attributed to third-generation immigrants based on their birth on French soil by parents who were born on French soil. In this case, however, the parents were not born on the French mainland but in French Algeria. As such, the third generation was automatically conferred French citizenship.\(^{78}\) However, this

\(^{78}\) The other path to French citizenship is under Article 44, conferring citizenship at the age of 18 to second-generation immigrants who were born in France and have resided since age 13. Under Article 44, one consents to French citizenship, and, thus has the option to decline.
generation was also granted citizenship from the newly independent Algerian nation, resulting in a situation of dual citizenship. As a result, many of the roughly 400,000 French-born children of Algerian expatriates did not know about their French citizenship until they were required to serve for both the Algerian and French armies. This situation was untenable to both the French political left and right and spurred a debate within France over citizenship.\(^79\)

1.2. The Foundations for the Politicization of Islam: The Front National, Immigration, and Mainstream Political Parties

In France, the Front National (FN), formed in 1972 and the country’s most successful far right party, made significant electoral strides during the period in question but, more significantly, it affected the rhetoric, platforms, and policy positions of the major political parties in France, particularly concerning immigration and the place of ethnic minorities. Indeed, the party was instrumental in making immigration the issue at the

---

\(^79\) These events led to the reformation of the nationality code by the new right-wing government in 1986. This new nationality code replaced the automatic access to French nationality by a declaration of will (manifestation de volonté) and dual citizenship that resulted from decolonization was challenged. This was defeated in part due to strong reactions by an alliance between youth movements and immigrants, led in part by SOS-Racisme, criticizing the new reform as being “un-French” in attacking the universal notion of citizenship (Favell, 1998). The Conseil d’État (Council of State) also challenged aspects of the reform that conflicted with the French Constitution, leading the Prime Minister to launch a Commission of Nationality in response to defuse opposition to the project. After a series of public hearings, a two-volume report was published entitled “Being French Today and Tomorrow.” Final reform of nationality code was finally passed in 1993 with the replacement of Article 44 with a declaration of will. This debate and final form demonstrated a national consensus that formed in the 1980s and 1990s determined by a conservative Republican philosophy (Bertossi, 2007). At the end of the decade, pundits and politicians were concerned with a “crisis of representation,” sparked in part by the strength of the far right in the first round of presidential elections of 1988 (Scott, 2005a). In particular, politicians faced pressure from several groups (the Beur movement but also the parité movement of French feminists) to recognize “difference,” a significant challenge for the universal Republican political system (Favell, 1998; Scott, 2005a). At the time of the bicentennial of the 1789 Revolution, politicians and public intellectuals reaffirmed within the public sphere the principle of French Republicanism: unity of the French nation based on universalism (the “indivisibility of the national representation”) (Scott, 2005a, 8).
center of the debate in the 1980s, simplifying the debate of larger sociocultural and political issues as being about the integration of immigrants and their place within France (Favell, 1998).

The appearance and political success of the Front National affected the country’s discourse and political context concerning the integration of the Muslim population in three ways. First, the party contributed to the rise of the salience of immigration during this time period, successfully placing the issue at the center of many of the larger debates concerning nationality, identity, and, eventually, laïcité. Indeed, one cannot understand the contemporary situation without reference to the Front National and how it has structured the terms of the debate within French society. Second, the party created a climate of fear, eliciting societal anxieties over the issue of immigration and the presence of “others” within French society, raising the temperature and stakes of the debate. These, in turn, forced the mainstream political parties and politicians to respond in order to maintain voters and draw back support from the Front National which gained support during this period. A significant consequence was the extension of xenophobic and nativist rhetoric against Muslims, contributing to the rise in prominence of religion and the “Muslim problem.”

Beginning in the 1980s, the FN emerged on the political scene from obscurity in the 1970s as a party with fascist origins, benefiting for a poor economy and its attacks against immigrants, to play what Hainsworth and Mitchell argue was a “prominent role in French (and European) politics and society in the 1980s and 1990s. For a sustained period, it has been able to occupy centre-stage with its political ideas” (2000, 443). The
party’s initial electoral breakthrough was in local elections in Dreux in 1983. The Front National achieved significant electoral success starting in the mid-1980s, obtaining 10 seats in the European elections in 1984 and 35 seats in the 1986 legislative elections. Beginning in the 1990s, the FN became an increasingly important player in French political life, remaining above the 10% threshold in French elections. In fact, between 1980 and 2007, the National Front became the third largest party in France, representing between 11-18% of the French electorate and reaching as high as 30% in certain cities and regions.80 The party has been most successful at the local and regional level, having successfully elected over 200 local and 250 regional councillors by the late 1990s (Hainsworth and Mitchell, 2000, 443). Moreover, the presidential election of 2002 marked the first important success for the party at the national level when its charismatic leader, Jean-Marie Le Pen, advanced to the second stage of voting, obtaining 15% of the national vote (amounting to nearly 4.5 million votes).

The National Front’s success stemmed from its ability to tap into deep-seated anxieties within the French population over the socioeconomic changes which have occurred since World War II. The party was able to do this by expanding its platform—and, in the process, its base of support—beyond its traditional anti-fascist roots, focusing on issues of French identity and national integrity, personal security, traditional values, unemployment, and immigration (Hainsworth and Mitchell, 2000; Givens, 2005; Hale Williams, 2006). The party is particularly strong on law and order issues and its support has increased as issues concerning law and order have risen to the top of the public agenda.

80 The party has been most successful in northern France, the south-east and the Riveria, and Alsace-Lorraine regions.
During the time of the party’s emergence, it benefited from two particular developments. First, the party tapped into and exploited the populace’s disillusionment with the mainstream parties—who at this time were increasingly converging toward the center—and, as a result, not addressing issues of importance to the general population and, second, the party benefited from the mainstream right’s collusion with the party at the local and regional level which provided it legitimation in the political sphere (Hainsworth and Mitchell, 2000, 446). While immigration became a central platform issue in the elections of 1983, the mainstream right and left at this time remained, in the words of Hale Williams, “ambivalent,” following a fairly cyclical pattern of converging toward the center, shifting to right, and then shifting back to the center with successive election cycles (2006, 91). During the period of 1985-1990, the Front National attracted new members for the mainstream parties as well as consolidated its core constituency. In particular, the party attracted voters sympathetic to the mainstream right, concerned with national identity and law and order issues.

The National Front capitalized, perhaps more than any other issue, on immigration. Not originally a part of the FN’s platform—indeed, the party’s 1974 platform contained no mention of immigration—by the 1980s, the issue of immigration became a central issue in the party’s platform and helped the party to appeal beyond its narrow constituency. Hainsworth and Mitchell argue that immigration became an “omnibus” issue—an issue through which most other issues were channeled such as unemployment, education, law and order, the economy, and culture—becoming a “scapegoat” for all of France’s problems (2000, 444). At first, the party, and in particular Le Pen, argued
against immigration on cultural grounds, presenting xenophobic arguments against the presence of immigrants, deploying well-known stereotypes such as the smelly, noisy immigrant families with large number of children who lived off the French social security system. However, by the late 1980s, the party was attacking immigration on economic rather than cultural grounds. Hale Williams argues that this shift in strategy was the direct result of the introduction of the Nouvelle Droite intelligentsia into the party’s structure at this time (2006, 86). The new intelligentsia was able to position the issue of immigration properly to appeal to a broader spectrum of voters. Now France was being “flooded” or “overwhelmed” by immigrants but, rather than this being strictly a cultural or national cohesion issue, the National Front placed economic and social problems upfront, pointing to the unemployment rate and taxed social security system (Freedman, 2004, 17).

The Front National has significantly affected the national debate about immigration and France’s ethnic minorities. Indeed, the party was instrumental in placing immigration at the center of the debate in the 1980-1990s. This was a particularly important development. By making immigration the center of its platform, larger and more complicated problems were simplified through the rhetoric of the Front National and the other mainstream parties were forced to respond to the party’s increasing support among the electorate. As will be discussed later in this chapter, the issue of the Muslim headscarf served the same simplifying role for the mainstream parties and general population in the 1990s and 2000s.
At this time, the Front National introduced the concept of national preference ("la préférence nationale") as its central policy. At its core, the concept meant supporting French and European nationals in matters of state provisions such as housing, unemployment, and medical care to the exclusion of other foreigners (and, consequently, allowing the FN to skirt charges of overt racism). This stance has been captured in the phrase “La France et les Français d’abord” ("France and her people first") and has propagated the idea of France as a culturally homogenous nation, sharing the same race, culture, language, history, and religion.

The issue salience of immigration, and by extension the Muslim presence in France, was manufactured to a significant degree by the far right (Hale Williams, 2006; Schain, 2008). Before the successful emergence of the FN on the French political scene, while public opinion was negative toward immigration and immigrants, the issue was not particularly important as an electoral issue (Schain, 2008). Tables 1 - 4 show that in 1984 voters were more concerned with unemployment and social inequality issues, albeit with considerable inter-party differences. By the late 1980s, immigration and law and order issues became significant electoral concerns for the electorate. Importantly, the FN prioritized immigration and law and order issues preceding illiberal public opinion shifts (2000, 453). Indeed, Martin Schain provides evidence that the political importance of the immigration issue was low until the successful emergence of the FN onto the political arena in the mid-1980s. For example, Table 1 displays public opinion data from 1984 demonstrating that, while opposition to North African immigration was very high at the time, only 6% of voters viewed immigration as a priority issue in the upcoming elections.
by 1988, immigration was higher on the priority list of voter concerns, increasing fourfold over the four years, and continuing to grow steadily into the 1990s. Perhaps more interestingly, even as immigration rose in priority as a political (and electoral) issue, attitudes toward North Africans immigrants had actually improved during this period, suggesting that illiberal public opinion did not directly map onto issue salience and that a political entrepreneur was necessary to tap into these sentiments and mobilize them. What is more, Table 1 provides evidence that the concern over immigration grew among all voters at this time, not just Front National supporters. A concern over law and order issues, another key electoral concern of the far right, displayed a similar pattern over this time period (see Table 2).

**TABLE 2.1**

**THE PERCENTAGE OF VOTERS MOTIVATED BY IMMIGRATION CONCERNS**

**BY PARTY AFFILIATION IN FRANCE: 1984-1997**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>PC</td>
<td>2</td>
<td>12</td>
<td>16</td>
<td>15</td>
</tr>
<tr>
<td>PS</td>
<td>3</td>
<td>1</td>
<td>19</td>
<td>15</td>
</tr>
<tr>
<td>Rt.</td>
<td>3</td>
<td>19</td>
<td>33</td>
<td>22</td>
</tr>
<tr>
<td>FN</td>
<td>26</td>
<td>59</td>
<td>72</td>
<td>72</td>
</tr>
<tr>
<td>All French</td>
<td>6</td>
<td>22</td>
<td>31</td>
<td>22</td>
</tr>
</tbody>
</table>

Source: adapted from Schain, 2008, 95
### TABLE 2.2

THE PERCENTAGE OF VOTERS MOTIVATED BY LAW AND ORDER CONCERNS
BY PARTY AFFILIATION IN FRANCE: 1984-1997

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>PC</td>
<td>9</td>
<td>19</td>
<td>29</td>
<td>28</td>
</tr>
<tr>
<td>PS</td>
<td>8</td>
<td>21</td>
<td>24</td>
<td>29</td>
</tr>
<tr>
<td>Rt.</td>
<td>17</td>
<td>28</td>
<td>37</td>
<td>43</td>
</tr>
<tr>
<td>FN</td>
<td>30</td>
<td>55</td>
<td>57</td>
<td>66</td>
</tr>
<tr>
<td>All French</td>
<td>15</td>
<td>31</td>
<td>34</td>
<td>35</td>
</tr>
</tbody>
</table>

Source: adapted from Schain, 2008, 95

### TABLE 2.3

THE PERCENTAGE OF VOTERS MOTIVATED BY UNEMPLOYMENT CONCERNS BY PARTY AFFILIATION IN FRANCE: 1984-1997

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>PC</td>
<td>37</td>
<td>59</td>
<td>77</td>
<td>85</td>
</tr>
<tr>
<td>PS</td>
<td>27</td>
<td>43</td>
<td>71</td>
<td>83</td>
</tr>
<tr>
<td>Rt.</td>
<td>20</td>
<td>41</td>
<td>67</td>
<td>72</td>
</tr>
<tr>
<td>FN</td>
<td>17</td>
<td>41</td>
<td>64</td>
<td>75</td>
</tr>
<tr>
<td>All French</td>
<td>24</td>
<td>45</td>
<td>68</td>
<td>75</td>
</tr>
</tbody>
</table>

Source: adapted from Schain, 2008, 95
Hale-Williams argues that the Front National created an issue space where it did not exist before, serving as the model for other radical right parties during this time period. She contends that the party was “able to manufacture issue concerns disproportionate to or in the absence of actual conditions that might organically elicit these concerns” (2006, 93). Evidence provides support for this argument. During the period in which the Front National made immigration central to its political platform, the proportion of foreigners in France diminished. However, despite this reality, the sentiment that “there were too many immigrants” grew in France among the general population—a sentiment particularly expressed against North African immigrants. In a CEVIPOF survey in 1997, a majority of French electorate expressed there are “too many immigrants” (59%) or that in France “one does not feel at home as one did before” (44%). Throughout the 1990s,
the number of French who agreed there were “too many immigrants” remained above 50% and well above the EU average (see Table 5).

TABLE 2.5
FRENCH VIEW THAT THERE ARE “TOO MANY” IMMIGRANTS: 1988-2000

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>France</td>
<td>44.6%</td>
<td>55.8</td>
<td>51.5</td>
<td>55.6</td>
<td>55.1</td>
<td>46.1</td>
<td>42</td>
</tr>
<tr>
<td>EC/EU</td>
<td>37.4</td>
<td>50.5</td>
<td>50</td>
<td>51.6</td>
<td>43.5</td>
<td>44.5</td>
<td>39.9</td>
</tr>
</tbody>
</table>

Source: adapted from Kessler and Freeman, 2005, 831 as cited in Messina, 2009

Indeed, the influence on the FN should not only be measured in votes. Between a fifth and a quarter of French voters have expressed support for many of the Front National’s ideas, particularly in the form of illiberal opinions concerning immigrants and immigration. While illiberal sentiment is most strongly held against illegal immigrants, there is substantial illiberal sentiment against legal immigrants as well. For example, in 1993 almost 8 out of 10 French respondents were in favor of systematically expelling illegal immigrants while almost three-quarters were in favor of expelling all immigrants convicted of a crime (Table 6). And, a majority of French respondents (52%) were in favor of offering financial incentives for working immigrants to return home. As Table 7 demonstrates, during this period, the general French population expressed high illiberal sentiment toward immigrants, ranking third among all European Community countries with an average of one in five French men at this time finding the “presence of people of
another race disturbing.” In 2000, a slightly higher proportion of the French population was in favor of sending all foreigners back to their country of origin (see Table 8).

One way of increasing the salience of the immigration issue was through the creation of a climate of fear. Hale Williams (2006) points to two overarching themes of the Front National that sought to tap into societal anxiety: national sovereignty (ultimately, concerning the survival of a national identity) as well as security. During the time of increased European integration and globalization, the party argued that the French nation and character were under threat and would cease to exist if external forces were not actively challenged. The most important issue, however, has remained the issue of security (insécurité).

TABLE 2.6

FRENCH ILLIBERALISM TOWARD IMMIGRANTS: 1993

<table>
<thead>
<tr>
<th>Issue</th>
<th>Favor</th>
<th>Oppose</th>
<th>Don’t Know</th>
</tr>
</thead>
<tbody>
<tr>
<td>Systematically expel illegal immigrants</td>
<td>79%</td>
<td>20</td>
<td>1</td>
</tr>
<tr>
<td>Allow police to check IDs at any time</td>
<td>76</td>
<td>23</td>
<td>1</td>
</tr>
<tr>
<td>Expel all immigrants convicted of a crime</td>
<td>74</td>
<td>24</td>
<td>2</td>
</tr>
<tr>
<td>Allow officials to deny fake marriages</td>
<td>63</td>
<td>33</td>
<td>4</td>
</tr>
<tr>
<td>Offer financial incentive for working immigrants to return</td>
<td>52</td>
<td>45</td>
<td>3</td>
</tr>
</tbody>
</table>

Source: American Institute of Public Opinion 1993 as cited in Messina, 2009
### TABLE 2.7

**EUROPEAN’S AGREEMENT THAT THE “PRESENCE OF PEOPLE OF ANOTHER RACE DISTURBING”: 1993-2000**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Belgium</td>
<td>21.6%</td>
<td>22.3</td>
<td>26.7</td>
<td>23.5</td>
<td>1</td>
<td>8.4</td>
<td>3</td>
</tr>
<tr>
<td>Denmark</td>
<td>19.3</td>
<td>24</td>
<td>23.1</td>
<td>22.1</td>
<td>2</td>
<td>4.8</td>
<td>6</td>
</tr>
<tr>
<td>France</td>
<td>23.4</td>
<td>13</td>
<td>23.1</td>
<td>19.8</td>
<td>3</td>
<td>5.6</td>
<td>4</td>
</tr>
<tr>
<td>Austria</td>
<td>22.2</td>
<td>13.8</td>
<td>18</td>
<td>4</td>
<td>9.3</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Germany</td>
<td>15.2</td>
<td>13.7</td>
<td>16.8</td>
<td>15.2</td>
<td>5</td>
<td>8.9</td>
<td>2</td>
</tr>
<tr>
<td>Italy</td>
<td>12.8</td>
<td>13.9</td>
<td>14.2</td>
<td>13.6</td>
<td>6</td>
<td>2.4</td>
<td>10</td>
</tr>
<tr>
<td>Britain</td>
<td>13.6</td>
<td>12</td>
<td>13.5</td>
<td>13</td>
<td>7</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td>Ireland</td>
<td>8.6</td>
<td>8.6</td>
<td>19</td>
<td>12.1</td>
<td>8</td>
<td>3.3</td>
<td>9</td>
</tr>
<tr>
<td>Sweden</td>
<td>8.8</td>
<td>11.7</td>
<td>10.3</td>
<td>9</td>
<td>5.4</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>Netherlands</td>
<td>7.9</td>
<td>11.8</td>
<td>9.7</td>
<td>9.8</td>
<td>10</td>
<td>4.2</td>
<td>7</td>
</tr>
<tr>
<td>Finland</td>
<td>11</td>
<td>7.2</td>
<td>10.2</td>
<td>9.5</td>
<td>11</td>
<td>1.8</td>
<td>13</td>
</tr>
<tr>
<td>Portugal</td>
<td>8.3</td>
<td>5.4</td>
<td>11.5</td>
<td>8.4</td>
<td>12</td>
<td>2.1</td>
<td>12</td>
</tr>
<tr>
<td>Spain</td>
<td>10.7</td>
<td>6.4</td>
<td>5.6</td>
<td>7.6</td>
<td>12</td>
<td>2.2</td>
<td>11</td>
</tr>
</tbody>
</table>

TABLE 2.8
ANTI-IMMIGRANT SENTIMENT ACROSS THE EU: 2000

<table>
<thead>
<tr>
<th>Country</th>
<th>Tend to Agree</th>
<th>Tend to Disagree</th>
<th>Don’t Know</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greece</td>
<td>32%</td>
<td>53</td>
<td>15</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>28</td>
<td>59</td>
<td>12</td>
</tr>
<tr>
<td>Belgium</td>
<td>25</td>
<td>65</td>
<td>10</td>
</tr>
<tr>
<td>Germany</td>
<td>25</td>
<td>54</td>
<td>21</td>
</tr>
<tr>
<td>France</td>
<td>22</td>
<td>67</td>
<td>12</td>
</tr>
<tr>
<td>EU</td>
<td>20</td>
<td>65</td>
<td>16</td>
</tr>
<tr>
<td>Portugal</td>
<td>19</td>
<td>62</td>
<td>18</td>
</tr>
<tr>
<td>Italy</td>
<td>19</td>
<td>68</td>
<td>13</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>18</td>
<td>62</td>
<td>21</td>
</tr>
<tr>
<td>Austria</td>
<td>17</td>
<td>63</td>
<td>20</td>
</tr>
<tr>
<td>Ireland</td>
<td>16</td>
<td>63</td>
<td>22</td>
</tr>
<tr>
<td>Finland</td>
<td>15</td>
<td>74</td>
<td>11</td>
</tr>
<tr>
<td>Netherlands</td>
<td>13</td>
<td>78</td>
<td>10</td>
</tr>
<tr>
<td>Spain</td>
<td>12</td>
<td>77</td>
<td>11</td>
</tr>
<tr>
<td>Sweden</td>
<td>10</td>
<td>81</td>
<td>9</td>
</tr>
<tr>
<td>Denmark</td>
<td>9</td>
<td>84</td>
<td>7</td>
</tr>
</tbody>
</table>

Source: Thalhammer et al., 2001 as cited in Messina, 2009

Responses to “All Foreigners Should be Sent Back to Country of Origin”
The strategy of the FN was not only to argue that there were too many immigrants in France but that these immigrants were intimately connected to problems of social order and control. In particular, the National Front highlighted how immigration posed problems for civil peace and, due to the “liberal” tolerance of successive French administrations, have made Frenchmen feel like strangers in their own country (http://www.frontnational.com/doc_id_immigration.php). In this presentation, immigration is a threat to the very basis of national and political cohesion, undermining French national identity.

One of the main strategies of the FN has been the connection of immigrants, and in particular North Africans, with the increasing incidence of crime. The National Front drew a connection between the increasing crime rate and immigrants, arguing that immigrants were the primary perpetrators of crimes. For example, the FN has used the government’s Annual Report of the Ministry of Interior to argue that foreigners proportionately commit more crimes and offenses than the French. According to the government’s own statistics, foreigners were responsible for 1 out of every 5 offenses while they represent only 6% of the French population (http://www.frontnational.com/doc_id_immigration.php).

The Far Right exploited the rising crime rate, particularly violent crime, in the 2000s and the increased societal anxiety over this development to reinforce a connection of the Muslim population in France with problems of social control. At this time, there was a widespread belief that the Muslim population was responsible for the rising anti-Semitic attacks in the country, rising in 2000 to 744 incidents from its 1990s levels of 100, peaking in 2004 with 974 attacks and remained high in the ensuing years (CNCDH,
The far right particularly seized on the riots which erupted in the French suburbs in November 2005. The riots resulted in over €200 million in damage as second-generation youths, mainly of North African origin and from destitute housing projects found on the outskirts of French cities, set on fire nearly 9000 cars and dozens of buildings, daycare centers, and schools, resulting in the arrest of nearly 2900 rioters, the injury of 126 police and firefighters, and one fatality (Hargreaves, 2005; Roy, 2005; Wievorka, 2005; Kastoryano, 2006). The riots, sparked by the deaths of several youths fleeing police, provided the Front National with evidence that the government needed to do something, who called for the government to halt immigration and restrict nationality laws. Within the media, Muslims were connected to illegal immigration, Muslim separatism, and other unacceptable practices such as polygamy.

As was the case in Great Britain, social order concerns that centered on the Muslim community helped increase illiberal sentiment toward Muslims and, in turn, attributed to public policy responses. The rise in anti-Muslim sentiment rose over this time period. The National Consultative Commission on the Rights of Man documented a rise in racist threats and acts towards immigrants, noting a particular increase since the late 1990s (Figures 1-2) (CNCDH, 2006; CNCDH, 2007; CNCDH, 2008). The association’s annual reports provide evidence that this increase as been directed increasingly toward North Africans and Muslims. According to the CNCDH, “persons of Maghrebin origin” are the most touched by racists acts—with 68% of racist violence in 2007 directed against this community—and racists threats—with 60% of total racists threats that same year directed against this community (2008, 13).
Figure 2.1: Racist and Xenophobia Threats in France, 1996-2007
Source: CNCDH, 2004; CNCDH, 2005; CNCDH, 2006; CNCDH, 2007; CNCDH, 2008

Figure 2.2: Racist and Xenophobic Acts by the Extreme Right in France, 1996-2007
Source: CNCDH, 2004; CNCDH, 2005; CNCDH, 2006; CNCDH, 2007; CNCDH, 2008

173
As Figure 2 shows, acts committed by the far right increased in tandem during this time period.

Perhaps the area in which the National Front has had the most impact has been in affecting the policy positions of the mainstream parties and policy outcomes. The party not only affected the political salience of particular issues but the whole French party system. In this vein, Schain asserted:

The success of the FN in increasing the political salience of the immigration issue in terms of immigration as a danger to French identity did not so much change the way the issue had been framed until then, as much as it did change both the actors who were defining the issue and the context within which it was being defined (2008, 95).

According to Schain, what was once in the domain of bureaucrats increasingly became in the domain of political party actors. As a consequence, electoral competition framed and affected the process of policy-making on the issue.

As the issue became increasingly politicized and the subject of increased societal anxiety, the mainstream parties found it difficult to defuse the issue and were forced to respond in order to draw in voters previously lost to the far right or maintain voter support. Contrary to the case of Great Britain in which the major parties were able to form a consensus in the 1960s and 1970s that served to depoliticize the issue of race relations, the French mainstream right and left were unable to form a consensus around issues of immigration and integration (Hale Williams, 2006; Schain, 2008). As a result, the parties have been “sensitive” in the words of Schain to the policy positions of the FN and he provides evidence that they shifted their positions, particularly on the immigration issue, according to electoral concerns over the far right (2008, 101). Corroborating this ac-
count, Hale Williams found a pattern in which both the mainstream right and left adjusted their positions further to the right on the immigration issue in order to contain the far right. As the specter of elections drew closer, for instance, mainstream parties exhibited similar rhetoric to the FN concerning the immigration issue and advocated more hard-line approaches.

Without a consensus, the constraints were particularly strong among the right. The mainstream right, according to Hale Williams, tried a dual strategy of co-option and containment: condemning the FN, Le Pen, and its xenophobic politics at the national level while making alliances at the local level in order to maintain a hold on power. What is more, the mainstream right also adopted policies that were remarkably similar to the far right platform. Hale Williams argues that, by the late 1980s, the mainstream right started to “guard its issue space” once the immigration issue proved successful for the Front National. She specifically provides evidence from the 1986-1988 period in which the Chirac government during its cohabitation with Mitterand undertook a series of restrictive measures in the area of immigration and national identity, including tightening immigration controls, restoring random identity-card checks, and a high-profile deportation of Malian refugees (Hale Williams, 2006, 105). The Balladur government (1993-1995) also showed signs of significant issue co-option by the mainstream right, particularly in its actions to pass restrictive citizenship laws which reflected the Front National’s calls for citizenship based on descent.

Despite the fact that the party has never participated in a national coalition government and has had relatively few candidates make successful bid for parliaments, its
policy preferences have been represented in policy outcomes to a significant degree. In particular, Schain notes how immigration policy, although the subject of considerable political wrangling, has been characterized by the “same narrow range of policies” developed since the 1980s which reflect the far right’s platform. He reflects:

Although policy itself appeared to be converging, immigration politics after 1984 became less about the struggle over policy, than about politics—the struggle by established political parties on both the Right and Left to undermine the ability of the National Front to sustain the initiative in defining the issues (2008, 53).

During this time, the political right aimed to pass high profile legislation that appeared to tighten already restrictive immigration regimes while the Left, when it gained power, tried to appear to ease requirements while maintaining almost equally restrictive regulations in order not to cede ground to the National Front. Indeed, Schain provides the following list of restrictive policies enacted either through legislation or administrative decree due to the pressure of the far right: more restrictive rules on family reunification and marriage, more restrictions on tourist visas, increased levels of expulsions of illegal immigrants, greater restriction on the right of asylum, and greater requirements for naturalization (2008, 101).

It should not be underestimated that many of the party’s platform issues have been successfully passed in local contexts. The party has used power over local administration, by-laws and budgets to adopt policy positions which favor its national preference stance and restrict immigration (Hainsworth and Mitchell, 2000, 449). For example, local FN officials have increased the budgets of police forces to reinforce its argument that there is a connection between immigration and crime. Other examples include the denial of halal
and kosher food in school settings to the cutting of cultural funding of modernist productions (Hainsworth and Mitchell, 2000, 449).

The 2002 presidential elections provided evidence of the Front National’s larger pool of support and the coalition potential as well as its key political weakness: legitimacy. Le Pen, the Front National’s leader, finished with the second highest number of votes in the first round of voting, receiving over 15% and defeating the Socialist candidate, Lionel Jospin. This was the first time that the far right party proceeded to a second round in the presidential election. The result shocked the nation and led to huge demonstrations against the Front National and its anti-immigrant platform on May 1 before the second round of elections were to be held. The FN performed poorly in this second round, giving Jacques Chirac an overwhelming super-majority (over 80%). The National Front’s success is, in many ways, a result of the failure of mainstream political parties in France to address the issues of law and order and immigration to the satisfaction of the French electorate. The National Front exploited this political vacuum. An IPSOS poll in April 2002 found that for those who voted for Le Pen during the presidential elections that year did so for the following reasons: worries about insecurity (74%), immigration (60%), and unemployment (31%) (IPSOS, 2002).

1.3. Government Administration of Ethnic “Beur” Identity: Orienting Difference to the State

In the debates over the proper model of immigration and integration, the political debate reasserted the Republican model (Favell, 1998; Schain, 2008). There were no such things as ethnic minorities, at least within the official rhetoric. Beyond the level of
of official rhetoric, however, the French state recognized and, indeed, supported ethnic identities in the 1980s. While legislation remained Jacobin—referring to the Republican notion of universalism—administrative practices of the French government became more multicultural in practice (Schain, 2008, 81). Against a backdrop of larger social concerns—including rising unemployment, low levels of educational achievement, and urban violence—Schain argues that there was an “intense involvement” of French state institutions, driven by the Socialist leadership in power at the time, in the development and management of the ethnic identity.

The government’s response was characterized by two patterns which will be reflected in its dealings with the Muslim community in the late 1990s and 2000s. First, the government granted greater recognition to ethnic groups as direct intermediaries, that is to say, it did not interact through traditional institutions of political parties and unions. Largely as a response to issues of social control, the French government sought interlocutors with the ethnic community, particularly among the North African population, sometimes in an indiscriminate fashion, in order to maintain order. Second, the government directly financed ethnic associations in order to develop a relationship (Schain, 2008, 83). At least in the administrative levels of the state, ethnicity was viewed in positive terms, as an asset for the French government. As a result, Schain notes of this period:

[S]omething important [changed] not only in the practice of immigrant incorporation, but in the ideals of the Republic model as well. During the period of European immigration, the collective mobilization of immigrant groups by political parties and unions tended to incorporate collectivities of immigrants into more universal organizations that did not encourage the ethnic formation. Now, however, ethnic organization is legitimized and encouraged by the state, and ethnically defined groups function as intermediaries within the political arena directly, rather than within unions and parties (2008, 83).
The French government responded to growing claims for re-legitimation of difference in a series of measures during the height of Socialist power in the 1980s. At their basis, government measures promoted ethno-cultural pluralism through the protection of cultures and languages of regional minorities as well as ethnic minorities such as Maghrebis through the subsidization of ethnic-language publications, ethnic museums, films and music; training and teaching of ethnic minority language in schools; maintenance of multicultural community centers; and promotion of cultural activities (Safran, 2003, 444). Other measures included specialized programs to target disadvantaged (i.e. ethnic) minorities, including the designation of educational priority zones (ZEPs) in which additional funds were granted to schools based on the ethnic composition of the area (Silverstein, 2004; Schain, 2008). Importantly, the support for the ethnic identity—particularly of the “beur” identity—was predicated on the notion that it was an ethnic civic identity—that is to say, an identity oriented to the state and Republican citizenship. Support for this identity was predicated upon the associational and leadership capacities of the beur partners to produce results through the maintenance of public order and support of Republican ideals. Difference, in terms of ethnicity and, later, religion, were considered acceptable by the French state if it did not challenge—but rather supported—the grand philosophies of the Republic: republican values, universal French nationhood, and laïcité.

In 1981, under Francois Mitterrand’s leftist coalition, the government passed a law that permitted the creation of ethnic associations, hitherto banned under a 1938 law
which forbade the formation of associations by non-citizens.\textsuperscript{81} This marked a tentative institutionalization by public powers and the political class of an ethnic and communitarian collective expression (Withol de Wenden and Leveau 2001: 9-10). The 1981 law along with the rise of the Beur movement opened a new era in the associationalism movement and its relationship with the French state (Withol de Wenden and Leveau 2001; Silverstein 2004; Laurence and Vaisse 2006). With a more permissive environment, hundreds of second-generation associations formed in the early 1980s, focusing on social and cultural issues.

The Beur Movement, officially marked by the 1983 Marche pour l’égualité et contre le racisme (March For Equality and Against Racism), arose from the socioeconomic marginalization of the banlieues and the rising racism against non-whites in France, reflecting both a political protest movement against the marginality of ethnic minorities in the French state as well as a cultural movement which sought to transform a reluctant recognition of difference into le droit a la différence (the “right to be different”), a promotion of the recognition of and celebration of cultural difference.\textsuperscript{82} In the context of rising

\textsuperscript{81} In 1938, the socialist government passed a law that excluded foreigners from the right to form associations. This was primarily targeted to prevent the interference of transnational Italian and German fascist parties (Silverstein, 2004, 252-253).

\textsuperscript{82} Violence in the housing projects spurred initial mobilization. The first grassroots organization of North Africans was formed in March 1981 to document racist assassinations. This movement “emphasized the ‘second generation’ of North African immigrants as a particular multicultural political subject,” consisting of both social and cultural organizations (Silverstein, 2004, 164). Beur authors, artists, and activists presented themselves as the ultimate cultural and political mediators between Algeria and France, trying to chart a third course between French state integration (assimilation) and attempts by Algerian political parties and social movements to reconnect immigrant political life to Algeria (Silverstein, 2004,165). It was a movement to mark the generation’s difference from the first generation as well as its difference from French and Algerian culture. By the late 1980s, the beur movement had reached its pinnacle and soon followers were disappointed by its lack of gains and most of the beur associations were disbanded and were blamed as being too institutionalized in structure or as being agents of the government.
racial tensions and the exclusionary politics of the Le Pen’s far right, le beur emerged as a new and distinctive identity for immigrants of North African origin.\footnote{Beur is verlan (or French slang) for the young men and women descendant of immigrants from North Africa and refers to a second- or third-generation Maghrebian. This term had many interpretations, at once being a bicultural identity meaning both Arab and French and belonging to these cultures or, alternatively, meaning neither fully Arab or French and existing in a state of liminality (Silverstein, 2004, Chapter 6). It is a term that connotes a generational difference from the first generation that sought work and perhaps civic inclusion in France. The term “beur” would take the place of “blacks”, “blancs” (whites), “feujs” (Jews in verlan), “keufs” (“flics”) as another way of connoting “l’Autre” (the Other).}

The government actively supported the rise of the “beur” identity in France. This support by the French state can be viewed as a method of constructing acceptable difference within society. In the 1980s, the problem of the banlieues necessitated the recognition of the beur identity as legitimate within the French state. The Socialist government tried to isolate the Beurs from the larger immigrant community in the 1980s as privileged targets of social integration. Silverstein argues the French state intentionally acted to target the Beur youth and the Beur movement for two main reasons: 1) in the early- to mid-1980s, Beurs demonstrated their potential for collective action through marches and other collective activities which posed a potential threat to state security, and 2) their marginalization could serve to reinforce sectarian identities that were incommensurable with French national norms (2004, 167). This recognition, however, only extended to forms of beur identity and organization that served state goals.\footnote{In his anthropological treatment of the production and contestation of ethnic, racial, and religious difference in France in Algeria in France: Transpolitics, Race, and Nation, Paul A. Silverstein demonstrates that the French government, although officially color-blind, regards not all difference as illegitimate in the eyes of the French state. In fact, Silverstein argues that the French state has underwritten certain differences throughout its colonial and post-colonial history, especially in regard to its Algerian population. In the eyes of the French state, difference is acceptable as long as it is commensurable with the French Republic. The state is particularly against communautarisme (communalism) which signifies a closing in of ethically defined communities on themselves and the refusal to integrate. In French political philosophy, communalism in the form of ethnic or religious ties threatens the processes of direct communication between the state and citizens, separating citizens by valuing their affiliation with communities over their collective participation in the nation (Bowen, 2007, 156). Difference is only acceptable when it doesn’t compete with the state’s direct claims on the individual.}

This same trajectory of state rec-
ognition of difference and support for this difference is evident in the 1990s with French Islam. The government has sought to channel other claims away from competition with the state through various forms of co-optation.

Paralleling developments in the British case over the failures of multiculturalism, this turn to supporting ethnic particularism fueled societal and political anxiety, especially among the far right, fearing that state accommodation had gone too far and threatened the dominant position of the national culture and the French language (see Safran, 2003 for measures to solidify French language position).

Let us take a closer look at the “tools” the French government used to channel the difference into acceptable avenues. The French government sought to actively manage beur associationalism through the promotion of “ethnic” associations, first, by granting legitimacy to these associations (for example, in the passage of the 1981 law of associations), and second, by the provision of public funding.

Funding, provided for organizations through the Deixonne decentralization program and Social Action Funds, supported beur associations that furthered the state’s agenda of integration. State support for the Beur Movement was strictly confined to the cultural and social sphere. By limiting its support to these spheres, the French state was channeling beur activism away from collective action and communalist politics that the state deemed threatening. Thus, cultural activities were funded while any attempts at community organization were denied support; an example of which is the 1983 government-sponsored Georges Pompidou Centre exposition and live performances of
beur artists. Another common tactic was official campaigns that highlighted Beur athletes and singers as icons of a multiracial France (Silverstein 2004, 167).

The majority of the associations created after 1981 were financed by government (either largely or moderately) earning some controversial reputations, in particular SOS-Racisme and MRAP (associations “lucratives sans but”, associations-machines électorales, associations “faux nez” de l’Administration) (Wihtol de Wenden and Leveau 2001, 12). In effect, the French state sought to “purchase” Beur leaders, creating what were derogatively referred to as “house Beurs” (beurs de service) (Wihtol de Wenden and Leveau, 2001; Silverstein, 2004). Most of the organizations were funded by the Fonds d’action social (FAS), which played a determining role in the kind of projects the associations undertook, their strategies, and the stakes they faced (Wihtol de Wenden and Leveau 2001).85 In a survey by CERI concerning the 1987-1989 period, of 150 associations 4.2% were financed by their country of origin, 39% received financial support from the FAS (for the sums of 8 million francs to 60 million francs at that date), 15% from other government ministries, 13.5% from mayors, and 5% from territorial collectivities (regional councils, départements) (Wihtol de Wenden and Leveau, 2001, 108). Certain associations relied on the FAS for as much as 80-90% of their budget. By 1988, the FAS financed over 2300 organizations and its budget doubled between 1980 and 1988. As

---

85 The FAS was established in 1958 as a funding and administrative agency for various social and cultural associations whose goal was to assimilate Algerians into French culture. After Algerian independence, the FAS’s mandate was extended to include all foreign worker populations and tasked with facilitating the arrival of all foreign workers. The association carried out its mandate through funding, for example, by supporting groups who offered French classes or the installation of guides in train stations for information on how to use public transportation. In the 1980s, the Socialist government undertook three major reforms of the FAS: 1) made it more independent from ministerial control; 2) included immigrant representatives in the institution’s governing body; and 3) it created Regional Commissions for the Insertion of Immigrant Populations (CRIPI) that were designed to “select and subsidize social, cultural, and educational programs of the Parisian region” (qtd in Bleich, 2005a, 181).
such, the organization was able to play a key role of arbiter, observer, entrepreneur, controller, and censurer of actions, especially for those associations that were dependent on it almost exclusively for financing (Wihtol de Wenden and Leveau, 2001). Government financing through the FAS according to Wihtol de Wenden and Leveau was responsible for the professionalization of the associations and associational leaders, for their being incorporated more and more into the state structure, and a movement away from militanthism to an organizational ethos of survival (2001, 109). As Riva Kastoryano described, the structure, objectives, and declared activities of these organizations varied in large part as a function of their mode of finance.86

By taking public money, the associations were entering into a partnership with the government in which they understood their role to be a mediator; but, in receiving public money, this role was circumscribed by the goals of the government. This led the organizations to stress an ethnicity or identity that the state found acceptable in order to obtain funding for their projects. Public money accorded to organizations was considered a proof of integration of the leadership, and, by consequence, of their competence in the role of interlocutor. As such, these leaders and their associations were expected to deliver certain goods to the government. Civic associations received government funding during this period partially as a result of fear of violence in the suburbs due to “communautarianism.” These associations were viewed as promoting a model based on citizenship and

---

86 Wihtol de Wenden and Leveau argue that one shouldn’t overstate the influence of the FAS, especially in later years, as the budget was stable between 1988-1995 and many of the associations only small portion of money from it. According to their research, Wihtol de Wenden and Leveau estimate that of the 5000 organizations financed by the FAS in 1995, 1200 received less than 2000 francs, a third of the subsidies were less than 20000 francs. On average, an association received around 100000 francs, an identical figure between 1988 and 1995. Moreover, only 100 organizations were granted more than one million francs, and these organizations fall under the category of wanting to “cozy up” with the state (2001, 111).
thus were seen as loyal to the Republic. This led to extensive financing of these organizations and a concomitant expectation that these organizations would maintain social peace in the suburbs (often at the price of upward mobility for their leaders) while others were used to garner electoral support among Franco-Maghrebin youth.

2. The Politicization of Religion

Just as the riots in the 1980s and concern over social order placed ethnic difference on the policy agenda, the headscarf affairs placed religious difference at the center of public policy debates and had several important consequences. First, the events raised the issue of religion, particularly the different faith (and cultural values) of the Muslim community, to the level of concern among the general population, stoking societal anxiety. The headscarf affairs and then the riots in November 2005 increased the focus on the domestic Muslim community and its lack of integration. Beyond sparking illiberal public sentiment toward immigrants more generally, the Front National centered its inflammatory rhetoric on the domestic Muslim community while the headscarf affairs took place in the public debate, ensuring that the issue remained on the public agenda. The party, through its growing strength in electoral realm, prevented the mainstream parties from taking action to depoliticize the issue of religion within the French Republic. As a consequence, a significant portion of the French general public and political establishment viewed the rise in religious identification among Muslims as a threat to national cohesion and a source of potential violence.

What is more, the far right significantly affected the structure of the debate concerning the headscarf in the 1990s and 2000s. When it broke onto the political scene in
the 1980s, the party created a political environment that focused on finding one problem as the source for more complicated problems. This explains, to a certain extent, why the debate over the integration of the domestic Muslim community—a debate that touched upon many policy areas including housing, education, employment, and cultural and religious values—became a debate over whether the Muslim headscarf was acceptable in the Republic school. Thus, even though other issues concerning the domestic population were perhaps more relevant, the wearing of the headscarf became the symbol for all of these unacceptable practices and, in banning the headscarf, the French state was symbolically addressing these other issues.

Second, this increased focus on religious difference and the domestic Muslim community sparked intense questioning of the French principle of laïcité. An important development occurred during the course of this debate: from the first to the third headscarf affair, the way in which the problem was defined by French elites changed to implicate political Islam and the issue of gender equality.

Third, the politicization of religion precipitated a split among the mainstream Left into two main camps (combative secularists and positive laicists) concerning the proper role of religion in the public sphere. The success of the National Front in politicizing issues of immigration, national identity, and Islam provided the political context for rightists to join combative leftists to support more restrictive policies toward Islam. Combative secularists gained supporters in the 2000s because of a prevailing anti-immigrant nationalism and Islamophobia. Consequently, in order to bring back supporters, the mainstream parties took more hardened positions on immigration and Islam. The remainder of
this chapter traces how religion was politicized within the French context, particularly focusing on how the Muslim headscarf became an issue of central importance during the 1990s and 2000s.

3. The “Turn to Religion” and Defense of French Values: The Politics Surrounding the Headscarf Controversies and the (Re)interpretation of Laïcité

The road to the French passage of the headscarf ban was long—almost 15 years from the first affaire du foulard in 1989—highly-publicized, and politically-contested. Indeed, the political contestation, particularly the cleavages and shifting coalitions among the right and left proved to be extremely important in the contours of the French “turn to religion,” both in the exclusionary actions but also the inclusionary ones as well. This section provides an historical survey to demonstrate when religion rose to the forefront as an object of policy concern, following the affaire du foulards, the controversies and dilemmas it provoked for society as well as for politicians, the constituencies and coalitions it mobilized, and the outcomes that resulted. The development of the affaire du foulards and the ensuing controversy has to be understood as a development within the larger scheme of French politics and, beyond that, within the context of the major changes faced by Western democracies in the late twentieth century. The “turn to faith” in the French context, but as we have seen in the British context as well, happened at a time after Fukuyama wrote the End of History and democracy was hailed as the only viable political organization. It was also happening at a time when European states were taking steps to bind themselves more closely, moving from a common market to a political union, dismantling boundaries and social policies that were once revered as core distinguishing
characteristics of nations. As such, while European elites were hailing the progress of Europe, societies expressed varying degrees of anxiety over a (perceived) loss of national sovereignty and national identity and culture, expressed most clearly in the French anxiety of laïcité over this period.

3.1. French Principle of Laïcité

A key framing feature of the debate was the ideology of laïcité, a foundational principle of the French Republic. By the end of the process, the controversy over the headscarf and Islam’s place in the Republic placed an aggressive form of laïcité—tied to the idea of gender equality—as the singular standard all citizens (as well as residents) must agree to be “fully French.” This is in sharp contrast to the public debate in the British case which could not come to define its core values. It is important to first understand the French principle of laïcité in its historical context in order to properly situate the contemporary debate over its meaning and importance to the French nation.

Laïcité, a concept rooted in the notion of the separation of religion and state, is considered a fundamental Republican value. Roughly translated into English as “secularism,” it is a unique French principle of the separation of church and state—the keeping of the religious separate from the public—and the result of a very particular history of church and state relations in France. As Bauberot, a noted French historian of laïcité, describes, the “real and perceived” history of church and state relations in France causes religion to be viewed with suspicion (Bauberot, 2007). In the French context, laïcité has resulted in an active pursuit of the exclusion of religion from the public sphere by the state.
The particular institutional church-state arrangement in France has been traced by scholars to the French Revolution (Bauberot, 1990; Bauberot, 2004; Bauberot, 2007; Kuru, 2009). Demonstrating how this was a critical juncture for the nation, Kuru provides a path dependent argument in which the presence of an ancien régime rooted in the marriage of the monarchy and the Roman Catholic Church sparked an anticlerical backlash from the republican French elite; that is, anti-religious views were a result of the alliance between the Church and the ruling monarchy. When the monarchy was overthrown violently during the French Revolution, the Church also was targeted as an enemy of modernization and the newly established French Republic. The resulting antagonism between republicans and religious institutions, known as the “war of the two Frances” - roughly translating into the present-day cleavage between combative secularists and positive secularists—laid the foundations for the dominance of an assertive, exclusionary secularism (Kuru, 2007, 572).

In the beginning of the 19th century, the French state, with combative secularists at the helm, implemented policies that sought to exclude religious expression from public institutions and to regulate the public rights and representation of certain recognized religious minorities. The development of state policies toward religion underwent significant upheaval during the remainder of the 19th century as the balance of power shifted between republicans (and combative secularists) and monarchists (and pro-religion forces).

---

87 Ahmet Kuru defines assertive secularism as a comprehensive doctrine that aims to eliminate religion from the public sphere (2009). It is a doctrine in which the state not only excludes religion from the public sphere but plays an “assertive” role as the agent of a social engineering project that confines religion to the private domain (2007, 571).
The French state reached a more stable point in the early 20th century. Officially, laïcité was promulgated by the law of 1905 which governed the separation of the Catholic Church from the French government and later was enshrined in 1958 in the Fifth Republic’s Constitution. The law of 1905 contains two separate clauses governing the French state’s relationship with religion. The first article guaranteed “freedom of conscience and the free exercise of organized religions.” The second article, known as the disestablishment clause, stated that the government shall do nothing to privilege or promote a particular religion, proclaiming the state “neither recognizes, nor pays the salaries of, nor subsidizes any religion.” It is from these two articles that combative secularists and positive secularists base their competing arguments regarding the proper role of religion within France. The first article has been the foundational base of conservative rightists associated with the Catholic Church—and, more recently, positive secularists—to argue that the proper state orientation should not be exclusionary toward religion. They argue that while religion should not be privileged it can, and, indeed, must be a participant in dialogue with the state, one voice among many within the public sphere. The second article, historically interpreted as maintaining the absolute neutrality of the state, is the basis for the combative secularist camp to exclude religion from the public space.

The 1905 law permitted religious bodies to organize as private religious associations. Thus, the state does not recognize religion as such but it does recognize religious organizations. The law of 1905 created very strict conditions for an association to organize as a religious body: first, it must have as its sole (rather than, say, primary) purpose

---

88 In Article 1 of the Constitution, France is defined as a Republic “indivisible, laïc [laïque], democratic and social. She assures equality of all citizens before the law without distinctions as to origin, race, or religion. She respects all beliefs.”
the organization of religious worship; and, second, it must not disrupt the public order. France makes a clear distinction between religious activities and all other activities. Therefore, an association that has as its purpose religious and cultural activities cannot claim status as a religious organization but must organize under the law of 1901 governing cultural associations. This is an important distinction as religious organizations are entitled to certain privileges, including exemptions from property taxes on buildings open to the public and the ability to receive donations without restrictions. Moreover, donors are eligible for tax deductions.89 This distinction is an important one for new religions in France, particularly Islam. Most Muslim associations are organized under the 1901 law rather than the 1905 law and, thus, are not on an equal status with other religions that were present in France at the beginning of the 20th century (HCI, 2000; Machelon, 2005). This perceived “structural” inequality faced by Islam became the basis for claims to reinterpret laïcité to authorize state funding of certain religious practices, including mosque construction and imam training.

Another important distinction is the public-private divide that stems, in part, from the law of 1905 but, more fundamentally, with the Revolution of 1789. In France, unlike in the United States, religious freedom remains strictly in the private domain of the citizen. While in the United States the state is lodged with protecting the freedom of the individual, in France, it is the duty of the State to ensure no dangerous sect could develop under the guise of religion and inhibit liberty.

---

89 The tax deduction is equal to 50 percent of donations up to a limit or 10 percent of taxable income for individuals and 3.25 percent of turnover for companies (Schwartz, 2007, 17).
The official narrative found in French schools and government reports universally frames the law of 1905 as the foundation for the principle of laïcité and, crucially, a principle that has been agreed upon from the start. A closer analysis of the law of 1905 provides evidence of the contested nature of laïcité. First, laïcité was never defined in the law and, rather than being a value agreed upon from the start, has been constructed in the political realm much as its reframing has been done in the political realm in the contemporary period (Schwartz, 2007). The National Assembly vote for the law of 1905 reflected the deep division within French society. The law passed the Assembly by a vote of 341 to 233 and the Senate by a vote of 181 to 102. At the time, the Catholic hierarchy condemned the law; Pope Pius X famously declared it “a thesis absolutely false, a most pernicious error” in the 1906 *Vehementer Nos* encyclical. In fact, the hierarchy of the Catholic Church did not recognize the law until later in the 20th century. The passage of the law, though, was a victory for the combative secularists, leaving an ideological and institutional legacy that has persisted through the present (Kuru, 2007).

Indeed, the law of 1905 is the starting-, and end-, point for the official public narrative. In both government and private reports on issues concerning the Muslim headscarf, Islam in the Republic, and more generally on immigration and integration have begun with a section on the principle of laïcité. As the sections are at the beginning of each report’s treatment of the various issues, how these reports interpret and frame the concept of laïcité are important as they provide the foundation for the resulting discussion of the policy issue. That every report needed to include laïcité in the discussion provides a de-
gree of evidence that the principle was deemed necessary for the understanding of the problem.

Let us take four reports produced in 2003 reflecting on the principle of laïcité. While the tenor of these reports may be different concerning the challenge the Muslim community posed to the Republic—ranging across the spectrum from relatively optimistic (CNCDH, 2003) to alarmist and a call to arms (Baroin, 2003; Debré, 2003; Stasi, 2003)—the interpretation of laïcité, how it should be applied in the present day, and the proposed solutions for the government are strikingly similar. First, these reports provide a similar teleological account of the history of laïcité, tracing it from the 1789 Revolution, through the war of two Frances and the Ferry laws of the 1880s, to the law of 1905, and then to Article 1 on the Fifth Republic’s Constitution. Each report stresses the bloody and destabilizing church-state struggle resulting in more than a century of tensions. These historical accounts imply at least two things: first, religion’s encroachment into the public space always leads to strife, and, second, only by adhering to the principle of laïcité can the French Republic remain stable. Moreover, each report reflects upon considerations of public order against the right to religious expression. Scholars of French history have noted how public order concerns have often prevailed, and it is in this privileging that the French principle of strict neutrality and separation often broke down (Gunn, 2007; Bauberot, 2004; Schwartz, 2007). All of these reports concluded that
laïcité was under threat and reach a consensus that the French state must intervene to strengthen laïcité.90

That the government reports provided similar analyses and conclusions does not imply that society contained similar frames. Certainly, the French elites believe that the laïcité was a universal principle embraced by ordinary citizens of the Republic.91 And, during this time period, political elites clearly contended that laïcité was essential, without which, the Republic would fall. However, societal reactions to the headscarf affair and other political actions concerning the relationship between the state and religion provide a more nuanced story, particularly over the account that laïcité is both a known and uncontested principle.

In general, public opinion polls provide substantial evidence that laïcité—at least in its abstract form—was considered an important principle. Bauberot, when discussing public opinion over church-state issues from Catholics and Muslims, concluded that Catholics and Muslims—one group with a history of contesting the principle and another with a present grievance—have “internalized” the French norm that laïcité was essential to the Republic (2007, 162). As much as 80% of Catholics agreed that the principle of

90 While the National Assembly (also known as the Debré Report) and Baroin report echoed the Stasi report’s recommendation to ban the headscarf in school (indeed, the National Assembly Commission proposed a complete ban on religious symbols, both ostentatious and discrete), the CNCDH report argued that contrary to calls for a need to do something about the headscarf in public schools that mediation and dialogue in school worked, citing the number of cases of girls wearing headscarves as decreasing. What is telling is that although the report contained this optimistic assessment on the state of French secularism, many of the other recommendations calling for a strict rejection of claims for gender segregation and the strict neutrality within public service were squarely in line with reports that contained a more critical conclusion of the state of laïcité in the Republic. For example, while advocating an accommodating approach to headscarves in the classroom, the report firmly rejected other religious claims, such as requests for exemptions to gender equality in terms of educational or school attendance and the demand for single-sex activities and calls for the neutrality of public servants (CNCDH, 2003, 16).

91 The Stasi Commission explicitly stated that French citizens know (“reconnaître”) the meaning of laïcité and its connections to “social goods” (Stasi, 2003, 6). Elsewhere, laïcité was described as being the object of a large consensus (Stasi, 2003, 9).
laïcité was either essential or important to France’s identity, although only 12% stated “essential,” suggesting in Bauberot’s words “Catholics are a little less commonly outright zealots of laïcité than other respondents (which will surprise nobody)” (2007, 162). Indeed, despite this general commitment to laïcité, there is evidence that the general public was not entirely in line with elites concerning how essential the norm is to the French national identity. For example, a CSA poll conducted in February 2005, a year after the political equilibrium was established in the ban against headscarves, indicated that while 75% of respondents identified the principle of laïcité as either essential or important to the French identity, less than a quarter (only 23%) viewed it as “essential” (CSA, 2005). Importantly, the political argument put forth through the various commissions and official government discourse that laïcité was in danger—while accepted by a majority of the French general population (58%)—was rejected by 40% of French respondents. Moreover, of those who agreed that laïcité was indeed in danger, there was no overwhelming consensus regarding the source of the threat, although the headscarf did top the list at 40%.\footnote{The top three responses, however, point to the encroachment of religion in the public sphere, with the increased wearing of religious symbols, the religions are increasingly heard on social issues, and an increase in religious and cultural communitarianism, all concerned 40%, 39%, and 35% of the sample population (CSA, 2005).}

What is more, despite the political elites’ belief that laïcité was “known” to the public, the general public did not have a clear understanding of the content of laïcité. A surprisingly high number of the French general public did not know that the 1905 law codified church-state relations in France. Thus, the February 2005 CSA poll found that 44% of those interviewed did not know that laïcité was defined in French law but thought
it was left to the discretion of the French state and churches (this number is actually higher as 17% of respondents did not provide an answer) the very year of the centennial of the 1905 law (there were many public events that year celebrating this principle). In addition, when asked about the meaning of laïcité, responses were split between placing all religions on equal footing, separating religion and politics, and ensuring freedom of conscience (CSA, 2005).

There is one area about which the French public opinion coalesced and indicates the relative success of combative secularists, as well as those on the far right, to simplify the public debate into one overarching issue: the importance of laïcité in the Republican school. For example, in the CSA poll, 79% of respondents agreed that laïcité was important to the Republican school, and a majority, 53%, believed that it was very important (CSA, 2005). Other polls have indicated that the school was considered a unique environment. First, various polls concerning the 15 March 2004 law provide evidence of strong public support (as high as 69%). Second, the level of support for prohibiting the wearing of religious signs in other environments is substantially less (See Tables 9-10).

While there is a high percentage of support for the interdiction of such symbols among public service officials (as high as 62% in a 2005 CSA poll), this support decreases when considering whether private employers should be able to prohibit the wearing of overt religious signs (49%) and whether users of public service should be prohibited from wearing religious signs (46%) (CSA, 2005).

---

93 The negative interpretation of laïcité, that it is meant to reduce the influence of religion in French society, received minor support (9%).

94 In December 2003, 72% of the respondents indicated support for the proposal of a charter on the duty of neutrality among civil servants (“l’inscription du devoir de neutralité dans le statut général des fonctionnaires”) (CSA, 2003).
TABLE 2.9
PUBLIC OPINION ON INTERDICTING RELIGIOUS SYMBOLS: 2003

<table>
<thead>
<tr>
<th>Measure</th>
<th>In Favor</th>
<th>Opposed</th>
<th>Did not answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recruitment of Muslim chaplains in prisons</td>
<td>73</td>
<td>23</td>
<td>4</td>
</tr>
<tr>
<td>The inclusion of the duty of neutrality in the general status of civil servants</td>
<td>72</td>
<td>20</td>
<td>8</td>
</tr>
<tr>
<td>The proposed replacement of pork or fish on Friday in canteens</td>
<td>66</td>
<td>30</td>
<td>4</td>
</tr>
<tr>
<td>Allowing entrepreneurs to regulate the employees’ dress</td>
<td>42</td>
<td>56</td>
<td>2</td>
</tr>
<tr>
<td>Creation of two new holidays for students for the Jewish holiday of Yom Kippur and the Muslim feast of Aid that employees could substitute</td>
<td>40</td>
<td>58</td>
<td>2</td>
</tr>
<tr>
<td>Creation of a National School of Islamic Studies</td>
<td>40</td>
<td>58</td>
<td>2</td>
</tr>
<tr>
<td>Prohibition for patients to refuse a caregiver (doctor, nurse,…) in the hospital</td>
<td>35</td>
<td>63</td>
<td>2</td>
</tr>
</tbody>
</table>

Source: CSA, 2003

Question: And for each of the following measures proposed by the Commission Stasi on laïcité, tell me if you're in favor or opposed?

Tables 9 and 10 also reflect that, by the end of the process, laïcité was defined in terms of strict interpretation of Article 2 of the law of 1905 not only among combative secularists but also among a substantial majority of the general French population. For example, Table 9 demonstrates that only 40% of the general public were in favor of a proposal to create new holidays such as the Jewish holiday of Yom Kippur or the Muslim feast of Aid that employees could substitute for officially-designated—and often Christian-centered—ones. A similar level of support was found for a proposal to create a National School of Islamic Studies to help in training imams.
Table 10 provides evidence concerning many of the Stasi report recommendations. Thus, a year after the Stasi report suggested the French state fund imam training and mosque construction, 58% of the general public thought the authorization of public financing for the formation of ministers of religion was a bad idea and 57% opposed a proposal to authorize public financing of the construction of places of worship. What this data suggests is that a majority of the general public did agree that the public financing of religious practices—at least certain Muslim religious practices—was contrary to the Republic laic tradition. The level of opposition among the general public was generally reflected in the political positions taken by both the right and left on these issues. This
level of opposition, to a certain extent, explains why French elites found it necessary to address the issues of mosque construction and imam training in the administrative realm; in effect, the elites pursued a strategy to make their efforts invisible to the public (see Chapter 4).

3.2. Defending Laïcité: Questioning Laïcité and the Cleavage Among the Left

The proper interpretation of laïcité, politicized through Muslim religious difference and in the central symbol of the Muslim headscarf, divided the political Left, causing new cleavages to form over the interpretation of laïcité and what constituted appropriate state action when dealing with religion. When Islam became politicized in 1989, the Left was faced with defending two (competing) norms: the respect for individual rights in the form of religious freedom (the first principle of the law of 1905) and the respect for gender equality. In the construction of the problem, one was forced to choose between these values. Choudhury (2007) described the dilemma as “the perceived tension between secular, liberal, and universal norms of gender equality and practices grounded in religion or culture” which led to position that “secularism is directly and neatly linked to the existence or promotion of gender equality, and religious expression is directly and neatly linked to the existence or promotion of gender inequality.”

One indication of this cleavage was how the traditional anti-discrimination parties split on the issue of gender equality and individual rights during the headscarf affair. Groups like MRAP and Human Rights Watch sided with individual rights of education, religious freedom, and freedom from discrimination, insisting a ban infringed on the human rights of the girl. SOS-Racism, on the other hand, supported a ban and school ex-
pulsions, believing that the le voile oppressed women. Feminists, while the most active and early opponents of the headscarf, also were not able to speak with one voice during this time period (Scott, 2007; Bowen, 2007).

What is more, if the theology and cultural transmission of Islam within the Muslim community posed a specific dilemma between the individual right of freedom of worship and religious expression against gender equality, there was a second dilemma posed by Islam: the issue of religious expression more generally versus a strict version of French laïcité. There were two major groups: 1) those arguing for a “laïcité plurielle” or “laïcité positive”—that is to say, an interpretation of the norm that allowed for a greater accommodation on the state’s part for religion in the public space as well as a generally positive assessment of the role of religion—and 2) those arguing for a laïcité without adjectives (Pena-Ruiz, 2005)—calling on the French state to defend a strict interpretation of laïcité, one which excluded religion in public spaces—through a bright boundary between public and private expression of religious belief. The latter camp also included individuals and groups that viewed religion as a negative and divisive force in society.

3.3. Positive Laic Camp

This group—composed of mainstream religious groups, Muslim associations, intellectual scholars of religion and laïcité (notably, Jean Bauberot and Jean-Paul Willaime), and politicians (with Nicolas Sarkozy as the most vocal) (Kuru, 2009)—offered a critique of the interpretation of laïcité that had gained increasing support in France since the late 1980s, a form of laïcité that itself had reached the hegemonic status of a secular religion. In criticizing this form of laïcité, secular pluralists called for a reinterpretation
of the principle. This form of laïcité has been variously described as laïcité positive ("positive laïcité"), laïcité ouvert ("open laïcité"), and laïcité en vrai sens ("laïcité in the true sense" or "true laïcité").

This camp can be defined by three main positions. First, positive laicists had a positive view of religion and recognized it as an asset for the French state both as being important to the individual and to society. Second, this camp argued for the inclusion of religion in the public space, advocating for a secularism that accepted the public visibility of religion. They grounded their calls for a more public role of religion in the historical and legal tradition of France, contending that the French principle of laïcité did not and should not preclude religion from entering the public arena. Third, positive secularists called for the French state to accommodate Islam. There were those within this camp that argued a change to the 1905 law was necessary to do so but others argued that the French tradition could accommodate new religions without such an action. In making this argument, this camp contended that laïcité needed to be a dynamic and open principle, one capable of adapting along with France’s changing sociopolitical landscape. This was a direct criticism against those who argued that the principle of laïcité should not adapt.

In his official capacity as Interior Minister and, later, President—in questioning the nature of the public-private divide and in arguing for a greater appreciation of the positive contributions religions make to French society—Sarkozy provided the positive laïcité camp with a visible platform. Positive laïcité, according to Sarkozy and the pro-

---

95 Beyond writing a book on the subject in 2004, since taking office in May 2007, President Sarkozy has persistently pursued reform of the official policy of secularism, arguing for a wider public role for religion in society. He addressed religion in five major speeches—at the Vatican on December 20, 2007; in Riyadh on January 14, 2008; in Paris on January 17, 2008, to representatives of institutionalized religion; on January 18, 2008, to representatives of the diplomatic corps; and on February 13, 2008, at an event sponsored by the Representative Council of Jewish Institutions in France (CRIF).
ponents of the plural laïcité camp, guaranteed the right to believe or not to believe, to live the faith, express it, and transmit it to the next generation on equal status with other religions. In a meeting with Pope Benedict the XVI on September 12, 2008, President Sarkozy defined positive laïcité as a secularism that respects, brings together, and dialogues, and not one that excludes or denounces ("une laïcité qui respecte, une laïcité qui rassemble, une laïcité qui dialogue, et pas une laïcité qui exclut ou qui denonce") (Sarkozy, 2008).

In the headscarf affair, the positive laïcité camp was composed of two distinct groups: those who did not want to see the exclusion of young girls from the school environment (but may have accepted the overall argument that the headscarf was a form of compulsion) as well as those groups who advocated for greater accommodation by the French Republic to new religions, mainly Muslim groups and anti-racism groups from the 1980s. Reflecting the shifting political environment, pro-secular and feminists groups did not take a unified stance on the headscarf. Indeed, several prominent pro-secular groups opposed a ban against the headscarf. These groups included the Ligue de l’enseignement, Ligue des droits de l’homme, Mouvement contre le racisme et pour l’amité entre les peuples (MRAP), and Fédération des conseils de parents d’élève (FCPE) (Th...
mas, 2006; Kuru, 2008; Kuru, 2009). And, although a majority of feminists staked out a position against the headscarf, feminists did not speak with a single voice. Some prominent feminists—joining with human rights and religious organizations to form the “One School For All” Movement—opposed such a law on grounds that the state should not exclude Muslim girls from public schools. They were particularly concerned that expelling Muslim girls who wore the headscarf would further isolate them and increase the influence of Islamist fundamentalists (Scott, 2005b).99

3.4. Assertive Laic Camp

The second, and historically-dominant, group was the assertive laic camp. This camp has been alternatively labeled combative secularism, negative laïcité, closed laïcité, or moral laïcité (Bauberot, 2004; Sarkozy, 2008; Kuru, 2008; Kuru, 2009). This camp traced its ideological and political roots to the anti-clericalism of the Jacobins in the French Revolution and secularists of the late 19th century. The main claim of this group is that religion, following a venerable French tradition, should be eliminated from the public sphere and confined to the private domain, creating a strict public-private distinction concerning religion. There also were those in this camp who advocated for a more aggressive stance against religion more generally, viewing religion as unequivocally negative to both individuals and society. Religious belief in this view was in direct combat with Republican Jacobin rationality; thus any religious person was not loyal to the

99 Bowen provides an account of the division within the women’s movement during this time through a description of how the groups interacted over the annual International Women’s Day march in 2005 in which the One School for All Movement was removed by the organizing body on the list of marchers. Because the movement was unofficially still permitted to participate, NPNS withdrew its participation and created an alternative march two days before with the Family Planning movement, claiming the march had been captured by “Islamists” (Bowen, 2007, 217-218.)
Republican state. The only assimilable “religious” person was one that does not practice religion at all.

Republican teachers were at the forefront of supporters for the headscarf ban and other initiatives to defend laïcité. Historically in France, teachers have been one of the most staunch supporters of the interpretation of laïcité that advocated stripping the public arena of any vestiges of religious belief or religious preference and, to a certain extent, even advanced a negative stance to religion overall. A CSA poll conducted in February 2004 found 76% of teachers supported a ban against the headscarf, a higher level of support than among the general population or Muslim respondents (CSA, 2004; CSA, 2005).¹⁰⁰ Not only did teachers support a law to ban conspicuous religious symbols but the poll also indicated a high level of support for prohibiting all visible signs (57%) as illustrated in Table 11 (CSA, 2004).

The poll also illustrates a consistent interpretation held by many of the public schools teachers concerning the dangers of the headscarf. The “voile” was overwhelmingly believed to be something imposed, either by the girl’s family or by an Islamist environment (milieux Islamiste), with 84% and 73% of respondents in agreement, respectively. Beyond the issue of the source of the “voile” in the public school, almost 8 out of 10 teachers surveyed believed that it was incompatible with the public school environment.

¹⁰⁰ It should also be noted that the teachers were in support of the Stasi Commission’s recommendation that political symbols should also be banned from public schools. As many as 7 out of 10 respondents in the CSA January 2004 poll favored banning political signs (CSA, 2004). This recommendation has not been acted upon by the French government to date. These same teachers, though, did not support a proposition to institute uniforms (77% of respondents were against such an act).
TABLE 2.11

FRENCH PUBLIC SCHOOL TEACHERS OPINIONS CONCERNING THE “VOILE”:
2004

<table>
<thead>
<tr>
<th>Statement</th>
<th>Agreement</th>
<th>Disagreement</th>
<th>Did not respond</th>
</tr>
</thead>
<tbody>
<tr>
<td>Young women who were the “voile” are under the influence of their family</td>
<td>84%</td>
<td>15</td>
<td>1</td>
</tr>
<tr>
<td>The wearing of the “voile” is incompatible with the public service of education</td>
<td>79</td>
<td>21</td>
<td>0</td>
</tr>
<tr>
<td>Young women wear the “voile” under the influence of an Islamist environment</td>
<td>73</td>
<td>26</td>
<td>1</td>
</tr>
<tr>
<td>Speaking of the veil in schools is a way of not addressing the real problems in education</td>
<td>59</td>
<td>41</td>
<td>0</td>
</tr>
<tr>
<td>More and more young women are wearing the “voile” in middle and high schools</td>
<td>28</td>
<td>70</td>
<td>2</td>
</tr>
<tr>
<td>Communautarist practices are developing in middle and high schools</td>
<td>62</td>
<td>38</td>
<td>0</td>
</tr>
</tbody>
</table>

Source: CSA, 2004

Teachers allied with feminist groups in the campaign to ban the headscarf in the schools. As early as 1989, the leading feminist Socialist leader Yvette Roudy denounced the headscarf as “the sign of subservience, whether consensual or imposed, in fundamentalist Muslim society...To accept wearing the voile is tantamount to saying ‘yes’ to women’s inequality in French Muslim society” (qtd in Bowen, 2007, 209). Among those feminists who supported a law, the headscarf was a symbol of repression, a slap in the face against women’s fight for emancipation, won only in the last half of the twentieth century. A well-known French feminist, Elisabeth Badinter, described the veil as a symbol of the oppression of a sex. Putting on torn jeans, wearing yellow, green, or blue hair, this is an act of freedom with regard to the social conventions. Putting a
veil on the head, this is an act of submission. It burdens a woman's whole life (qtd in N. Choudhury, 2007).

During this period, feminist groups were successful in linking the principle of laïcité with gender equality.

Foreign women, especially women originally from Islamist and/or patriarchal countries such as Algeria or Iran, were often the most outspoken critics against the “voile” and ardent supporters of a version of secularism which removed religion altogether from the public sphere. Moreover, these women often supported state intervention within private lives as well, arguing that religion was not only dangerous when it encroached upon the public arena but also in the private lives of women and youth. The media and other public platforms privileged foreign or foreign-born women as experts on Islam.\(^{101}\)

4. The First Headscarf Affair and the Politicization of Islam

While the Rushdie Affair significantly affected the introduction of Islam into the public space in Great Britain, an affair of a different sort stirred a crisis in France in September 1989. In Creil, three girls stood at the center of a national debate on the wearing of headscarves in the nation’s public schools. Fifteen years and several headscarf contro-

\(^{101}\) James R. Bowen provides a telling account in his book of how these women were viewed as privileged interlocutors during the debate. During a public forum on Islam and women, Bowen found himself on a six-person panel to discuss the topic “Does religion impede the liberation of women?” (2007, 198-207). As he describes it, four of the panelists were women originally from Muslim countries and they drew on the experience in the “home country” to support the ban against the “voile,” connecting the wearing of the headscarf in Muslim countries to patriarchal attitudes and practices. The message, paraphrased by the event’s organizer, Hakin El Ghissas, was “We already tried freedom of religious expression in Algeria, and look where it got us! So, be careful or you will end up being dominated by intergristes, religion will control politics” (qtd in Bowen, 2007, 203). Bowen argues that these particular women—recruited by the Bobigny’s office on religious affairs, that is, a government agency—that put forth a strong anti-voile position that was based on the North African experience, leading him to conclude that state officials expressly wanted to make the connection between the “voile” and foreign Islam (2007, 203).
verses later, the French state banned the wearing of headscarves in the Republican school. Although the resolution to the crisis, in the form of a law that banned the wearing of ostentatious religious symbols, focused on the school environment, the public controversy linked the issue of the wearing of the headscarf to much larger issues about national identity, citizenship, belonging and loyalty, gender equality, and security.

On September 18, 1989, the principal of a school in Creil demanded three students remove their headscarves, a religious mark that he argued was incompatible with the proper functioning of the school establishment and, subsequently, sparked a debate over the meaning of laïcité in the French Republic after the girls refused and were expelled. The media picked up on this event, perhaps as it was on the heels of the Rushdie Affair and the same year as bicentennial of the 1789 French Revolution. The headscarf was catapulted to the center of the national public arena once again in 1993-1994 period and in the early 2000s. In 1993-1994, two new disputes in Grenoble and Nantau required the attention of French policy-makers as the issue of girls wearing headscarves once again garnered national attention. The intervention of outside parties, including several Islamic organizations, served to connect the largely domestic affair with Islam and international trends. The French media and public officials raised concerns over manipulation; these concerns became more robust in the early 2000s leading, in part, to the push to act to not

102 While the headscarf affair of 1989 unraveled in the wake of the Rushdie Affair, and most certainly was affected by the international environment and the increasing connection of Islam with illiberalism and violence, the direct intervention of several Islamic organizations in the Nantua affair in 1993-1994 raised the specter of coercion and manipulation by Islamists. In the Grenoble case, the girl was clearly expressing her agency and choice in wearing the headscarf as a matter of religious obligation. However, in the Nantua case, a panoply of outside parties intervened on behalf of the girl, including her parents, elder brothers, and self-proclaimed religious experts (Bowen, 2007).
only protect the laic republican school but also, in the eyes of French officials and public, the autonomy and dignity of Muslim girls.

After the eruption of the headscarf affair in 1989, Socialist politician Lionel Jospin, first as the Minister of Education and later as Prime Minister, advocated for dialogue and flexibility, providing an initial power shift to the positive laic camp as he was in charge of laying out the government’s policy. This stance against a headscarf ban drew public criticism, including from those within his own party. In a move to reclaim the issue, five prominent left-wing intellectuals published an open letter calling for a tougher line. In the letter, the combative secularists issued an alarmist call, likening the acceptance of Muslim girls wearing headscarves in schools to the appeasement of Hitler in the 1930s.103

As the public debate became more rancorous, Jospin appealed to the highest administrative court in France, the Conseil d’Etat (State Council), to provide an official ruling on the matter of headscarves in public schools. The Creil case was brought before the Conseil d’Etat in late November 1989. Citing principles derived both from the French Constitution and the European Convention on Human Rights, the Court resolved the wearing of headscarves with the laic and republican principles of the French school in favor of the religious freedom of pupils, ruling that the girls had a right to wear the scarves as long as they did not disturb school life.

The Conseil d’Etat’s ruling placed greater emphasis on the first clause of the law of 1905, arguing that state neutrality was to guarantee the freedom of conscience and

103 Three well-known French feminists, Elisabeth Badinter, Elizabeth de Fontenay, and Catherine Kintzler, and two men, Regis Debray and Alain Finkielkraut, issued a highly publicized open letter in Le Monde (Bowen, 2007).
worship. In the ruling, the Court argued that the wearing of the headscarf was not contrary to laïcité within the bounds of public order. The intentions of the pupil was an important element of determining whether the headscarf was compatible. This ruling was upheld in subsequent cases, leading to a clear and consistent jurisprudence by the late 1990s in favor of individual freedom if the girl complied with school rules. For example, in the period from 1992-1994, 41 of the 49 legal disputes regarding the wearing of the headscarf in public schools were decided in favor of the religious freedom of the student (Bowen, 2007, 87). The school won if it was able to prove that the girl did not comply with all school rules, such as failing to attend classes or if the case led to protests, allowing for the school to claim it was protecting social order.

The Conseil d’Etat provided an important political ally for the positive secularists. Throughout the 1990s, the Conseil d’Etat repeatedly struck down an aggressive stance toward the headscarf if it could not be shown in the individual case that public order had been threatened. The mounting jurisprudence led combative secularists to turn to the political arena to provide an acceptable solution.

Even though the Conseil d’Etat ruled that French laïcité was not compromised by the mere presence of a headscarf in the Republican school, the political and public debate made the opposite argument, that, indeed, the headscarf was a threat to laïcité. Ernest Cheniere, the principal responsible for setting off the first spark in 1989 in the Creil affair, once again became an important party in the headscarf affairs. At this time, he was the deputy of the department of Oise and in this capacity he attempted to pass a ban on ostentatious signs of religious affiliation. Using his political position as a platform to
raise the issue to national attention, Cheniere proclaimed that laïcité was being compromised. The ensuing national attention brought about a spike in the number of girls wearing headscarves in schools during this time. Bowen notes that the number of cases that required mediation and adjudication by a principal or school disciplinary council rose from a low of hundreds in 1989 to close to two thousand in 1994, leading the Education Minister to create a new ministerial office to mediate the headscarf cases (Scott, 2005b; Bowen, 2007).

Politicians supporting a stricter interpretation of laïcité attempted to steer the public debate and outcome by political decree. Despite the mounting jurisprudence in favor of freedom of religious expression, the French Education Minister, Francois Bayrou, issued a circular on September 20, 1994 which forged a restrictive line on the wearing of headscarves. This “circular Bayrou” made the distinction between discrete symbols (“les symbols discrets”) that could be worn in class and ostentatious symbols (“les symbols ostentatoires”) that must be prohibited in the public classroom. As Bowen notes, this directive was aimed specifically at excluding the Islamic headscarf on the grounds that, in Bayrou’s words, “their meaning is precisely to take certain pupils outside the rules for living together in the school” (qtd in 2007, 89). Bayrou’s stance was strongly supported by the teachers’ union and those who advocated a firm state stance against religion in the public space.

The reasoning put forth by Bayrou grounded the issue in how the general public and public officials viewed and interpreted le voile rather than the student’s own intentions. Contrary to the Conseil d’Etat’s reasoning that the student’s own intentions were
significant in interpreting the voile’s meaning, Bayrou argued that some symbols were “in themselves” transparent acts of proselytizing (Scott, 2005). This was an important argument used by combative secularists throughout the period, that certain aspects of religion were not subjective but generally known and immutable. It no longer mattered how the voile was interpreted by the student but how the general public interpreted the symbol. However, during this period, the Conseil d’Etat thwarted combative secularists’ measures, including Bayrou’s 1994 educational circular, that were not rooted in law, paving the way for the 2004 ban as the only avenue for combative secularists to ensure their version of laïcité prevailed.

4.1. Changing How the Veil was “Veiled”: The Rise of the International Context and the Marriage between Laïcité and Gender Equality

The external context was important for how the voile was interpreted. If 1989 was an important year to mark when the “Muslim issue” rose to the public agenda in the first headscarf affair, the “Muslim issue” was not framed in the same manner as it was during the first headscarf controversy. At the time, there was little to no discussion concerning the “Muslim community” or “Islamists” as important political subjects in France. The issue was largely defined in individualistic terms and did not implicate, to a significant degree, the larger external context. The connection between a headscarf-wearing Muslim teenager and the Islamist violence in Algeria was tenuous and left largely unstated. By the second headscarf controversy in the mid-1990s, this changed. During this time, Muslim (read: Islamist) community pressure became a significant issue in the national debate. The Minister of Education, Francois Bayrou, highlighted this new frame
when stating in 1994, “[In 1989,] I thought that wearing a headscarf was simply a personal form of religious expression. But since then the evidence has multiplied such that we can no longer afford to ignore the real meaning of the headscarf for fundamentalists….” (qtd in Barjon and Schemla, 1994). This statement demonstrates how the headscarf was conceptualized as a symbol of a larger political Islam project rather than merely a cultural oddity and/or patriarchal imposition.

Increasingly, as the issue of pressure and outside intervention became a central characteristic of the definition of the problem, the issue was framed through a transnational lens. Foreign Islam was brought to the forefront of people’s minds. The highly publicized events surrounding the headscarf controversies contributed to the inflaming of passions around the debate. Bowen provides many examples of how the media outlets in the 1990s merged the domestic and international: an April 29, 1993 issue of L’Express was entitled “The Islamists” covering France, Algeria, and Egypt; Le Nouvel Observateur cover for September 22, 1994 depicted a woman completely covered with only her eyes showing, entitled “Women and Islam”; L’Express of November 17, 1994 featured a woman in black head covering and the title “Foulard, the Plot: How the Islamists Infiltrate Us” (Bowen, 2007, 90). Public reporting on the scarf increased in 2002 in response to the 9/11 attacks and ensuing fears about Islam. According to Bowen, almost anything about Islam made the news from special hours at public pools for Arab women to swim to the removal of veiled women from several public forums (2007, 109-110).

Throughout the period in question, polls and public demonstrations helped reinforce the notion that certain fundamental Republican values were under threat. At the
same time, they reinforced the connection between the international and the domestic, consequently rendering the domestic event larger because it was seen as symbolic and connected to larger issues of violence, democracy, and women’s rights.

4.2. The Marriage between Laïcité and Gender Equality

Combative secularists strengthened their position by tying the issue of the headscarf not only to laïcité but to problems of gender relations. The introduction in the national debate in 1989 of gender equality and feminist values to be defended by the Republic eventually resulted in an indissoluble marriage between laïcité and gender equality as a single non-negotiable Republican value. Both right and left politicians, if divided by the interpretation of laïcité and the issue of integration, shared a common perception of one aspect: the veil was agreed upon as a symbol of female submission and patriarchal and community oppression. A focus on protecting women—and in the case of the headscarf in schools, young women—paved the way for the political consensus to restrict religious freedom (Bauberot, 2004; Giry, 2006; Thomas, 2006; N. Choudhury, 2007; Bowen, 2007; Silverman, 2007; Scott, 2007). Many who advocated and supported a law against the headscarf did so on the grounds of supporting women. Thus, while the content of laïcité was still being debated among combative secularists and positive secularists, there was agreement that gender equality was an integral component to the French national identity.

In official reports and the public discourse, the two principles were inextricably linked, always discussed in tandem. Indeed, the argument for restricting the Muslim headscarf—while certainly discussed in general terms of defending France’s national and
cultural identity from a foreign threat—centered, nonetheless, on the Republic’s duty to protect Muslim women. After drawing the picture of the Republic under threat, the national commission charged with looking into the issue of headscarves in schools argued that women were, undeniably, the victims and, thus, the Republic must protect these women—stated at one point in the report as “[t]he Republic cannot remain deaf to the cries of distress from these young women” (Stasi, 2003, 58)—particularly from community and familial pressure to wear the headscarf.

This argument depended on a particular interpretation of the veil’s meaning to the young girls: whether it was imposed versus whether it was a choice and expression of religious belief and/or freedom. Although the Stasi Commission noted that the headscarf had multiple interpretations, it attached one immutable and static meaning to the headscarf. The headscarf was a symbol of women’s oppression, a visible statement of gender inequality. As much as the Commission argued that the headscarf symbolized the political Islamist project, the Commission also contended that the headscarf was a statement of gender relations, linking it to larger instances of violence and oppression against women. Indeed, Bernard Stasi, in an interview after the release of the report and after one of the many demonstrations against the report’s recommendations, underscored his belief that Muslim women were coerced, “If women who have demonstrated have acted voluntarily, I respect them. If, as one might think, most of them were forced to demonstrate, I pity” (Fulda, 2004). In focusing the debate on protecting Muslim women, supporters were able to personalize the issue by pointing to concrete subjects—moving the debate out of the abstract philosophical realm into the living rooms of French men and women. In particu-
lar, the focus on Muslim women as the subjects of protection easily lent itself to images and sound bites.\textsuperscript{104}

In the defense of a stricter version of laïcité, French feminists first raised the status of the principle of gender equality. In her analysis of the headscarf ban, Thomas (2006) points to the role of new feminist groups in changing the public perception of Muslim women’s interests, demonstrating how these groups successfully introduced the issue of sexism and unwanted community pressures. This changed the terms of the French debate. French feminists attacked the veil with three claims. The first “problem” with the veil was that it was a symbol of a passive, submissive act—something imposed upon the Muslim woman and something which a “liberated” women would not choose to do. This claim that Muslim women were pressured by men and boys to wear the voile then was followed by a second claim that the veil further symbolized an attack on the equal worth of women more generally, thus moving the debate beyond Muslim women to all women. Bowen (2007) argues that this second claim—that the voile intrinsically attacked the dignity of women—appealed to French principles and emotions. In fact, Jean Bauberot, a member of the Stasi Commission which recommended banning the headscarf in school, expressed the visceral reaction of the public concerning these issues by stating that he chose to abstain from the Commission vote so he wouldn’t be seen as “an awful guy who tolerates an unacceptable situation of the submission of women” (qtd in Bowen, 2007, 208).

\textsuperscript{104} In his book \textit{Why the French Don’t Like Headscarves}, Bowen describes many media exposes during this time period which focused on the Muslim female subject (2007, Chapter 9).
A third claim connected the voile to the rising violence against women in the suburbs (Thomas, 2006; Bowen, 2007). The French feminist group *Ni Putes Ni Soumises* (Neither Whore Nor Doormats; NPNS), a secular organization with a particular emphasis on the treatment of women in the French suburbs and housing projects, was the most ardent public advocate of this claim. Founded in 2002 by Fadela Amara, an Algerian Kabyle immigrant, after the brutal killing of a young girl from the Parisian banlieues, the group quickly became a media and government darling, particularly due to its strong credentials in speaking for Muslim women in the suburbs.105 NPNS was an acceptable community interlocutor, particularly as its members were against many Islamic practices that had raised societal and political fears during this time. NPNS was a strong opponent of the Muslim headscarf and came out as an early advocate for a law to ban the headscarf. NPNS argued that the headscarf was inimical to gender equality and was part of a larger project by Islamists.106

Scholars attempting to explain the headscarf affairs and ban point to how the veil was interpreted as a symbol of gender oppression by the French elites and society as a significant factor for combative secularists and the restrictive measures taken by the French government (Bowen, 2007; Scott, 2007). In his anthropological account of the headscarf affairs in France, Bowen (2007, Chapter 9) described the “strong personal reac-
tions” to scarf-wearing from French females he encountered. To French women, the wearing of the scarf by Muslim women was repeatedly described as “çela m’agresse” (something that which attacks or offends me).\(^{107}\) It was a personal assault on the French public. As such, the headscarf was not a private matter but squarely within the public realm and within the French government’s right to regulate. As one subject noted of a Muslim woman wearing the headscarf:

> It was that they were throwing their difference right at me, that they had these principles, and were making me notice them. I am not bothered when someone has these principles, but I don’t want them to force me to take notice of them [the principles] (Bowen, 2007, 212).\(^{119}\)

The argument against the voile turned on the notion of French universalism and difference—it was not that the French general population or her politicians were prejudice against the Islamic religion or Muslims but that the French national model could not accept any difference. In particular, the headscarf was a highly visible sign of difference that demanded accommodation which partially explains why it was targeted during this time. As the arguments against the voile piled up in the public realm, other religious-cultural practices were connected, including demands for separate swimming hours for Muslim women at public facilities, the refusal to see male doctors at public hospitals, and requests for separate physical education instruction for boys and girls.

In tying the argument of French universalism with the notion of gender equality, Bowen argues the public narrative was the most coherent and concrete for the French public:

\(^{107}\) This notion of agresser was not only expressed by French women to Bowen. On December 5, 2003 President Chirac told a crowd in Tunis that for the French, wearing the voile is “a kind of aggression difficult for them to accept” (qtd in Bowen, 2007, 213).
The most successful answer went as follows. The voile stands for the oppression of women and also acts as a direct mechanism for their oppression in France. Boys terrorize girls and the voile normalizes this state of affairs. Girls who refuse to wear the voile are told they should wear it and thus are oppressed even within the school. Foreign Islamists are manipulating girls, making them think that they need to wear the voile. Do away with the voile and you would do these girls a big favor (2007, 209).

Bowen concludes, “At last, a clear causal argument! And in the end, it won the day” (2007, 209; see also Bowen, 2004).

Those that could not agree on any other claim did accept that Islam, through the voile, was oppressive to women, demanding different treatment. Those feminists such as those in the One School For All Movement who disagreed with the solution of denying Muslim girls an education did not deny the general claim that the headscarf was oppressive. For example, the petition published in leftist Liberation in November 1989, urging the schools to keep the Muslim students in class on concerns for integration, contained the statement: “the foulard is the sign of the oppression and constraining of Muslim women” (qtd in Bowen, 2007, 210).

The notion that Muslims were not respectful of women resonated within the French public by the end of this period. For example, a 2006 Pew Forum poll found that only 23% of French general population thought that Muslims were respectful of women, a sharp contrast to responses to other characteristics (see Table 12). Thus, while less than a quarter of the French general public viewed Muslims positively in the area of gender relations, substantial majorities attributed the positive attributes of being devout, honest, and generous (69%, 64%, 63%, respectively) to Muslims. What is more, the data demonstrates that the argument against the voile in terms of gender equality was the most
widely held among the general public compared to arguments that Muslims were violent or fanatical (only 41% and 50% of the French public agreed, respectively).

### TABLE 2.12

**FRENCH PUBLIC’S VIEWS OF MUSLIMS: 2006**

<table>
<thead>
<tr>
<th>Characteristics</th>
<th>Positive Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Positive:</td>
<td></td>
</tr>
<tr>
<td>Respectful of Women</td>
<td>23%</td>
</tr>
<tr>
<td>Devout</td>
<td>69</td>
</tr>
<tr>
<td>Honest</td>
<td>64</td>
</tr>
<tr>
<td>Generous</td>
<td>63</td>
</tr>
<tr>
<td>Tolerant</td>
<td>45</td>
</tr>
<tr>
<td>Negative:</td>
<td></td>
</tr>
<tr>
<td>Fanatical</td>
<td>50</td>
</tr>
<tr>
<td>Violent</td>
<td>41</td>
</tr>
<tr>
<td>Arrogant</td>
<td>38</td>
</tr>
<tr>
<td>Selfish</td>
<td>27</td>
</tr>
<tr>
<td>Greedy</td>
<td>10</td>
</tr>
<tr>
<td>Immoral</td>
<td>18</td>
</tr>
</tbody>
</table>

Source: Adapted from Pew Forum Global Attitudes Project, 2006

The public debate did not take seriously the women’s own assertions that wearing the veil was a religious and/or spiritual act rather than something externally imposed. Even before the conclusion of the Stasi Commission’s work—and providing further evidence that the Commission steered the debate toward banning the headscarf—Bernard
Stasi publicly stated that “objectively, the veil stands for the alienation of women.”

Bernard Stasi drew this conclusion without having listened to testimony of witnesses that could give the girls’ perspective. Indeed, critics of the Commission point to the lack of significant discussions with Muslim girls or attention to any studies that had been conducted since the mid-1990s that addressed the lives of Muslim women, especially those studies that sought to understand the range and variation in motives for wearing the headscarf (N. Choudhury, 2007; Bowen, 2007). From the start of the Commission’s proceedings, the debate was circumscribed.

Additionally, there was no sustained debate on the arguments put forth by veiled women that Islamic practices were not as illiberal as portrayed, that in certain circumstances they could provide women more rights and protections. Rather, a presumption prevailed that French society and the principle of gender equality were superior to Islamic principles and a standard to be applied to all. France, in this process, was portrayed in an essentialist manner: that is, the bastion of liberal values of freedom of thought, conscience, and gender equality. Just as there was no sustained debate over the varied meanings of the voile, over religious demands versus cultural demands, over imposed patriar-

---

108 See also Stasi, Laïcité et République, 114: "Today, laïcité cannot be conceived apart from the principle of equality between the sexes."

109 Bowen (2007, 70-81) himself has a section on the various motives for wearing the headscarf in his book. He specifically focuses on studies conducted by Francoise Gaspard and Farhad Khosrokhavar in the mid-1990s. In the course of their investigation, the researchers found multiple motives for wearing the headscarf. One motive was a way to satisfy parents and taken up in the middle school years to ease the transition to later adolescence. This had little to do with religious practice in general or the particular pioussness of the individual. Another motive was found among older women who took up wearing headscarves as a conscious effort to create a new identity when entering the world after education. The studies find that these women were educated and had a high level of religious observation in praying, fasting, and observing dietary rules. In this context, the headscarf was a way for women to “negotiate a sphere of social freedom and authority and to construct an identity as a Muslim” (Bowen, 2007, 71). Bowen’s own ethnographic research of three Muslim women largely confirms the above studies (2007, 72-81). He concludes that although the decision to wear the headscarf was a personal choice for his three respondents, but in taking into account the reaction of others, it is not simply an obligation or a choice.
chal norms versus appropriated norms, there was no discussion over whether the portrayal of France throughout this process was indeed accurate or whether certain norms or the institution of secularization were discriminatory.

4.3. “Non à l’islamisation de la France!”: The National Front and France’s Muslims

The National Front continued its influence on the French political scene throughout the headscarf affairs. During this time, Le Pen did not let the immigrant question subside and his illiberal rhetoric increasingly focused on Muslims, conflating as Scott describes, all immigrants with North Africans, all North Africans with Islam, and all Islam with Islamic fundamentalism and, once the connection of Algeria was brought in with its violent history, the connection of all Muslims with violence was rendered complete (2005b).

Indeed, the Muslim difference represented for the FN one of the main challenges to France in terms of national sovereignty and identity (particularly its Christian identity), leading the FN to espouse the slogan “Non à l’islamisation de la France!” (“No to the Islamization of France!”). The FN raised concern over the loyalty of French Muslims and decried the foreign financing of mosques and other religious practices, arguing the Republic’s authority was being attacked from within. Other grievances lodged by the FN included the laxity of public authorities in relying upon “intermediaries” in the banlieues instead of enforcing the law, providing a social security and legal recognition of polygamy, tolerating the veil in school and the massive slaughter of animals in violation of
health regulations. The solution for the National Front, beyond stopping these practices under the guise of a liberal tolerance, was to stop and reverse the flow of immigration—thereby connecting the issue of Islam in France to the larger issue of immigration.

Illiberal sentiment toward North Africans (and Muslims) has been high throughout the post-World War II period. Throughout this time, while the French population expressed negative opinions against many immigrants, North Africans elicited the highest level of antipathy. For example, Table 13 demonstrates that while Italians, Spanish, Portuguese, and Black Africans had a positive “sympathy” index rating (computed by those who responded with a positive response minus those who responded with a negative response) in 1966 and 1974, North Africans were the only immigrant group to have a negative index score. Across immigrant groups, illiberal sentiment decreased in the 1970s-1990s; however, as late as 1993 North Africans still elicited a lower sympathy index score with only 5% more of the public providing a positive response than those giving a negative response. Other minority groups had a much wider gap. For example, Black Africans almost had a positive 50 percentage-point gap. And, when asked a different question, whether North Africans were easily assimilated or not, a higher percentage of the French general population felt this group was “difficult or impossible to integrate” in 1988 than in 1951. Table 14 suggests that issue of integrating North African immigrants became the subject of increased societal anxiety around the time of the rise of the Front National.

110 The party has stated on its website: “Elle rencontre le laxisme des pouvoirs publics qui font appel à des “intermédiaires” lors d'affrontements dans les “quartiers” au lieu de faire respecter la loi, donnent une couverture sociale et une reconnaissance juridique à la polygamie, tolèrent le port du voile à l'école, les abattages massifs d'animaux au mépris des règlements sanitaires et la construction de mosquées sous le contrôle d'États qui ne laissent aucune place sur leur territoire au culte chrétien” (http://www.frontnational.com/doc_id_immigration.php).
### TABLE 2.13
FRENCH SYMPATHY/ANTIPATHY INDEX* FOR IMMIGRANT GROUPS: 1966-1993

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Italians</td>
<td>+47</td>
<td>+75</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Spanish</td>
<td>+36</td>
<td>+80</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Portuguese</td>
<td>+30</td>
<td>+63</td>
<td>+71</td>
<td>+76</td>
</tr>
<tr>
<td>African Black</td>
<td>+20</td>
<td>+34</td>
<td>+55</td>
<td>+49</td>
</tr>
<tr>
<td>North African</td>
<td>-42</td>
<td>-22</td>
<td>+8</td>
<td>+5</td>
</tr>
</tbody>
</table>

Source: Schain, 2008, 74

*Index = “sympathy” minus “antipathy” for each year

### TABLE 2.14
FRENCH INTEGRATION INDEX* FOR IMMIGRANT GROUPS: 1951-1988

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Italians</td>
<td>+67</td>
<td>+66</td>
<td>+62</td>
<td>+72</td>
<td>+68</td>
</tr>
<tr>
<td>Spanish</td>
<td>+44</td>
<td>+45</td>
<td>+52</td>
<td>+72</td>
<td>+61</td>
</tr>
<tr>
<td>Portuguese</td>
<td></td>
<td>+10</td>
<td>+22</td>
<td>+60</td>
<td>+48</td>
</tr>
<tr>
<td>African Blacks</td>
<td>-51</td>
<td>-49</td>
<td>-12</td>
<td>-31</td>
<td></td>
</tr>
<tr>
<td>North African</td>
<td>-25</td>
<td>-40</td>
<td>-54</td>
<td>-49</td>
<td>-42</td>
</tr>
</tbody>
</table>

Source: Schain, 2008, 74

*Index = “easily integrated” minus “difficult or impossible to integrate”
These general trends have continued in the 1990s. A CSA-Le Figaro poll provides evidence that, during the period of the headscarf controversies and the increased politicization of Muslims in the public sphere, the French public held the least positive views (and conversely, the highest negative views) of North Africans among different immigrant and/or minority groups. For example, Table 15 illustrates that while in 1990, 71% of the French public held sympathetic views toward Black Africans (and 72% for Jews and 57% for Beurs), only 53% held a sympathetic view of North Africans. And, this number fell below 50% from 1991-1995. However, negative sentiment toward North Africans has decreased overall. Interestingly, at the height of the headscarf controversy in 2003, 76% of the French public expressed a sympathetic view of North Africans, rising above 73% who expressed a similar view of Beurs.

The politics of the National Front have succeeded in politicizing the issue of Islam’s presence in France and the public sphere. Recent polls demonstrate a significant negative perception among the general public regarding the rise of religious identities among the Muslim population and the role of religion in public life. A 2006 Pew Forum poll found that a substantial majority of the French public viewed the rise in Islamic religious identity negatively. When asked whether an increase in the Islamic identity of Western Muslims was a good or bad thing, 87% of respondents in France, the highest in the survey, considered it a bad thing while only 11% of the general French population responded that it was a good thing (Pew Forum, 2006, 9-10).

111 These numbers can be compared to other European publics. Responding to the same question regarding whether the increase in Islamic identity was a good or bad thing, 59% of respondents in Great Britain, 82% of respondents in Spain, and 83% of respondents in Germany considered it a bad thing. Only 27% of the British, 13% of the Spanish, 11% of the German population responded that it was a good thing. The numbers from the United States are less divergent with 46% of respondents declaring a rise in the Islamic identity among Muslims as a bad thing compared to 37% who believe it is a good thing.
### TABLE 2.15
FRENCH ATTITUDES TOWARDS DIFFERENT GROUPS: 1990-2003

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Black Africans</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sympathy</td>
<td>71</td>
<td>67</td>
<td>71</td>
<td>67</td>
<td>71</td>
<td>71</td>
<td>75</td>
<td>74</td>
<td>86</td>
<td>87</td>
<td>+20</td>
</tr>
<tr>
<td>Antipathy</td>
<td>21</td>
<td>24</td>
<td>21</td>
<td>18</td>
<td>18</td>
<td>20</td>
<td>17</td>
<td>16</td>
<td>9</td>
<td>8</td>
<td>-16</td>
</tr>
<tr>
<td>Jews</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sympathy</td>
<td>72</td>
<td>69</td>
<td>69</td>
<td>69</td>
<td>69</td>
<td>71</td>
<td>68</td>
<td>75</td>
<td>82</td>
<td>85</td>
<td>+17</td>
</tr>
<tr>
<td>Antipathy</td>
<td>18</td>
<td>16</td>
<td>19</td>
<td>14</td>
<td>14</td>
<td>17</td>
<td>11</td>
<td>10</td>
<td>9</td>
<td>-10</td>
<td></td>
</tr>
<tr>
<td>North Africans</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sympathy</td>
<td>53</td>
<td>42</td>
<td>49</td>
<td>46</td>
<td>47</td>
<td>46</td>
<td>50</td>
<td>57</td>
<td>71</td>
<td>76</td>
<td>+34</td>
</tr>
<tr>
<td>Antipathy</td>
<td>39</td>
<td>49</td>
<td>41</td>
<td>41</td>
<td>42</td>
<td>45</td>
<td>40</td>
<td>32</td>
<td>23</td>
<td>19</td>
<td>-30</td>
</tr>
<tr>
<td>Beurs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sympathy</td>
<td>57</td>
<td>50</td>
<td>55</td>
<td>52</td>
<td>54</td>
<td>50</td>
<td>54</td>
<td>62</td>
<td>70</td>
<td>73</td>
<td>+23</td>
</tr>
<tr>
<td>Antipathy</td>
<td>34</td>
<td>40</td>
<td>36</td>
<td>34</td>
<td>35</td>
<td>38</td>
<td>35</td>
<td>27</td>
<td>24</td>
<td>22</td>
<td>-18</td>
</tr>
</tbody>
</table>

Source: CSA-Le Figaro, 2003

In this same survey, a majority of the general population, 70%, believed that this Islamic identity was increasing among Western Muslims and 59% agreed that Muslims wanted to remain distinct (Pew, 2006, 9).

In a recent study, Brouard and Tiberj (2008) suggest that there is a “religious cleavage” centered on Islam among the French general public, arguing that the French
public viewed whether integration was possible or not based on its views of the compatibility of Islam within the Republic. Thus, if an individual had a positive opinion of Islam and Muslims, he had a much higher probability of believing that immigrant integration was possible. However, if the individual had a negative opinion of Islam, particularly with regards to its compatibility with French Republican values, this individual expressed negative opinion on whether immigrants could integrate in France.112 Perhaps more interesting, while the study suggested that as much as two-thirds of the rightist electorate could be characterized as the “closed right,” taking policy positions similar to the ones advocated by the Front National, the rejection of Islam was not found exclusively within the closed right. A group labeled assimilationists, composing 46% of the study’s sample and characterized by a high degree of ethnocentrism and religious prejudice, also expressed highly negative opinions of Islam and Muslim.113

Bauberot (2007) suggests this religious cleavage is not between denominations—that is to say, it is not primarily about Islam—but a more fundamental divide between “practicing” and “non-practicing.” Traditionally a Catholic country—referred to as the “eldest daughter of the church”—contemporary France is a deeply secular country in which the role of organized religion in the lives of general population has diminished significantly, starting around the Revolution of 1789 but accelerating in the last half of

112 Brouard and Tiberj’s study shows that 43% of the GP felt slightly or very negatively toward Islam and this affected their attitude of immigrants’ capacity to join the French mainstream with only 28% of the respondents agreeing that integration would be easy. When the general public respondent viewed Islam in a positive manner, 48% of the respondents agreed that integration of immigrants would be easy. Not only does the attitude toward Islam affect the general opinion of the ease of integration but also affects who is deemed responsible for integrating.

113 The study reports that the level of ethnocentrism in this group is as high as 67% compared to 49% of sample level (Brouard and Tiberj, 2008). Assimilationists are also the most critical toward Islam with 55% responding negatively toward Islam compared to 40% of republicans and multiculturalists (Brouard and Tiberj, 2008).
the twentieth century. Since the 1970s, France has become a very secular country. As one indicator, the number of people who believe in God has diminished rapidly over this time. A 2003 poll found that as many as 41% of respondents did not believe in the existence of God and as many as a third of the French population described themselves as atheist (CIA, 2003). Providing a similar portrayal, the 2005 Eurobarometer poll found that only 34% of French citizens responded that “they believed there is a God” and another 27% believed in “some sort of spirit or life force” (Eurobarometer, 2005). In this survey, France had the highest proportion of people who did not believe in God, at 33%, than any other European nation. A 2006 CSA-Le Monde des religions poll found that of those who are nominally Catholic, only 52% believe in the existence of God, only half of which responded that God’s existence was sure rather than probable.

Outside of declining religious belief, there is a strong “de-churching” trend within the general population. Thus, while there is still a high nominal membership in the Catholic Church, studies have found that only 8 percent of Catholics attend Mass weekly, another one-third attend “occasionally,” and 46% attend “only for baptisms, weddings, and funerals” (CSA-Le Monde des religions, 2006; US Department of State, 2007). Indeed, a CSA-Le Monde des Religions poll of Catholics found that the majority, 55%, stated their affiliation with Catholicism was based simply on being born Catholic and only 21% responded because of their belief in the faith (another 14% responded because

114 Nominally, over 80% of the population is affiliated with the Catholic religion, 5 to 10% of the French population is Muslim, 2% is Protestant and 1% of the population is Jewish (CIA, 2003; CSA-Le Monde des religions, 2006).

115 Of those 52% who asserted a belief in God, only 18% believed in a “personal God” while 79% believed in “a force, an energy, a spirit,” reflecting that perhaps only 9% of the total French population was Catholic in belief (CSA-Le Monde des religions, 2006).
it espoused values that they personally were attached to). However, despite the low attendance rate (and even the low percentage of people who say they pray once a day or once or twice a month, totaling 27% of respondents), the poll also provided evidence that nominal Catholics are still attached to their religion as a cultural relic. For instance, 65% of respondents replied that it was important for their children receive religious formation and 76% had a favorable view of the Catholic Church.

By contrast, surveys have found a much higher level of both belief and practice among French Muslims. A 2008 IFOP survey conducted for the Catholic daily *La Croix* provided evidence of increased observance among French Muslims during the period 1989-2007 (IFOP-La Croix, 2008b). More Muslims, according to the survey, were saying daily prayers (at 39% which increased from 1990s levels of 31%) and visiting mosques (increasing to 23% from 16% in 1989), the two important indicators of a practicing Muslim, as well as fasting during Ramadan, often considered an indicator of Muslim cultural or communal identity rather than faith observance (See Figure 3). When the data was separated by age, the trend was even more striking among the youth. Youth attendance (under 25) at mosque jumped from a low of 7% in 1989 to 13-14% in the period 1994-2001 to 20% by 2007; for the 25-34 age group, attendance rose from 14% in 1989 to 23% in 2007. The over-55 age group still had the highest number of mosque attendees at 41% in 2007, reflective of a generational difference. What is interesting, the trend of increased mosque attendance does not hold for the 35-54 age group which decreased over the survey’s time period.
According to the government and society, Muslims were classified in one of two groups: practicing or non-practicing. Non-practicing Muslims, or “cultural Muslims” were considered appropriately integrated while practicing Muslims were a cause for concern. For example, a 2000 report by the Haut Conseil a l’Intégration (HCI) on Islam in the Republic made a clear distinction between “cultural” Muslims and “practicing Muslims” (“des personnes qui, pratiquant de manière plus ou moins régulière leur culte”) (HCI, 2000). According to the report, for the grand majority of French Muslims, Islam was a familial and cultural heritage, what the authors term secularized Islam (“Islam
secularisé” (HCI, 2000, 23) and that only a minority were re-Islamized (“Renouveau islamiste”) and, importantly, those who are practicing. The cultural Muslims, characterized by the HCI report as being strongly impregnated with individual values and who operated with a distinction between their faith and the ritual or public expression of this faith, were “good Muslims,” based on their acceptance of French values, particularly in the privatization of religious belief. The renouveau islamistes, on the other hand, practiced an Islam more orthodox than their parents, favored the emergence of neo-fundamentalist movements and a neo-communautarist Islam, and observed religious rules more than a civil moral code, (and, thus, implied that they not loyal to the French Republic).

Although a wide brushstroke, the government viewed renouveau Islamistes as problematic for the French Republic for two reasons. They were problematic first for their connection with international events, particularly the civil war that erupted in Algeria in the 1990s. The second reason for the government’s concern was in the religious observance of this group. One of the important distinctions between the “cultural” or “good” Muslims and the “Renouveau Islamiste” or “bad” Muslims was their level of religious observance. That is to say, it was a more general connection to religion that bothered the French state (and society, according to public opinion polls conducted through-

---

116 The new Islamists are a minority of Muslims in France, practicing a form of Islam more orthodox than their parents. The report argues that they benefit from a media visibility that augments their real importance. According to the report’s characterization, these young Muslims observe religious rules more than a civil moral code and are motivated by a desire to adhere to Islam, such as practicing a more strict version of fasting during Ramadan. The report goes on to note that cultural attachment prevails over religious attachment to Islam and points to the factors of fasting during Ramadan, abstaining from pork, etc (HCI, 2000, 24).
out the 1990s and 2000s). Indeed, the level of religious observance was used as a measure of the level of integration of the Muslim population in several research projects connected to the government over this time period.

If one takes these numbers as evidence, there seems to be a divide within the French population regarding the role of religion. Perhaps the clearest example of this divide is the number of people who state that religion is important to their lives in some way. In the CSA-Le Monde des Religions poll, 41% of respondents said religion was important to them (only 13% responded that it was “very important”) and 57% of respondents said it was not important at all (See Table 16). When asked about religion’s role compared to 10 years prior—that is before the politicization of religion within the public sphere over the headscarf and presence of Muslims—more than 50% of the French public believed religion had become more important in the world, and slightly less, 45%, that is had become more in important in France. Importantly, almost 6 out of 10 respondents (59%) felt that religion’s place in the world was too important and nearly 5 out of 10 respondents felt it was too important in France (CSA-Le Monde des Religions, 2005) (See Tables 17-18).

Taken together, the data suggest that there was a significant proportion of the French population that could be mobilized around a more aggressive definition of secularism when religion became politicized. This data also provides the observer with insight into why the headscarf controversies evolved into a highly politicized process as there was a cleavage among the general population concerning the role of religion in the French state.
TABLE 2.16

IMPORTANCE OF RELIGION OR SPIRITUALITY IN PERSONAL LIFE: 2005

<table>
<thead>
<tr>
<th>Importance</th>
<th>In Personal Life</th>
</tr>
</thead>
<tbody>
<tr>
<td>Important</td>
<td>41%</td>
</tr>
<tr>
<td>Very Important</td>
<td>13%</td>
</tr>
<tr>
<td>Somewhat Important</td>
<td>28%</td>
</tr>
<tr>
<td>Not Important</td>
<td>57%</td>
</tr>
<tr>
<td>Somewhat not impt</td>
<td>24%</td>
</tr>
<tr>
<td>Not Important at all</td>
<td>33%</td>
</tr>
<tr>
<td>No Response</td>
<td>2%</td>
</tr>
</tbody>
</table>

Source: CSA-Le Monde des Religions, 2005

TABLE 2.17

“DO YOU FEEL THAT RELIGION OCCUPIES A PLACE IN THE WORLD AND IN FRANCE...?”: 2005

<table>
<thead>
<tr>
<th>Importance</th>
<th>In World</th>
<th>In France</th>
</tr>
</thead>
<tbody>
<tr>
<td>...More important than 10 years ago</td>
<td>56%</td>
<td>45%</td>
</tr>
<tr>
<td>...Less important than 10 years ago</td>
<td>19%</td>
<td>26%</td>
</tr>
<tr>
<td>...Neither more nor less important than 10 years ago</td>
<td>21%</td>
<td>27%</td>
</tr>
<tr>
<td>No Response</td>
<td>4%</td>
<td>2%</td>
</tr>
</tbody>
</table>

Source: CSA-Le Monde des Religions, 2005
TABLE 2.18

“How do you feel about religion’s place in world and in France?": 2005

<table>
<thead>
<tr>
<th></th>
<th>In World</th>
<th>In France</th>
</tr>
</thead>
<tbody>
<tr>
<td>Too important</td>
<td>59</td>
<td>47</td>
</tr>
<tr>
<td>Not that important</td>
<td>16</td>
<td>18</td>
</tr>
<tr>
<td>Neither</td>
<td>22</td>
<td>31</td>
</tr>
</tbody>
</table>

Source: CSA-Le Monde des Religions, 2005

4.4. Defending Laïcité: The Third Headscarf Affair, the Lead-Up to the Headscarf Ban, and Triumph of Combative Secularists

The Levy sisters created a third affaire du foulard in 2003 (known as the “Auber-villiers affair”) by showing up to school with very conservative headscarves instead of the acceptable “light scarf tied behind the head” (Bowen, 2007, 110). After the required conciliation attempt, the girls were expelled. Because the parents had not approved of the girls’ decision to wear the headscarf—the girls’ father was atheist of Jewish descent and their mother was a non-practicing Muslim of Kabyle origin—external influences, especially radical Islamic influences, were suspected (Bowen, 2007, 112). Six months later, combative secularists won a decisive victory in the 15 March 2004 law to ban the headscarf in public schools. The law was highly popular: it passed the National Assembly by a vote of 494 to 36 and was supported by as much as 69% of the French general public.
This third headscarf affair was preceded by a series of events that placed greater political power in the combative secularists’ camp. The headscarf once again became politicized after Interior Minister Nicolas Sarkozy, in what Bowen (2007) describes as a response to Le Pen’s electoral coup in May 2002, linked the refusal of Muslim women to remove their headscarves for identity photographs to a refusal of integration a la française.118 Sarkozy set off a larger crisis in which the headscarf was a potent symbol of the refusal to integrate as well as the illiberalism of religion, particularly pitting the issue of gender inequality in Muslim communities against the French Republic’s secular liberal norm of gender equality.119

After the speech, a bandwagon effect ensued, according to Bowen, with the media and public figures attacking the headscarf as the root of the French nation’s problems. New exposés on radical Islam were given prominence in the media. Schools once again became an issue; however the issue of defending the republican principle of laïcité rose in other “public” areas including hospitals. All political actors rushed to defend the Republic and this defense led to the Republic enforcing a stricter form of laïcité.

---

118 On April 19, 2003, Sarkozy attended the annual UOIF convention at the former Le Bourget airport, the first politician to do so. During this event, Sarkozy gave a speech that sparked the controversy over the headscarf and the defense of French laïcité. In this speech, Sarkozy called Muslims to “present themselves in the light of day for who you are, citizens as are all the French” (Bowen, 2007, 101-102) and continued that “For Islam to be completely integrated into the Republic, its major representatives should themselves be perfectly integrated into the Republic, and thus trained in France. We do not need to depend on other countries for finding imams who speak not a word of French” (Bowen, 2007, 102). He then “changed his tone,” according to Bowen, and mentioned the rule requiring all residents to have their picture taken on identity cards with their heads uncovered and said “nothing would justify women of the Muslim confession enjoying a different law” (2007, 102).

119 N. Choudhury (2007) suggests that the Stasi Commission and the European Court of Human Rights in its jurisprudence on the headscarf ban in Turkish universities has created an isomorphic relationship (that is, a mapping that conveys an exact correspondence between two sets) that understand the headscarf and religious expression more generally as oppositional to secular, liberal norms in Western democracies.
The politics surrounding the headscarf ban, including its timing and support, can be viewed as a consequence of the far right’s mounting success and the 2002 elections. After the May 2002 elections, the mainstream right and left within France would search for appropriate political tools to marginalize the FN. Both parties viewed the headscarf ban as a broad palliative; the politics surrounding the ban largely focused on the type of ban that should be passed (general versus narrow) and what other measures should be undertaken to defend French national identity. Falling on the heels of the Front National’s shocking electoral success in the 2002 presidential elections, the right was under notable pressure to recapture voters from “lepenization.” In order to do so, the right needed to recapture the political helm on traditional law and order issues as well as take tougher stance against immigration. Thus, when arguing that Muslim women should take off their headscarves in identity photos, Sarkozy addressed the “problem” in a law and order context. \(^{120}\) Sarkozy had already staked his reputation on law and order issues with the introduction of an anti-crime law in October 2002 and was maneuvering within his own party for a stronger position in the 2007 presidential election. It is under these conditions that one must view Sarkozy’s initial statements concerning the headscarf before the UOIF annual conference at Le Bourget in April 2003.

During this time, the two major political parties staked their initial positions on a law to ban the headscarf with the Socialist Party in favor of a law to ban all religious signs and the centre-right UMP in favor of a law to ban conspicuous signs; the political parties, however, waited for the Stasi Commission’s report to pronounce this. As a for-

\(^{120}\) It was a delicate balancing act as the then- Interior Minister was also courting Muslim voters and did not want to appear to be challenging Islam’s place in France. Sarkozy also framed his creation of a French Muslim Council as a law and order issue.
mer committee member reflected, there was severe pressure from the outside for the Committee to “do something”—particularly in the espousal of a law—and that failure to provide such a recommendation was perceived as submitting to the “ménace islamiste” (Bauberot, 2004). After the release of the Stasi Commission’s recommendations, Chirac proceeded forward with only the most restrictive initiatives: the headscarf ban and the Charter on laïcité. That these were the only recommendations acted upon is not insignificant; indeed, it should be viewed in light of the right’s larger agenda on immigration and national identity issues that has sought to place “Republican” integration at the center of state initiatives.


As was the case in Great Britain following the 2001 riots, the French government set up a commission to provide a clear diagnosis of the problem but, more importantly, concrete political solutions.\textsuperscript{121} In July, President Jacques Chirac appointed a commission chaired by Bernard Stasi to reflect more broadly upon the principle of laïcité. This commission had a similar system-wide influence as the Cantle Report in Great Britain, especially as it was widely-anticipated throughout its six-month highly-publicized proceedings. As the “community cohesion” idea was widely adopted as the key solution to Britain’s minority “problem,” the Stasi Commission’s assessment of the problem was almost

\textsuperscript{121} Actually, two commissions were set up to address the issue of what political solution was needed. In June, the National Assembly deputy, Jean-Louis Debré, set up an investigative body to study the question of crafting legislation to prohibit the wearing of religious signs in school (Debré, 2003). This commission was known officially as Mission of Information on questions of religious signs in public schools. The Stasi Commission was the most well-known commission during this time.
universally accepted. Moreover, the prescriptions offered by the Commission also established a clear governmental responsibility to integrate its Muslim minority—however, only the restrictive measures were acted upon in the aftermath of the proceedings.

While the social and political debate centered on the “voile islamique,” the Stasi Commission was charged with a larger mandate: to look at the global issue of laïcité. This Commission, formally entitled the Commission of Reflection on the Application of the Principle of Secularism in the Republic (La Commission de Reflexion sur l’Application du Principe de Laïcité dans la République), provided an analysis which supported the combative secularist position, most notably in its recommendation that the French government prohibit the wearing of ostentatious signs (“les signes ostensibles”) of religious affiliation from the classroom, leading to the law of 15 March 2004.

The composition and proceedings of the Commission were important for the resulting analysis. The Commission, in typical French fashion, was dominated by distinguished intellectuals, with six professors, three members of the national education board as well as administrators and politicians and, notably, only one Muslim (Bauberot, 2004; Bowen, 2007, 113-114). All of its members had academic or professional experience concerning laïcité, Islam, or immigration (N. Choudhury, 2007). Although the composition of the Commission in terms of initial orientations concerning laïcité is the subject of some debate, it is widely acknowledged that both its president, Bernard Stasi, and the general rapporteur steered the proceedings toward a strict interpretation of laïcité.123 In

122 The one Muslim member was Mohammed Arkoun.

123 For example, Kuru (2008) argued that the majority of 20 commissioners were partisans to a strict version of laïcité, including Regis Debré and Henri Pena-Ruiz, and only one was a positive secularist, Jean Bauberot. However, according to Jean Bauberot, a quarter were partisans of strict laïcité, a quarter were favorable to a more open laïcité, and half did not have a pronounced opinion (Bauberot, 2004, 135).
his reflections on the internal workings of the commission and his reasons for abstaining from the final vote, Jean Bauberot contends that at some point the proceedings stopped becoming about laïcité and turned to justifying an interdiction on headscarves.124

The Commission’s public proceedings and final report—in highlighting issues of social order problems connected to a lack of laïcité in French schools—provided the combative secularist argument with increased support and urgency. The final report, released in December 2003, identified the maintenance of “public order” as the prominent issue and relegated the issue of individual freedom of expression and belief as secondary to a desire to maintain a “conflict-free” school environment, defined, ultimately, by the Commission as a headscarf-free environment. Thus, there was a shift from the privileging of individual religious freedom upheld in the 1989 Conseil d’Etat decision to the issue of public order as the paramount concern. Citing the French Constitution, the Commission claimed that the manifestations of freedom of conscience can be restricted in the case of threats to public order. It then concluded “after having listened to both sides... today it is not a question of freedom of conscience but of public order.”

The threat to public order was not strictly domestic. Indeed, the Stasi Commission justified its concern with public order in connection to a changing context, largely the result of international factors, with the Commission noting in the report that:

the context [in 1989] was clearly different from what it is today.... [I]t is relevant to note that the charge of the Council of State [Conseil d'Etat] did not mention the question of discrimination between men and women. The evolution of the terms

124 Bauberot claims that this turn in the Committee’s proceedings was not strictly from outside pressure but was also a result of how the President of the Commission, Bernard Stasi, and his general rapporteur steered the proceedings to obtain a positive vote (Bauberot, 2004). No quantitative analysis was made; the Committee took impressions, sometimes relying on hearsay evidence, and did not solicit real knowledge based on surveys or analysis (Bauberot, 2004).
of the debate in fifteen years provides a measure of the mounting force of the problem (Stasi, 2003, 29).

In its main argument that the headscarf threatened laïcité, the Commission argued that it cannot be divorced from the goal of political Islam. Thus, secular France, by allowing Muslim girls to wear headscarves in its public schools, was aiding Islamists in their project to transform secular democracies into the ummah. Headscarf-wearing Muslim girls were foot soldiers for Islamists, even if they themselves did not subscribe to an Islamist ideology or attach a political meaning to the act of wearing the headscarf. Thus, once again, the argument centered on how the act of wearing the headscarf was perceived externally, regardless of its imposition. Weil, in discussing the work of the Stasi Commission, wrote in 2004 that:

our near-unanimous sentiment (with the exception of one member) was that we had to face a reality that was perceived at the local level, but not at the national nor obviously at the international one: wearing the scarf or imposing it upon others has become an issue not of individual freedom but of a national strategy of fundamentalist groups using public schools as their battleground (Weil, 2004).

Perhaps the issue of communal influence, particularly of the radical Islamic nature, was most clearly demonstrated in the letter Bernard Stasi wrote to President Chirac when officially depositing the report. The letter singled out the “problem” of the headscarf (and, implicitly, the ensuing problems that are connected by the Commission to the headscarf) as lying in extremist groups and Islamists rather than a sincere expression of religious belief, without outside influence, on the part of Muslim women. This deduction was made after discussing the many socioeconomic problems encountered by Muslims—poor housing conditions in the banlieues, unemployment, and discrimination—but
the problem, crucially, was not with French society. In a discussion concerning the problems that have led to the current situation, Stasi wrote:

For we must be clear: yes, extremist groups [des groupes éxtremistes] are at work in our country to test the resistance of the Republic and to push some young people to reject France and its values. The international economic situation and particularly the conflict in the Middle East also contribute to raise tensions and lead to clashes in some of our cities (Stasi, 2003, 7).

Three months after the Stasi Commission released its final report, overwhelming majorities in both the National Assembly and Senate adopted a law against the wearing of ostentatious religious symbols in public schools. The Law of 15 March 2004 made a distinction between religious symbols which were ostentatious—headscarves, large crosses, Jewish kippas, Sikh turbans—and those which were discrete and permitted to be worn, including medallions, small crosses, hands of Fatima, small Corans, Jewish stars. Shortly thereafter, the Minister of Education issued a circular, subsequently upheld by the Conseil d’Etat, to clarify this provision, stating “[t]he prohibited signs and dress are those by which the wearer is immediately recognizable with regard to his or her religion, such as the islamic [sic] veil, whatever its name, the kippah or a crucifix of manifestly exaggerated dimensions.” Perhaps, not surprisingly, just as the public debate focused almost exclusively on the issue of the Islamic “voile,” the ban had a disproportionate impact on Muslim girls even though the French ban was phrased generally.127 Forty-five

---

125 The vote passed in the National Assembly 494-26 and in the Senate with 321-20.

126 See Brems (2006) for a discussion of the ruling.

127 A report released in 2005 by the Inspector General of Education, Hanifa Cherifi (previously the state’s “headscarf czar”) reviewing the application of the March 15 law concluded that the implementation of the law was very effective at restoring peace in the secular school, with only 47 cases left unresolved out of a total of 639. The report was officially entitled “Application of the Act of 15 March 2004 on the wearing of obvious religious symbols in public schools: report to the minister of education and research” and can be found at http://trf.education.gouv.fr/pub/edutel/rapport/rapport_cherifi.pdf
of the forty-eight students expelled in the four months following the implementation of the ban were Muslim girls who refused to remove their headscarves when entering public school.

The law adopted a tough stand against Islamists, a line drawn in the sand from which the Republic said “enough.” Prime Minister Jean-Pierre Raffarin, in introducing the bill before the National Assembly, articulated the government’s position: “Certain religious signs, among them the Islamic veil, are multiplying in our schools. They are taking on a political meaning...Some want to know how far they can go. We are giving them a response today” (Knox, 2004). One reason the ban could be seen as symbolic—and perhaps diversionary or even impotent—rather than a sustained government attempt to deal with pressing problems—was the lack of evidence that the wearing of the headscarf was indeed pervasive and destabilizing. Neither the Stasi Commission nor the various government reports that preceded the Commission’s work offered hard data on the pervasiveness of the problem. Critics challenged the report for not offering any evidence to suggest the wearing of headscarves was a widespread problem in schools. Citing just this lack of evidence sought for and presented before the Stasi Commission, Bauberot (2004) criticized the passage of the law, particularly as it did not make a distinction between a discrete headscarf (“un voile discret”) and a conspicuous headscarf (“un voile ostensible”).

In addition to the near unanimous consensus on the ban among elites, a large majority of the French citizens favored the ban. A January 2004 survey found 78% of teach-

---

128 Joan Scott (2005), in her analysis of the ban, argues that this tough stand could also be interpreted as “a gesture of impotence, which served only to intensify the problems it sought to resolve.”
ers in favor of the ban (CSA, 2004). A survey conducted in December 2003, the same month as the release of the Stasi report, showed 69% of the population supported the ban (CSA, 2003). This support held across the political spectrum (66% of left, 75% of right; 66% of far right). Moreover, this support had increased almost 15 percentage-points since October 2003 (See Table 19). Only two other propositions received higher approval from the general public, including the recommendation to increase Muslim chaplains (73% favorable and 23% opposed) and the recommendation for a charter on laïcité for public service (72% favorable while 20% opposed). By contrast, a January survey indicated that Muslims in France were less sanguine about the law, with 42% for and 53% against the headscarf ban (CSA, 2004).

TABLE 2.19
FRENCH PUBLIC SUPPORT FOR THE LAW PROHIBITING RELIGIOUS SIGNS IN SCHOOLS: 2005

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>In favor</td>
<td>65%</td>
<td>76</td>
<td>42</td>
<td>69</td>
<td>53</td>
<td>55</td>
</tr>
<tr>
<td>Opposed</td>
<td>31</td>
<td>24</td>
<td>53</td>
<td>29</td>
<td>42</td>
<td>40</td>
</tr>
</tbody>
</table>

Source: CSA, 2005

129 Moreover, this poll demonstrated the near-universal support for laïcité in school, with 93% of the teachers responding that laïcité in school was important, 69% of which responded it was very important (CSA, 2004).

130 Other recommendations received substantially poorer favorability ratings. For example, the recommendation to create two new holidays recognizing Yom Kippur and Aid el-Kebir received support from 42% and 40% of the general electorate, respectively.
4.6. Restricting the Public Space: French Immigration and Citizenship Law and the Move to Consolidate French National Identity

During this period, aggressive secularists argued that the school was only one environment among many Republican institutions that was under threat. In making these connections, the coalition sought to harness the emerging political consensus surrounding the headscarf to other areas, leading the French government to bolster laïcité through other political and policy moves. In April 2007, Prime Minister Dominique de Villepin officially circulated the “Charter on Laïcité in Public Service” (“Charte de laïcité dans les services publics”) reinforcing the government’s position of strict neutrality in the public space for government agents. The Charter was followed by the establishment of the Observatory on Laïcité (Observatoire de la Laïcité) in May 2007. The adoption of the charter and the establishment of the Observatory were important symbolic, if not politi-

---

131 The idea for a charter on laïcité was first found in a report by Francois Baroin in 2003, reiterated in subsequent reports such as in the Stasi Commission’s final recommendations, drafted by the Haut Conseil de l’Integration (HCI), and adopted by the Prime Minister as official policy in 2007. Baroin’s report, “Une nouvelle laïcité,” proposed that the government adopt a code on secularism (charte de laïcité) along with banning headscarves in schools. These restrictive recommendations, as was the case in the Stasi Commission report, were wedded to more inclusive proposals including creation of a faculty of Muslim theology, the testing of specific teaching of religion, increase the number of elected immigrants. The Stasi Commission offered a similar proposal concerning the need for an official state promulgation on the duties and responsibilities of those in public service to uphold the principle of laïcité. In 2007, the Haut Conseil d’Integration submitted a draft charter on secularism in public service that was adopted by the Prime Minister in full. The HCI, in its own words, relied heavily upon the Stasi Commission’s work and reflections on laïcité (HCI, 2007). Instead of adopting a charter that is very specific, the HCI recommended and drafted a charter that identified principles that could be elaborated upon in the specific contexts.

132 During a televised address on December 18, 2003, the same one in which he announced his decision to pass a law banning the wearing of ostentatious religious symbols in the public school, the President Jacques Chirac announced his intention to create a new institution that was charged with alerting the French government to the risk of abuse or harm to laïcité (de Royer, 2007). As conceived, the 23-member Observatory was to serve as an institution that provided information and advice, receiving far fewer political resources and powers than other institutions such as the High Authority against Discrimination (HALDE) and its scope has been restricted to public services. Reflecting the symbolic nature of the act, more than a year after the government decree, no members have been nominated and work has not started (November 2008).
cal, acts as occasions for the government to reaffirm and strengthen its restrictive interpretation of the principle of laïcité.133

Right around the time that the Republic took a strong position on the type of society it wanted to have in the passage of a law to ban the Muslim headscarf in public schools, the French state made sure that this vision of society was not threatened by immigrants who did not embrace the values of laïcité and gender equality. By 2003, the French state made more explicit the cultural dimension of its immigration policy. At this time, the French state initiated a new tool of migration control that helped to restrict unskilled or unassimilable immigrants in the form of a welcome and integration contract—reflecting a larger trend among European nations toward civic integration (Joppke, 2007a; Joppke, 2007b). In the late 1990s, the Socialist Jospin government introduced “plates-formes d’accueil” (introductory platforms), voluntary half-day instruction for certain categories of newcomers (originally only family migrants). Then in July 2003, under the rightist Raffarin government, the “Contrats d’accueil et de l’intégration” (CAI) program was launched. This program, made permanent in January 2005, consisted of one day of civics instruction and intensive language instruction if deemed necessary. In the CAI framework, the French government privileged the principles of laïcité and gender equality (HCI, 2003; HCI, 2006). In November of the same year, the Loi Sarkozy drastically restricted access to legal permanent residence and made receipt of ten-year residence card dependent on “l’intégration républicaine” defined as knowledge of the French language and principles of the Republic (“connaissance de la langue française et des

133 The Charter, intended to be prominently displayed in public settings, provides a visible reminder of the principle of laïcité already agreed upon and codified in the constitution and is an important tool for the integration of immigrants by clearly delineating the common Republican values to be respected.
principes qui régissent la République française”). Once again, French elites sought to reaffirm the Republican model.

A recent citizenship case, in which a women was denied French citizenship on account that her “radical posture of Islam”—in the form of wearing the burqa—was deemed incompatible with French values, demonstrates how the cultural dimension of national identity has risen to the forefront and how the official French stance on veiling has been moved to the area of citizenship (Gabizon, 2008; Le Figaro, 2008a; Le Figaro, 2008b; Vakulenko, 2009). In June 2008, the Conseil d’Etat upheld the government’s decision to deny citizenship to a women based on a private religious practice, providing further evidence of the consolidation of a restrictive interpretation of laïcité. In the ruling, the judge affirmed the government’s argument that the burqa represented a rejection of and combative stance toward the democratic values of French society and the principle of gender equality (“valeurs d'une société démocratique et (le) principe de l'égalité des sexes”). The arguments put forward by the French state—namely that the burqa symbolized the refusal of integration and was incompatible with French values—were extensions of the arguments harnessed by those who sought to ban the more ambiguous head-scarf in public schools during the affaire du foulard.

134 All of these moves reflect general move toward selective immigration evident across many European nations at this time. The move to selective immigration was further strengthened by the Law on Immigration and Integration Law of 2006 which enhanced the state’s ability to act against unwanted immigrants through restrictions on family reunification and increasing tools to fight illegal immigration, including easing the aforementioned deportation procedure. A year later, these measures was strengthened in the Law on Immigration Control, Integration, and Asylum (Law of 20 November 2007). The law, supported by President Sarkozy, placed several new requirements on the immigrant. The new requirements reflect the French state’s concern with controlling immigration and only allowing assimilable immigrants to enter. These new requirements include: requiring a certain level of income in order to be eligible for family reunification, obliging immigrants to pass a civics and French language test or undergo necessary language training, obliging immigrant parents to sign a “Reception and Integration Contract for Families” to ensure the integration of his or her children, and, the most controversial measure, subjecting immigrants of certain countries to genetic testing when there are doubts about the authenticity of marriage or birth certificates.
Paralleling the political debate which led to the banning of the headscarf, a political movement has formed to ban the burqa in France. Media coverage has been extensive despite French Intelligence reports that find only 367 women wear the full veil in France (Erlanger, 2009). Then, in June 2009, the French parliament created a 32-member cross-party commission to look into the issue of the burqa in France. The action was taken the day after President Sarkozy stated in a speech before the Parliament: “the burqa is not welcome on the territory of the French Republic” explicitly tying the issue to France’s embrace of women’s rights, at one point calling it a “sign of debasement.”135 Sarkozy’s stance has given rise to speculation of playing politics during an economic crisis—focusing on national identity to distract from other issues—but also reflects the unease found during the headscarf affair with eradicating radical strands of Islam from French soil (Erlanger, 2009).

5. The Politics of French Faith Policy

The year 1989 was important for the French Republic. Paralleling events in the British case, religion emerged as an important political variable and Islam was constructed as a threat due to internal and external developments. It is around this period that the Muslim identity became salient for the children of Muslim immigrants. As heirs to the “right of difference” movement in the 1980s, they rejected the beur identity (one that was often imposed) and embraced an Islamic identity. By the end of the 1980s, there

---

135 In the speech, he stated, “We cannot accept that women be prisoners behind a screen, cut off from all social life, deprived of all identity” (“Je veux le dire solennellment, la burka n’est pas la bienvenue en France. Nous ne pouvons pas accepter dans notre pays des femmes prisonnieres derriere un grillage, coupees de toute vie sociale, privees de toute identite. Ce n’est pas l’idee qu nous nous faisons de la dignite de la femme”) directly after contending the problem of the burka was not a religious issue but one of the liberty and dignity of women (“Le probleme de la burka n’est pas un probleme religieux. C’est un problem de liberte et de dignite de la femme”) (Sarkozy, 2009).
was a “noticeable shift” according to Bowen (2007) away from an immigrant identity toward a Muslim identity in the public arena. External events rendered these developments more menacing. The French government responded to these security concerns, both domestic and international, rendering religion an object of public policy concern. Even more so than in the British case and due to the historical relationship between church and state in France, religion was something that needed to be controlled, channeled, and co-opted.

The connection to external events shifted the problematic to illiberal Islam versus French laïcité. During the headscarf affairs, Islam was constructed as an illiberal religion along two primary dimensions: as a religion that did not separate the political from the religious, i.e. did not abide by the Western conception of secularism, and as a theological and cultural system oppressive to women. The first illiberal characteristic threatened the sacred French notion of laïcité while the second threatened the French principle of gender equality. Laïcité was to be redefined—in the words of one scholar, “reinvented” --as the very core of the Republican identity.136

French politicians were working within a highly circumscribed environment because of the presence of an increasingly active and popular far right party, the Front National. Indeed, the influence of the far right was far more pronounced in France than in Great Britain and the United States both in the level of support for the far right among the general French electorate and in the effect of the far right on politics and policies.

136 Bertossi described it as a reinvention that put laïcité at “the very identity of French republicanism” (2007, 15).
Legislative and policy initiatives can be viewed as responses, in part, to the politics of the far right. Indeed, without the presence of a strong far right party in France, the debate concerning Muslim immigrants, national identity, and laïcité may not have risen to the level of national concern that it did. The far right affected the French state’s faith policy through two avenues. First, the mainstream right, hemorrhaging valuable electoral support and a leadership position on law and order and national identity issues, responded with restrictive measures in the areas of immigration and security. In the process, issues such as imam training and mosque construction were further constructed as high-level security problems. Second, in highlighting the issue of Islam in the Republic and questioning its compatibility with French values, the far right, without being at the source, widened and deepened a cleavage among the mainstream Left concerning the proper interpretation of religion in the public space: between those who argued for a more restrictive definition of laïcité which relegated religion to the private sphere (combative secularists) and those who argued for a more multicultural and flexible interpretation of laïcité (positive or plural secularists).

These two processes resulted in the formation of a new cross-party coalition that provided a facilitative political environment for restrictive measures. Anti-immigrant, conservative rightists and combative secularist leftists formed a coalition which resulted in a political consensus, reached after 15 years of debate, concerning the principle of laïcité that supported a restrictive view of laïcité. The restrictive measures—an amalgam of legislation and institutional developments in security, immigration, and integration—consolidated a strict interpretation of French laïcité and had as their overall goal to
rid the French public space of (illiberal) religion. This was the first pillar in the French state’s response. It sought to marginalize religion, particularly the “bad” religion (often portrayed as a version of political Islam) which did not recognize the public-private distinction. This pillar, with a focus on the defense of French values and national identity, not only were restrictive toward religious associations and activities. Indeed, policies developed to manage religion must be properly situated within a wider context. In his analysis of the headscarf affair, Bowen points to how each affaire coincided with a larger national debate over immigration and citizenship. Developments in these policy areas placed the onus of integration more fully on the individual—affirming the French assimilationist model (Brubaker, 1994; Favell, 1998; Joppke, 2007a; Joppke, 2007b). The most prominent restrictive measure toward religion was the law of 15 March 2004 which banned the Muslim headscarf along with other “ostentatious” religious symbols in the French public school.

However, as will be described in Chapter 4, the politicization of issues surrounding French national identity and Islam, in part driven by the anti-immigrant and Islamophobic rhetoric and political platform of the Front National, also allowed for more inclusive measures through the framing of faith issues as security problems. Just as the French Republic was seeking to distance itself from “bad” or “illiberal” religion, the second pillar of the French government response sought to create closer ties with “good” religion. The government supported “moderate” and “liberal” Muslim associations, most clearly illustrated in its propping up of the Paris Mosque as well as its insistence on appointing special representatives to the French Council on Muslim Religion (CFCM). The contours
of this “inclusive” pillar were circumscribed due to the legal restrictions involving state intervention in internal religious affairs. Nevertheless, the French state pushed the limits of French laïcité in the creation of a national Muslim interlocutor, a foundation for mosque construction and imam training, and an imam training program.

Inclusion, during this time, was based on a concern for social order. Like government measures in the 1980s, the French government, mainly Interior Ministers, sought community interlocutors to manage how the competing Muslim identity was channeled, aiming to orient the identity toward the Republic. In effect, the French state sought its own “house Muslims” as it had “house Beurs” in the 1980s. It is in this way that religion was viewed as an “asset” for the French government. Even at a time when the Jacobin Republican discourse triumphed through the reaffirmation of an aggressive version of laïcité in the public political sphere, the state was setting about legitimating “difference”—this time in the form of religious difference—through seeking legitimate “acceptable” mediators with the Muslim community, found in the Paris Mosque, and funding certain activities and organizations to be discussed in Chapter 4. These actions were undertaken in the administrative realm, reflecting a desire to depoliticize the issues—to channel Muslim- and faith-related concerns away from the government and concerns of political parties as well as delink the issue from the larger issues in the political realm, particularly as the actions were controversial with respect to the (re)interpretation of laïcité taking place in the public arena during this time.
CHAPTER 3:
THE NON-POLITICIZATION OF RELIGION IN THE UNITED STATES AFTER 9/11

During the same time period in which British and French leaders were directing and, to a certain degree, igniting greater concern toward their domestic Muslim communities, the New York State Police Department released the following report that provides a very different portrayal of the domestic Muslim community:

The absence of significant terrorist attacks or even advanced terrorist plots in the United States since 9/11 is good news that cannot entirely be explained by increased intelligence and heightened security. It suggests America’s Muslim population may be less susceptible than Europe’s Muslim population, if not entirely immune to jihadist ideology; indeed, countervailing voices may exist within the American Muslim community… (NYPD, 2007, 12).

While in the previous two cases, one sees attempts to securitize and politicize religion through explicitly linking the domestic Muslim community with problems of social order and terrorism, in the American case, it is quite a different story. Contrary to the British and French cases, there was no “turn to religion” in the United States and, significantly, U.S. policy-makers did not develop incorporation policies for its Muslim population. In the United States, the issue of religious difference simply was not politicized, based not only on different structural features as scholars and politicians have emphasized, but, primarily, on the political process. It is not that religion could not be politicized but that there were conscious efforts made by American elites not to do so.
At first glance, it is surprising that the events of 9/11 did not result in the degree of politicization that occurred in Europe. There are several characteristics which would indeed suggest that this politicization would have occurred in the American case. First, politicians, particularly President Bush, enjoyed significant public trust and approval following the attacks, pointing to a large window of opportunity to shape the debate. Second, the attacks raised the issue of the presence of the Muslim community—particularly the different faith and cultural values of the Muslim community—to the level of concern among the general population, fueling societal anxiety. Third, the United States has had a history of illiberal responses in times of great national stress, the most notable being the internment of Japanese Americans during World War II. That the President and other elites implored the American people to display temperance and tolerance—to make a distinction between the terrorists and Muslims—in the aftermath of the attacks was a choice made by these actors not to politicize the presence of Muslims in American society as a threat. Indeed, the national model was invoked not as being under threat from the different religio-cultural values of Muslims but from a lack of tolerance among the general population itself. It was simply not the “American way” to discriminate based on this difference.

I am not arguing that 9/11 did not have an effect. Indeed, the events on September 11, as a historically-focusing event, had a significant effect on both American domestic and international policy. However, this effect did not automatically result in the politicization of the Muslim community or the Islamic religion. Following Boswell’s (2007) critique of accounts which point to the securitization of immigration after the 9/11 at-
attacks, I argue that it is important to separate the political process from the administrative process when analyzing government policy. The United States offers an interesting contrast as it is an example of “venue shopping” that took the opposite path than the British and French cases.

It is my contention that the political process significantly contributed to the lack of politicization of the domestic Muslim community and religion after the 9/11 attacks. Thus, just as the politicization of religion was driven by the politics on both the Left and Right in the British and French cases, the very lack of politicization was also not inevitable or the result of luck in the American case. This argument is in contrast to the many scholarly and political accounts of the American Muslim community’s integration. By and large, these accounts have pointed to structural features, such as demographic characteristics and the role of religion in America, to explain why the American Muslim community was not considered a policy problem or “scapegoat,” largely portraying different integration outcomes as a matter of luck.

I find evidence that policy-makers at the political level sought to deflect concern over the domestic Muslim community. Politicians did so, I suggest, for several reasons. First, politicians were presented with evidence that made it difficult to point to the Muslim community as a source of the problem. To the contrary, politicians were repeatedly and consistently confronted with the foreign policy and public diplomacy dimensions of the policy problem. One must look beyond what was being presented to policy-makers, though, as the policy process is partly a framing process and, thus, the “facts” are always subject to elite framing. Politicians had greater incentives to focus on the foreign policy
dimension while ignoring or downplaying the domestic component as a way to increase public confidence in government. Politicians faced these different incentives, in part, because they were less constrained by the domestic political environment as both a strong far right presence as well as cleavage on the Left concerning religion were absent in the American case.

It is crucial to pay attention to this political process because it reflects both how the problem was defined, debated, and ultimately resolved within the domestic context but also, as Meyer (2009) points out, reflects what was not the subject of debate, which is equally important for understanding the policy response. Reflecting on the Bush administration’s construction of the terrorist threat, he contends,

Although it is almost fanciful to imagine the war on terror not waged it is important to recognize how the policy crisis and opportunity provided by 9/11 did not mandate the specific responses we chose or even all the broader areas of policy we engaged. The Bush administration was successful in framing the war on terror, such that virtually all political debates focused on its initiatives…alternative ways of fighting this war were not really part of the public debate, and this reflects a large, and missed, opportunity for social movement activists (Meyer, 2009, 11).

He goes on to exhort scholars to pay attention to political process and the political actors, suggesting, “the definition of a response to 9/11 emerged through the deliberate efforts of political figures seeking to take advantage of the moment and their challengers” (2009, 12). While Meyer’s concern is for the alternative war on terrorism that could have been waged on the home-front in terms of progressive domestic initiatives (in terms of enhanced social policy) and for the missed opportunities that social movement actors could have—and he argues should have—seized upon, this is an important call to scholars: it is important to look not only at what was on the public debate but also what was ignored or
downplayed so as not to be a politicized issue to more fully understand and explain the policy response. Meyer calls upon scholars to investigate and problematize the political process, particularly the agenda setting phase in which an issue is defined and sets the terms of the subsequent debate. An examination of the U.S. case, in fact, provides this alternative frame of reference for the European cases, demonstrating what alternative debates—and perhaps, consequently, which policy responses—could have occurred.

1. The Politics of Non-Politicization

The absence of any linkage between the Muslim American community and terrorism, particularly of the homegrown variety, is pronounced in the American case. This observation appears to be quite anomalous when compared to the British and French cases and is in opposition to more anecdotal as well as scholarly work on the Muslim community in America particularly after 9/11 (for example, see Strum and Tarantolo, 2003; Abdo, 2007; Kathwari and Martin, 2007; Esposito and Mogahed, 2008). The question remains why the Muslim community and religion more generally were not politicized to the extent that that they were in Europe. This section proceeds, first, by briefly laying out a case for why we would expect to see a politicization similar to the British and French cases. It then describes two arguments forwarded by scholars and policymakers to explain why the political process did not focus on the American Muslim community as a policy problem, focusing on the demographic characteristics of the Muslim-American community and the role of religion in the American setting as key explanatory variables. Lastly, the section presents an alternative—or, perhaps, more accurately—complementary argument. Rather than focusing on structural characteristics, I argue
that it is crucial to understand the political process itself, particularly paying attention to the political incentives facing politicians.

1.1 The Case for Politicization: A Favorable Political Context

On the surface, elites were presented with a favorable political opportunity structure after the 9/11 attacks to exploit concerns over terrorism and homeland security, especially drawing a connection to the Muslim American community. First and foremost, 9/11 was a significant historically-focusing event for the United States government and general society. It was a sudden, vivid event that became known to the mass public and policy elites simultaneously and stimulated great interest in a problem, inducing significant domestic and international policy change (Birkland, 1997). According to studies on such focusing events, most result in changes to the dominant issues on the agenda in a policy domain, lead to interest group mobilization, and are subject to considerable political wrangling as groups seek to expand or contain issues that have been implicated in the event (Birkland, 1997). In short, such critical events provide political entrepreneurs with a changed political opportunity structure. Birkland, drawing on work from scholars of agenda setting and the policy process such as John Kingdon (1995), argues that focusing events are important because of their potential as a key trigger to opening up a policy window by highlighting, often in a dramatic manner, policy failures and providing opportunities for policy learning (1997; 2004). In an article discussing 9/11 as a potential focusing event, Birkland notes that surrounding the event there was substantial “everything has changed” rhetoric. Importantly, the rhetoric of policy failure was prominent in Congress after 9/11. Failures were seen everywhere including aviation security, intelligence,
information-sharing, and the structural failure of the World Trade Center Towers (2004). The events of 9/11, Birkland concluded three years later, appeared to have triggered “substantial change in, at a minimum, law enforcement powers, bioterrorism, and aviation security,” even if this change was not innovative (2004, 187).

An important component of the political opening after 9/11 was a surge in public trust for President Bush, Congress, and other government officials, providing greater leverage in actions, particularly in the immediate aftermath. Against a highly anxious context, President Bush’s approval rating surged 35 to 40 percentage points in the aftermath, reaching as high as 90% and remained high throughout 2002 (Schubert et al., 2002, 559; Gallup, 2008). This was the highest approval rating recorded by the Gallup Organization since it began asking the question in the 1930s. Before the 9/11 attacks, presidential approval ratings hovered around 50-55%. Table 1 provides a selection of polling figures from this period which indicate the President had a significant window of opportunity for his policies. This, according to many scholars, was a classic “rally ‘round the flag” effect (Schubert et al., 2002; Chanley, 2002; Birkland, 2004; Meyer, 2009), described by Mueller (1973) as a situation in which the nation and the office of the president are associated with a surge in public approval. According to the scholars who study rally events, the nature of the event itself—a sudden, dramatic event—can be the stimulus of the surge in

137 Birkland argues that 9/11 merely opened the window of opportunity for political change that had already been on the policy agenda before the attacks. There was no substantial policy innovation despite the widespread rhetoric that “everything had changed” and the significant media and political attention paid to policy failures. Indeed, he suggests that the policy change after 9/11 relied on the usual organizational fixes and incremental changes to policy and implementation strategy (2004, 187). For example, PATRIOT Act encompassed much of the conservative law enforcement community’s prior preferences for more aggressive law enforcement tools, such as new rules for wiretapping and new rules of seizing property of suspected criminals. He notes, “Political actors are reacting to the event using the same political and policy templates they use for similar events, such as military attacks on America, relief from natural disaster, and so on” (2004, 189).
public approval rather than the characteristics associated with presidents or other leaders. However, recent studies have suggested that the nature of leadership is crucial as well. In this case, the event causes the public to be predisposed to favor presidential appeals for policy action; it is incumbent upon the leader, though, to harness this favorable context.

As Table 1 illustrates, it was not until the lead up to the Iraq War that President Bush’s approval ratings began to fall below 60%. These approval ratings subsequently fell as the public expressed increasing disapproval with the length and conduct of the Iraq War, other aspects of United States foreign policy including allegations of torture, and domestic conditions. The president received his lowest approval ratings in October 2008 when over 7 out of 10 Americans expressed disapproval of the job he was doing as President and only 25% expressed approval.

In the wake of September 11, public trust in the government and its leaders also increased. Several weeks after the attacks, a Washington Post poll found that 64% of the public said they trusted government in Washington to do what was right either just about always or most of the time, doubling from the last comparable national poll taken by the Los Angeles Times in March 2001 in which only 29% of the public expressed similar trust. According to Chanley, the level of trust in government recorded after the attacks had not been that high since the mid-1960s (2002, 469). This trust in government persisted through 2002 and then several indicators returned to pre-9/11 levels, including the public trust in Congress.

\[138\] Although President Bush’s approval ratings did enjoy a short bump during the first phase of the Iraq War as the initial phase was deemed to be successful and a quick and decisive victory for the United States.

\[139\] Other polling organizations recorded similar approval ratings over this time period including the Pew Research Center for People and the Press, NBC News/Wall Street Journal, CNN/Opinion Research, and ABC News/Washington Post.
## TABLE 3.1
PRESIDENT BUSH’S APPROVAL RATINGS: 2001-2008

<table>
<thead>
<tr>
<th>Polling Date</th>
<th>Approve</th>
<th>Disapprove</th>
<th>Don’t Know</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 8-10, 2001</td>
<td>55</td>
<td>35</td>
<td>10</td>
</tr>
<tr>
<td>September 7-10, 2001</td>
<td>51</td>
<td>39</td>
<td>10</td>
</tr>
<tr>
<td>September 14-15, 2001</td>
<td>86</td>
<td>10</td>
<td>4</td>
</tr>
<tr>
<td>September 21-22, 2001</td>
<td>90</td>
<td>6</td>
<td>4</td>
</tr>
<tr>
<td>October 19-21, 2001</td>
<td>88</td>
<td>9</td>
<td>4</td>
</tr>
<tr>
<td>November 26-27, 2001</td>
<td>87</td>
<td>8</td>
<td>5</td>
</tr>
<tr>
<td>December 14-16, 2001</td>
<td>86</td>
<td>11</td>
<td>3</td>
</tr>
<tr>
<td>February 8-10, 2002</td>
<td>82</td>
<td>14</td>
<td>5</td>
</tr>
<tr>
<td>June 17-19, 2002</td>
<td>74</td>
<td>20</td>
<td>6</td>
</tr>
<tr>
<td>October 21-22, 2002</td>
<td>67</td>
<td>28</td>
<td>5</td>
</tr>
<tr>
<td>March 22-23, 2003</td>
<td>71</td>
<td>25</td>
<td>4</td>
</tr>
<tr>
<td>September 8-10, 2003</td>
<td>52</td>
<td>43</td>
<td>5</td>
</tr>
<tr>
<td>September 13-15, 2004</td>
<td>52</td>
<td>45</td>
<td>3</td>
</tr>
<tr>
<td>September 8-11, 2005</td>
<td>46</td>
<td>51</td>
<td>3</td>
</tr>
<tr>
<td>September 7-10, 2006</td>
<td>39</td>
<td>56</td>
<td>5</td>
</tr>
<tr>
<td>September 7-8, 2007</td>
<td>33</td>
<td>62</td>
<td>5</td>
</tr>
<tr>
<td>October 10-12, 2008</td>
<td>25</td>
<td>71</td>
<td>4</td>
</tr>
</tbody>
</table>

Source: Gallup/USA Today, 2008
Second, as will be described in more detail below, there was evidence of increase in public anxiety more generally over terrorism as well as the presence of Muslims in post-9/11 America. This suggests that there was an opening for politicians to exploit, particularly when coupled with the high levels of public trust initially invested in the government. There was a heightened attention to the domestic Muslim community and Islam in the aftermath of the attacks. This heightened concern is supported by evidence of general support among Americans of anti-terrorism measures which had the effect of curbing civil liberties as well as polls that indicated the American people were willing to target certain groups for the sake of security.

One indicator of the general public’s concern is reflected in the repeatedly low favorability ratings attributed to the Islamic religion, especially compared to other religions. For example, in one Pew Forum poll taken in 2002, 74% of respondents favorably viewed Protestants, Catholics, and Jews but only 47% of respondents had a favorable view of Muslims (Pew, 2002). This finding has been confirmed in subsequent polls. This lower favorability rating can be attributed to many factors, including the level of knowledge Americans have about the Islamic religion as well as how similar they view the religion to their own. Generally, those who are more knowledgeable about Islam have been more tolerant toward Muslims and Muslim-Americans and more favorable toward the Islamic religion. However, as many as 65% of Americans said they knew little or nothing about Islam in a Pew Forum poll two years following the attacks (Keeter and

---

140 Foner and Alba cite other polls which show that as many as one out of three Americans said they would not welcome a larger presence of Muslims, Hindus, and Buddhists in American society; only 1 out of 3 Americans respond that a Hindu temple in their neighborhood would bother them while as many as 4 out of 10 Americans would be bothered by a mosque (Foner and Alba, 2008, 380).
Kohut, 2003). Paralleling public opinion trends in Europe, several polls demonstrate that a substantial percentage of the general population viewed the Islamic religion as different. According to Pew Forum surveys in March 2002, only 27% of general public saw similarities between the Muslim religion and their own religion and more than half (57%) saw Islam as different (Pew, 2002). Three years later, in a July 2005 poll conducted by the Pew Forum, more than one-third of the general public (36%) agreed with the statement that Islam encouraged more violence than other religions; however, as much as 47% of the public disagreed (Pew, 2005). Moreover, while the majority of the American public believed that the terrorist attacks of September 11 was a conflict with a small radical group, almost 30% of the American public saw the attacks in terms of a major conflict (Pew, 2005, 5). Taken together, this heightened attention in the immediate aftermath centered on the difference of the Islamic religion and Muslim-American community and did not always yield favorable public opinion.

Another indicator of a favorable context was the heightened concern for public safety in the immediate post-9/11 context. In this early period, a concern for public safety often trumped societal concerns for civil liberties protection. A Harris poll conducted a week after the attacks provides evidence of the general public’s concern with public safety, registering high levels of support for increased government security actions, implicitly or explicitly at the expense of civil liberties. In the poll, 92% of Americans supporter stronger document and physical security checks to access government and private buildings, 86% supported the use of facial recognition technology to scan for suspected terrorists at various locations and events, and 84% supported the issuance of se-
cure identification for persons to access government and business computers. A CNN poll in October 2001 found that 79% of Americans believed they would have to give up some of their personal freedom in order to make the country safe from terrorists attacks. Even as the terrorist threat has waned, this number has remained high, with 65% of those surveyed by the CNN poll responding similarly in January 2006 around the time when the PATRIOT Act was debated heavily within the public sphere.

Indeed, support for post-9/11 security measures among the American general population has been high even in the wake of debates and concerns over whether the United States has struck the proper balance between security and civil liberties. This perhaps most clearly illustrated in the various polls concerning the PATRIOT Act, the most controversial national security measure undertaken since 9/11. The evidence illustrates that the American public was generally supportive of the act’s provisions in the period following 9/11. Moreover, while polls provide evidence of a more critical stance taken by the general public since this initial period, levels of support, nonetheless, have remained high. In 2003, a majority of the American public, 55%, believed the Bush administration had acted “about right” while only 21% thought it had gone too far with the PATRIOT Act (Gallup, 2003). Two years later, a Gallup poll found mixed opinions: while the percentage of Americans who believed the act went too far increased to 30%, a plurality (41%) still believed the law was about right and another 21% believed it did not go far enough (Gallup, 2005a). These responses were split along highly partisan lines. Republicans were the most ardent supporters of the act and its provisions, with only 12% saying it had gone too far with respect to civil liberties infringement. Democrats and in-
dependents, however, were more critical of the law and the balance struck between national security and civil liberties protection, with 37% of Democrats and 40% of independents expressing concern (Gallup, 2005a). This general level of support was found by a CNN/USA Today poll in January 2006, during the time in which politicians were debating whether the PATRIOT Act should be revised and in what ways. Half of the American public, 50%, believed that the PATRIOT Act only needed minor changes while 13% felt no changes were needed at all. Indeed, only 7% of those surveyed stated the act should be completely eliminated and another 24% expressed a slightly less critical stance which called for major revisions to the law (CNN/USA Today, 2006).

When the American public was not asked specifically about the PATRIOT Act or specific anti-terrorism provisions, polls demonstrate a high degree of support for anti-terrorism measures generally. A 2009 Gallup poll indicates that Americans were generally supportive of the measures the government has taken to protect against future terrorist attacks. Over 8 out of 10 Americans (83%) agreed with the statement that the security measures adopted after 9/11 were generally still needed while only 14% of respondents thought they should be dropped (Gallup, 2009b).

Third, although elites were quick to point out in the days and months after the terrorist attacks that illiberal actions such as violence and discrimination against a particular ethnic or minority group was “not the American way,” the American people and her politicians have had numerous experiences with illiberal ethnocultural responses against minorities, particularly after riots and violent attacks. Only six years before the 2001 attacks, Muslims and Arab terrorists initially were blamed for the 1995 Oklahoma City
bombing in which Timothy McVeigh, an American citizen, bombed a federal building killing 168 people and injuring 680. During this initial misplaced scrutiny, there were reports of attacks against Muslims and Arabs. Perhaps the most notable example of an ethnocultural response—particularly as it involved the complicity of the American government—is the internment of Japanese and Japanese-Americans during World War II. In the immediate aftermath of the Pearl Harbor bombing on December 7, 1941, the United States government, under an executive order by President Roosevelt, set up and maintained a series of internment camps for Japanese Americans. Moreover, research has demonstrated that this illiberal sentiment is still present among the general American population. In an examination of public opinion on profiling and internment, Schildkraut finds evidence of a sizable portion of the American public—close to one-third—supported internment in a 2005 survey (Schildkraut, 2009). The support for internment was particularly high for immigrants. Indeed, Schildkraut found evidence that even among those Americans who held a liberal conception of American identity—that is, among those who agreed that “letting other people say what they want no matter how much you disagree with them” was important in making someone a “true American”—the opposition to internment was mitigated to a certain degree when the subject is an immigrant rather than a citizen (Schildkraut, 2009, 74). That is to say, the American public distinguished between citizens and immigrants, with higher levels of support expressed for both internment and profiling of immigrants (Schildkraut, 2009, 75).\footnote{Providing additional evidence of a favorable context for elites, Supreme Court rulings on Japanese internment and ethnic profiling near the U.S.-Mexico border have deemed such actions constitutional (Schildkraut, 2009).}
1.2 Structural Features: Muslim American Demography and the Role of Religion in America

Scholars and practitioners alike have presented two broad structural arguments to explain why religion and the American Muslim community have not been the source of significant political concern in the United States in the post-9/11 period. The basic argument goes as follows. First, in contrast to Europe, the socio-demographic characteristics of the Muslim American community in the United States have facilitated widespread integration. Second, the public role of religion in the United States is very different than in Europe and has acted as a tool of integration. These structural differences, in turn, mean that when policy-makers grappled with the issue of what the problem was—and, once identified, how to address this problem—they did not single out the Muslim American community. That is to say, due to demographic characteristics, there was no “problem” as the community was well-integrated and, in contrast to Europe in which religion served as a boundary of difference, in the case of the United States religion was viewed as a positive attribute that was shared with the general population. Let us take each of these arguments in turn.

Whenever there is a discussion concerning the Muslim American community, it is common to profile the community in direct contrast to Muslim communities in Europe. In these accounts, the emphasis is placed on the striking socio-demographic differences between the American Muslim communities and those in Britain, France, and the rest of Europe. As one example, this assessment is found in the 2007 Pew poll of Muslim Americans—the first large survey of the Muslim-American community—in which the
report’s authors concluded that Muslim Americans were “largely assimilated, happy with their lives, and moderate with respect to many of the issues that have divided Muslims and Westerners around the world” and while highly diverse, they were “decidedly American in their outlook, values, and attitudes” (Pew, 2007, 7). The report’s title, “Muslim Americans: Middle Class and Mostly Mainstream,” stands in relief to many of the polls and reports on European Muslims which strike an alarmist note with regard to integration.142

Two significant characteristics affecting integration outcomes are, first, the proportion of Muslims to the general population, and, second, and perhaps more importantly, the relationship of Muslim Americans to other immigrant and ethnic groups. While in Europe, Muslims are the largest immigrant group—comprising as much as 8% of the French general population, 6% of the Dutch population, 4% of the German and Belgian populations, and 3% of the British population—in the United States, the Muslim population comprises less than 1% of the total US population as shown in Table 2. To a certain extent, scholars who point to these figures suggest that the size of the Muslim population is the most important factor. This assessment is sometimes more sophisticated than pointing to population figures as the key determining factor. Bringing in theories from the larger immigration literature, scholars also include an analysis of these figures in light of the economic and social conditions of the receiving country, suggesting some receiving countries are more capable of integrating the stream of immigration than others (Ramarthanan and Espendashade, 2001; Pikkov, 2006; Stoll and Wong, 2007; Wald, 2008;

---

142 Foner and Alba (2008) note in their review of the literature on Muslims in America and Europe that European accounts largely portray Islam as a problem for immigrant minorities. Many of the accounts provide a dominant image of Islam as fanatical, fundamentalist, oppressive to women, and repressive.
White et al., 2008). Important variables in these analyses include the legal status of immigrants and citizenship policies, the structure of the labor market (and particularly the level of unemployment), housing patterns, and discriminatory practices.

**TABLE 3.2**

**MUSLIMS IN WESTERN COUNTRIES AS PERCENTAGE OF POPULATION**

<table>
<thead>
<tr>
<th>Source: Pew Forum, 2005 and 2007</th>
<th>Number of Muslims</th>
<th>Percentage of Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>France</td>
<td>5 million</td>
<td>8.0%</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>1.6 million</td>
<td>3.0</td>
</tr>
<tr>
<td>United States</td>
<td>2 million</td>
<td>0.6</td>
</tr>
<tr>
<td>Germany</td>
<td>3.5 million</td>
<td>4.0</td>
</tr>
<tr>
<td>Italy</td>
<td>1 million</td>
<td>2.0</td>
</tr>
<tr>
<td>Netherlands</td>
<td>1 million</td>
<td>6.0</td>
</tr>
<tr>
<td>Belgium</td>
<td>400,000</td>
<td>4.0</td>
</tr>
<tr>
<td>Spain</td>
<td>1 million</td>
<td>2.0</td>
</tr>
<tr>
<td>Austria</td>
<td>300,000</td>
<td>4.0</td>
</tr>
<tr>
<td>Sweden</td>
<td>30,000</td>
<td>3.0</td>
</tr>
</tbody>
</table>

Source: Ruby and Smith, 2007

What is more, the Muslim population is not the largest immigrant minority group. Thus, while in Europe, Muslims are the subject of public debate concerning immigration and integration by their position as the largest immigrant population, in America it is Hispanics, particularly Mexicans, who are most frequently the subjects in these debates.
That is to say, Muslims in America benefit from a context in which, being a small minority among many minorities, the issues of immigration, integration, and even race relations are decoupled from the population. In Europe, the word immigrant and Muslim are synonymous. In the United States, “immigrant” is most closely associated with Hispanic immigration. This has allowed problems connected to the Muslim community—such as the wearing of the hijab in school or workplace—not to implicate larger political debates surrounding immigration and integration. Thus, presumably if the Muslim were larger in the United States and the Mexican population were lower, Muslims would be the most important immigrant minority group when talking about problems of integration.\textsuperscript{143}

Scholars have also pointed to the wider diversity of the Muslim-American community as a significant difference. Of the estimated 2 million Muslims that live in the United States,\textsuperscript{144} more than two-thirds were born outside of the United States in over 80

\textsuperscript{143} A comparative study of Lebanese and Somali Muslim immigrants in the United States and Canada by Ajrouch and Kusow (2007) provides a degree of support to the argument that the US racial context is important to Muslim integration. The authors contend that Lebanese-Americans embraced the “white” identity when the immigrated to the United States because it placed them in a dominant position within society. By identifying with the white population, individuals had an elevated self-worth and formed positive identities within the new context which accorded them options in America, according to the authors. It is only when “Islam” was “visible,” such as in the wearing of the headscarf for Muslim women, that this identity was altered from acceptable to unacceptable. According to the authors, this “illustrates how religion interferes with full acceptance, at least at the interactional level of social life” (2007, 85). On the other hand, Somali immigrants to Canada were placed in a position of double minority both as “black” and “Muslim.” They argue that the Somalis used their Muslim identities as a way to distance themselves from the black identity. Thus, the scholars suggest that the way Islam is practiced or identified within a particular setting is a factor of the national racial context.

\textsuperscript{144} The actual number of Muslims in America is the source of significant disagreement and varies by studies. The US government does not ask about religious affiliation on the US census. Thus, incomplete data and different methodologies based on different data make it especially difficult to provide accurate estimates. Estimates have ranged from 2-8 million, particularly fluctuating between Muslim-affiliated studies, which have estimated the Muslim population in the United States to be as high as 8 million and Jewish-affiliated studies whose numbers are considered to underestimate the population. For example, Ishan Bagby’s 2001 Mosque Study Project, under the auspice of CAIR, projected the population to be around 6-7 million with about 2 million affiliated with mosques. If this estimate were correct, this would place the Muslim population in the United States similar to levels found in Europe, around 3% of the total population. The Pew Forum survey on Muslim Americans, conducted in 2007, estimates the total Muslim American population to be around 2.35 million based on its own data and data from the Census Bureau on immigrants’ nativity and nationality. The State Department has used the figure from this study in its own official publications (for example, see U.S. Department of State, 2008).
countries: 37% are of Arab origin, 27% of South Asian origin, 12% of Iranian origin, 6% of sub-Saharan African origin, and 8% of European origin (Pew, 2007). Post-1990, many of the Muslim immigrants originate from South Asia (37%), Arab countries (24%), and Iran (18%). In Europe, Muslim communities—while more diverse than the political and social discourse often acknowledges—are significantly less diverse within each nation-state, with immigration patterns largely influenced by former colonial and other historical ties. Significantly, Islam in America is not a wholly “foreign” or “immigrant” religion as 3 out of 10 of Muslim Americans are of African-American origin (Strum and Tarantolo, 2003; Pew, 2007; Gallup, 2009b). The American Muslim community is, in the words of Peter Skerry, “probably the most diverse in the world, hailing from many parts of the globe, speaking numerous languages and practicing several different versions of Islam” (2006). The argument is that this diversity mitigates against the insulation and urban concentration prevalent in the European context and means that no one group can become the dominant voice for the “Muslim-American community,” thereby facilitating competition for resources and political voice as well as encouraging a broader “Muslim” identity without significant ethnic connotations (Skerry, 2006).

The most prominent argument forwarded is that based on different socio-economic characteristics—including educational and income attainment, employment rates, and cultural values (including religious values)—Muslims Americans generally resemble Americans as a whole. Put simply, the Muslim American community is well-integrated, and, thus, not a focus for policy. These arguments are put forth both by major polling institutions, including the Pew Forum and Gallup, as well as scholars of the Mus-
lim community (Haddad et al., 2003; Haddad and Esposito, 2003; Strum and Tarantolo, 2003; Jamal, 2005; Skerry, 2006; Esposito and Mogahed, 2008). There have been two major surveys of the Muslim American community, a 2007 Pew Forum survey and a 2009 Gallup survey. The nation-wide Pew Forum and Gallup surveys of Muslim Americans provide a picture of a community that is integrating and generally positive toward the United States and their local communities. Together with less comprehensive polling data, these studies have found that, on average, Muslim Americans are younger, better educated, and more well-off financially than the general US public (Strum and Tarantolo, 2003; Bukhari, 2003; Pew, 2007; Gallup, 2009b).

A significant difference between the Muslim population of Western Europe and North America is in the level of income achievement (and by implication, income disparity) and education. Muslim American incomes are roughly similar to the general US population with 41% of households reporting an income of $50,000 or more (compared to 44% of general US population) and 16% report household incomes of $100,000 or more (compared to 17% of the general US population) (Pew, 2007, 18). Based on polling data from 2005 and 2006, the Pew Forum found that Muslims in America were far less likely to have a low-income compared to the general population than European Muslims. Approximately 35% of Muslim Americans reported a household income of $30,000 or less compared to 33% of adults in the general population. In European states, the gap was significantly higher, as many as 23 percentage points. For example, in Great Britain, 61% of Muslims reported incomes of less than 20,000 pounds compared to 39% of adults in the British population. Figure 1 provides a graphic representation of this difference in
levels of affluence between American Muslims and European Muslims, illustrating that while only 2% of the Muslim American population were considered in the low-income category as much as 18% in France and 22% in Great Britain were low-income. Another significant indicator is the level of unemployment among the Muslim populations. Compared to the European Muslims, Muslim Americans experience a low level of unemployment (See Figure 2). These are particularly important figures as the research on the integration of immigrants has focused primarily on economic aspects of social experience, on the assumption that economic success predicts and precedes integration of all kinds (Espenshade and Fu, 1997; Borjas, 1999; Lopez, 1999; Portes and MacLeod, 1999; Ramakrishnan and Espenshade, 2003).

Figure 3.1: Muslim Americans More Affluent Compared to European Muslims

Source: Pew Forum, 2007
Muslim Americans also have higher levels of educational attainment than European Muslims. Compared to the general population, roughly similar percentages of Muslims have obtained a college degree (24%), including 10% who have advanced graduate training (Pew, 2007). According to the data, Muslim Americans are the second highly-educated religious group after Jews, a religious minority considered highly assimilated and successful in American society (Gallup, 2009b). What is more, when segmented by ethnicity or nationality, white Muslim Americans are significantly more likely than their racial peers in US to have higher educational achievements. More than 50% of white Muslims have obtained a college-degree compared to one-third of whites in the general
population. Furthermore, Muslim American women are one of the most highly educated female religious cohorts in the 2009 Gallup survey.

Moreover, scholars point to other differences between the European and American Muslims, particularly attitudinal measures. While Muslims in Western Europe express elevated levels of alienation and frustration, Muslim Americans report higher levels of life satisfaction, higher degrees of identification with the United States, and a greater willingness to adopt American customs rather than remain distinct. For example, a 2004 survey of the Arab and Chaldean communities in Detroit by the University of Michigan found that 86% of all Arabs and Chaldeans (42% of whom are Muslims) say they feel at home in the US (Baker et al., 2004). Moreover, compared to the general population, Arab and Chaldeans expressed higher levels of confidence in the local school systems (73% compared to 62%), the police (86% compared to 71%), the US legal system (66% compared to 47%), and in the idea that America is the land of equal opportunity (86% compared to 74%).

145 Gallup found that only 23% of Muslims who live in France rate themselves as in a “thiving” category while two-thirds report to be “struggling.” In Great Britain, only 8% of Muslims report to be “thiving” while 69% claim they are “struggling.” Life evaluations contrast sharply with Muslims living in Europe: among Muslims who live in France, 23% are in the “thiving” category and two-thirds in the “struggling” while those in Germany are similar to Muslim Americans; in the United Kingdom, 8% are “thiving” while 69% rate lives as “struggling.” By contrast, 41% of Muslim Americans report that they consider themselves “thiving” while 56% consider themselves “struggling,” similar to numbers reported among Americans in general. This led the study to conclude, “Overall, such findings suggest that Muslim Americans look far more similar to Americans as a whole, at least in terms of their life evaluation, than they do to Muslims in predominantly Muslim countries” (Gallup, 2009b, 13).

146 The Detroit Arab American Survey is a representative survey of all adults of Arab or Chaldean descent who were 18 years and older and resided in households in Wayne, Oakland, and Macomb counties during the six-month survey period, July to December 2003. The survey also contained a representative sample from the general population of 508 persons aged 18 or older. Comparison of the two populations is based on a survey instrument which contained 85% of similar questions. Of those who have obtained citizenship, ninety-four percent say they are very or quite proud to be American, compared to 98 percent of the general population, and a high percentage, 80%, obtains among those who have not acquired citizenship (See Baker et al., 2004).
The 2007 Pew Forum survey found 46% of Muslims surveyed believed that they should try to adopt American customs rather than remain distinct from larger society. Taking a different measure of integration—the composition of one’s social networks—more Muslims reported having a diverse social network than those who portrayed their social network as exclusively Muslim: 51% reported having relatively few Muslims in their inner circle while 47% reported that all or most of their close friends are Muslims (Pew, 2007, 34).¹⁴⁷

Moreover, these surveys demonstrate that Muslim Americans are adopting what are typically viewed as American attitudes. For example, more than 7 out of 10 Muslim Americans believed that Americans can get ahead with hard work, according to the Pew Forum survey. This was higher than rates found in the general population (71% compared to 64%) (Pew, 2007). In addition, a higher percentage of Muslim Americans than Americans in the general population said they were “satisfied” with the state of American society (38% compared to 32%) in the same study. What is more, a significant majority (63%) did not see a conflict between being a devout Muslim and living in a modern society and a higher proportion of Muslim Americans identified themselves as “American” first (28%) rather than Muslim first than Muslims in Western European or Muslim-majority countries.

This question of loyalty and the relationship between citizenship and creed has been a highly controversial debate within Europe. In the public rhetoric the question at the front of everyone’s mind is, “On which side of the divide do they fall?”; the pervasive

¹⁴⁷ There is a gender gap in this indicator. Muslim American women are more likely to have mostly Muslim friends (56% compared to 39% of men).
assumption is that Muslim religiosity, expressed both in practices and values, is not only incompatible with as Mogahed and Nyiri (2007) describe “secular and sexually liberal Europe” but a threat. Moreover, the concern is that these identities based on difference lead to insular and alienated communities, and, in the present security climate, a “cess-pool’ for radicalization” (Mogahed and Nyiri, 2007). This gives rise to calls for Muslims to adopt European customs and identities. While the question of loyalty has appeared in the American context (Haddad et al., 2003; Moore, 2003; Abdo, 2007; Esposito and Mogahed, 2008), I demonstrate that the public debate has not questioned the loyalty of the Muslim-American community, particularly when placed in relief to European rhetoric. Using this data, scholars and other leading figures, particularly Muslim community leaders, contend that Muslim Americans are not considered an integration problem and there is no larger loyalty concern due to an objective fact: put simply, there is no integration problem.

Regardless of the specific sociodemographic characteristics of the Muslim American community, a number of prominent scholars of American religion and immigration have pointed to the role of religion in public life as shaping the degree of Muslim American integration. The central thesis is that the US religious “marketplace”—characterized by a high degree of religious affiliation, a higher degree of personal religiosity, and legal norms which accommodate religious diversity—is an environment that is more welcoming to religion in general, and Muslims in particular, than its European counterparts. Moreover, rather than setting Muslims apart as in the European context, religion is viewed as helping to integrate immigrant populations into the American mainstream. The
most important result, perhaps, is the lack of a perceived value conflict, based on a “re-
ligious divide,” between Muslims and the American population.

Generally, scholars suggest that religion does not act as a barrier or “bright boundary” in the United States as it does in Europe. Using the work on racial and ethnic boundaries in the American literature, Alba argues that the nature of a boundary, whether it is bright or blurred, affects how minorities gain access to the majority society (2005, 22). A bright boundary is one that is unambiguous and clear to individuals on both sides. As such, an individual’s position with respect to the boundary is clear and incontestable. A blurred boundary, on the other hand, is ambiguous and an individual’s location is un-
clear and/or indeterminate, that is to say the individual could be seen as a member of both groups simultaneously or as a member of one group and a member of another group de-
pending on contextual factors.

The nature of the boundary, Alba suggests, is the critical factor in understanding
whether and how minority groups integrate. In the case of bright boundaries, the social
distance between the minority group and majority society is either large and/or impene-
trable to make large-scale group assimilation difficult or impossible. However, individu-
als are able to cross the boundary, usually by renouncing the culture or other characteris-
tics associated with the minority group. Alba likens this process of integration (or, rather, assimilation) to a conversion process. In the case of blurred boundaries, the social dis-
tance is either narrow or porous enough for more individuals to cross and the process of assimilation is eased because of the possibility of hyphenated identities (such as an Irish-
American or Muslim-American). In particular, Alba notes that boundary crossing is often
eased when the mainstream society is porous to allow for the incorporation of cultural elements brought by the minority group. This is usually a structural situation based on multiculturalism. Drawing on Adrian Favell’s work on philosophies of integration, Alba portrays a boundary—including whether it is bright or blurred—as a path dependent phenomenon, the result of many factors specific to the different historical trajectories of nation-states and institutionalized in cultural and legal institutions (Favell, 1998; Alba, 2005). Alba argues that most of the theorizing on assimilation has been done with the American case and, therefore, has taken for granted the structural features of American society, most notably the salience of race rather than other characteristics (2005, 41).

The high degree of secularization in Europe, and, conversely, the high degree of religiosity in America, mean that religion serves as a bright boundary in the European context, one that differentiates and serves as a barrier, while it serves as a bridge for incorporation in the United States in the civic and civil realm (Alba, 2005). Religion is a blurred boundary in the United States not only due to nation’s specific historical church-state separation but also as a result of historical trends which have included a changing receptivity in American society to minority religions (Hirschman, 2004; Grim and Masci, 2008; Kuru, 2009).148

148 The freedom of religion found in the first amendment of the Constitution was the result of an “overlapping” consensus between different Protestant denominations who did not have enough power to dominate the religious structure and, in contrast to France, that lack of a religious actor connected to the Old Regime (Kuru, 2009). During the colonial period, the churches—many of them established—were, in the words of Charles Hirschman, “ distinctive in their religious intolerance” (Hirschman, 2004, 1213). While the Constitutional fathers wrote that there would be no established religion, establishment was addressed through the lens of prevailing culture of Protestantism. No particular sect of Protestantism could be favored over another but the hegemonic position of a general Protestantism was not questioned. As Ahmet Kuru Notes about the roots of contemporary American secularism, in the 19th century “[s]ecularism was perceived as state neutrality toward Protestant denominations, rather than neutrality toward all religions” (2009, 84). Indeed, following Monsma, he labels the period 1816-1925 as a period of “de facto Protestant establishment.” At the time, Protestantism ordered the dominant culture and governed key social institutions.
Scholars point to two variables as particularly important: the religious structure and more general social attitudes toward religion (or degree of secularization among society). Therefore, scholars note that while in Europe, Muslims are not only the largest immigrant group—and, consequently, connected in the public mind to more general concerns of integration and national cohesion—they are also the largest religious minority in a highly structured religious marketplace as well as an increasingly secular environment. Muslims in the United States, on the other hand, face a highly open religious marketplace and are only one minority religion among many in a significantly less secularized society.

Those scholars who focus on the constitutional and legal structure of religion in the United States sharply contrast it to the institutionalization of religion in Europe. Regardless of the specific church-state structure, the religious structure within Europe is characterized as being highly regulated, privileging some historical confessions over others, and imposing various limitations on religious organization and the public exercise of religion. Within the US, by contrast, religion plays a very different role in the political and civic structure. The founding constitutional principles of religious freedom and the separation of church and state have provided the framework for the emergence of a multi-religious nation and religious tolerance. In particular, the principle of separation of church and state—and its particular definition and application in the American context—has provided immigrants and their religions a space to flourish by accommodating and valuing religious diversity. As such, American legal norms provide broad latitude for religious activism without favoring a particular group, meaning no action is necessary on the part of the state to allow for “Muslim” inclusion.
The religious structure is not the only important difference between Europe and the United States. Perhaps more importantly, social attitudes and practices are drastically—if not fundamentally as in the case of France—different (for a comprehensive analysis of the US and French contexts, see Hargreaves et al., 2007). Muslims migrating to the United States since 1965 have entered “a vibrant marketplace where individuals pick and choose religions that meet their needs, and religious groups are compelled to compete for members” according to a recent Pew Forum study on the U.S. religious landscape (Pew, 2008). While nearly 80% of Americans are affiliated with a Christian church, there are nevertheless many thriving minority religions practiced in the United States. Muslims are one religious minority among many: almost 5% of the American population is a member of a non-Christian church (See Table 3).

Contrary to the situation in Europe, this diversity has been the source of pride. As an example, a State Department publication targeting potential immigrants and visitors placed the religious diversity of America as a source of distinction, claiming “the United States is one of the most religiously diverse countries in the world. Indeed, with adherents of all of the world’s major religions, the United States is truly a nation of religious minorities” (Grim and Masci, 2008, 12). Indeed this document, entitled Freedom of Faith: Religious Minorities in the United States, showcased the highly diverse nature of the United States and celebrated its long history of religious freedom and tolerance.
### TABLE 3.3
MAJOR RELIGIOUS TRADITIONS IN US: 2008

<table>
<thead>
<tr>
<th>Religious Traditions</th>
<th>Affiliation of Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Christian</td>
<td>78.4</td>
</tr>
<tr>
<td>Protestant</td>
<td>51.3%</td>
</tr>
<tr>
<td>Evangelical churches</td>
<td>26.3</td>
</tr>
<tr>
<td>Mainline Protestant</td>
<td>18.1</td>
</tr>
<tr>
<td>Historically-black</td>
<td>6.9</td>
</tr>
<tr>
<td>Catholic</td>
<td>23.9</td>
</tr>
<tr>
<td>Mormon</td>
<td>1.7</td>
</tr>
<tr>
<td>Orthodox</td>
<td>0.6</td>
</tr>
<tr>
<td><strong>Other Religions</strong></td>
<td><strong>4.7</strong></td>
</tr>
<tr>
<td>Jewish</td>
<td>1.7</td>
</tr>
<tr>
<td>Buddhist</td>
<td>0.7</td>
</tr>
<tr>
<td>Muslim</td>
<td>0.6</td>
</tr>
<tr>
<td>Hindu</td>
<td>0.4</td>
</tr>
<tr>
<td><strong>Unaffiliated</strong></td>
<td><strong>16.1</strong></td>
</tr>
<tr>
<td>Atheist</td>
<td>1.6</td>
</tr>
<tr>
<td>Agnostic</td>
<td>2.4</td>
</tr>
<tr>
<td>Nothing in particular</td>
<td>12.1</td>
</tr>
</tbody>
</table>

Source: Pew, 2008

Although the Constitution and laws have created a secular republic, public religiosity thrives. This is commonly referred to as “American exceptionalism.” Compared to other rich nations, the United States remains the most religious, with continued strength of religious values and vitality of spiritual life, both in private and, importantly, public
life (Norris and Inglehart, 2004). More than three-fourths of Americans identify with a religious group and nearly 60% belong to a religious organization. Various public opinion polls document the importance ordinary Americans attach to religion in their personal lives and the high levels of religious practice, particularly in a wealthy industrialized country. According to the Pew Global Attitudes Project, “Americans and European differ over foreign policy and other issues, but these disagreements pale in comparison with the transatlantic gulf over religion and morality” (Pew Global, 2002). This gulf can be best illustrated in a 2008 Pew study in which respondents were asked about the importance of religion in one’s life. As many as 82% of Americans reported that religion was very or somewhat important in their lives; in contrast, this percentage did not reach 50% in any Western European country.

Perhaps most interesting is that despite the significant changes in affiliation in the religious landscape, Americans, according to many indicators, are as religious as they were 60 years ago. On a scale of 1 to 10, 50% of Americans rated God’s importance in their life at the maximum of 10 in 2000 (Baker, 2005). The same proportion of Americans (40%) attended church weekly in March 2003 as in March 1939 (Uhlmann et al., 2009, 9). And, over roughly the same time period (from 1947-2001), the same percentage of Americans (94%) said they believed in God. According to Norris and Inglehart (2004), only the United States and Brazil did not experience a drop in the percentage of people who believe in God in the years 1947 and 2001. And, the percentage of Americans who believed in life after death actually rose from 68% in 1947 to 76% in 2001 (Uhlmann et al., 2009, 9). Norris and Inglehart and other scholars studying secularization
note America’s exceptionalism in its high levels of religiosity among wealthy, industrialized countries.

In addition these trends extend to the practice of religion. A high percentage of Americans attend religious services regularly and pray daily. Approximately one-third (35%) of all adults claim to attend a religious service once a month or more often, including 26% who say they attend every week or more often (Harris, 2006). By contrast, between 1979 and 2005, half of all British Christians stopped going to church on Sunday and a 2007 poll found that only 10% of British Christians went to church every Sunday and only 15% reported going to church monthly. Americans also say they pray more often than do others in the West: 54% report praying once daily, while a third pray several times. Only 11% report not praying. In contrast to Europe, these numbers are extremely high. For example, while 40% of British respondents report never praying almost 60% of French respond similarly (Table 4).

These data have led scholars and commentators to observe that religion’s place in the American consciousness remains strong. Indeed, Jose Casanova and Aristide Zolberg suggest that even the tendency of Americans to exaggerate their rates of church attendance and seriousness of religious beliefs while in Europe it is minimized is consequential: “Americans think they are supposed to be religious, while Europeans think they are supposed to be irreligious” (qtd in Foner and Alba, 2008, 378).
TABLE 3.4
THE FREQUENCY OF PRAYER AMONG SELECT WESTERN COUNTRIES: 2008

<table>
<thead>
<tr>
<th></th>
<th>Several times per day</th>
<th>Once a day</th>
<th>Few times a week</th>
<th>Once a week or less</th>
<th>Never</th>
<th>DK</th>
</tr>
</thead>
<tbody>
<tr>
<td>US</td>
<td>33%</td>
<td>21</td>
<td>17</td>
<td>14</td>
<td>11</td>
<td>3</td>
</tr>
<tr>
<td>Spain</td>
<td>8</td>
<td>27</td>
<td>10</td>
<td>18</td>
<td>45</td>
<td>1</td>
</tr>
<tr>
<td>Germany</td>
<td>7</td>
<td>12</td>
<td>9</td>
<td>36</td>
<td>33</td>
<td>3</td>
</tr>
<tr>
<td>Britain</td>
<td>5</td>
<td>12</td>
<td>9</td>
<td>26</td>
<td>46</td>
<td>2</td>
</tr>
<tr>
<td>France</td>
<td>5</td>
<td>5</td>
<td>10</td>
<td>19</td>
<td>60</td>
<td>1</td>
</tr>
</tbody>
</table>


In general, Americans view religion as exerting a positive impact on society and the world. In a 2008 Pew study, most Americans (62%) disagreed that religion causes more problems than it solved (Pew, 2008, 64). A Gallup survey conducted that same year found similar results. A majority of Americans, 53%, agreed that religion could answer all or most of the world’s problems. However, it should be noted that this number has decreased since the 1950s (Gallup, 2008, Dec. 4-7). The same 2008 Pew survey found that most Americans, 54%, believe that there is no conflict between being devout and living in modern society, although a full 40% did see such a tension. In other indicators, almost three-fourths of the American population said that the increasing influence of religion in the world is a good thing in a Pew Forum study conducted in 2002 (Keeter and Kohut, 2003). Conversely, this same poll found 85% of respondents said the decline in religion’s influence is a bad thing (see Table 5). When asked about the lesson of 9/11 in March 2002, nearly twice as many Americans believed the bigger lesson was that religion
had too little influence in the world (51%) than those who thought it had too much sway (28%) (Keeter and Kohut, 2003).

**TABLE 3.5**

**AMERICANS’ VIEW OF RELIGION’S INFLUENCE IN THE WORLD: 2002**

<table>
<thead>
<tr>
<th>Religion’s Influence in the World (March 2002)</th>
<th>If Increasing</th>
<th>If Decreasing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Good thing</td>
<td>73%</td>
<td>9</td>
</tr>
<tr>
<td>Bad thing</td>
<td>18</td>
<td>85</td>
</tr>
<tr>
<td>Other/DK</td>
<td>9</td>
<td>6</td>
</tr>
</tbody>
</table>

Source: Keeter and Kohut, 2003

**TABLE 3.6**

**VIEWS OF RELIGION’S INFLUENCE IN THE WORLD AMONG FRENCH: 2005**

<table>
<thead>
<tr>
<th></th>
<th>In World</th>
<th>In France</th>
</tr>
</thead>
<tbody>
<tr>
<td>Too important</td>
<td>59%</td>
<td>47</td>
</tr>
<tr>
<td>Not that important</td>
<td>16</td>
<td>18</td>
</tr>
<tr>
<td>Neither</td>
<td>22</td>
<td>31</td>
</tr>
</tbody>
</table>

Source: CSA-Le Monde des Religions, 2005

The perspective of the role of religion in the world depends upon the importance of religion in one’s personal life. For example, the Pew study found that 73% of highly religious Americans saw the terrorist attacks as a sign that religion had too little influ-
ence. To put this positive view of religion in context, when asked about the influence of religion, nearly 6 out of 10 French respondents said that religion’s influence in the world was too important and almost 50% replied it was too important in France (see Table 6) (CSA-Le Monde des Religions, 2005).

Despite the fact that the founding myth of a highly religious and tolerant society is one that has been dispelled by historians, there is one significant part of the myth that remains true: the view that religion is an important, if not vital, characteristic of national identity. To be religious, it seems, is to be “American.” This thesis claims that, taken together, the religious basis of the Muslim identity is not considered problematic in the United States. As a result, one does not see the same discussions concerning mosque construction, halal provision, religious burial, religious schools, and headscarves taking place in Britain or France.

This argument is most clearly articulated in a well-accepted thesis put forth by American scholars of religion that religion acts as a bridge to incorporation (Herberg, 1960; Hurh and Kim, 1990; Ebaugh and Chafetz, 2000; Haddad et al., 2003; Hirschman, 2004; Chen, 2006; Foley and Hoge, 2007; Foner and Alba, 2008; Alba et al., 2009). That is to say, religion is not only accepted or tolerated but is considered “fundamentally American.” Religion, while serving to separate the Muslim community from the majority society in the British and French cases, acts as an integrating agent, helping to facilitate successful adaptation. Thus, Muslims become more American through the practice of Islam.
This argument was first expressed by Herberg in 1960 in *Protestant, Catholic, Jew*. Herberg claimed that immigrants became more American through religion and that this religion evolved to fit the new context. While immigrants were required to learn a new language and adapt to a new context, they were not required to change their religion. Herberg asserted that it was “largely in and through...religion that [the immigrant], or rather his children and grandchildren, found an identifiable place in American life” (1960, 27-28). The new identities that they acquired were defined more by religion than their country of origin. Immigrants became more religious through the migration process.

In contrast to the situation in Europe, religion is seen as a socially acceptable form through which US immigrants can articulate, reformulate, and transmit their ethnic culture and identities (Foner and Alba, 2008). Indeed, participation in any sort of religion is depicted by scholars of religion as a pathway into the mainstream. In a review of how religion acts as a bridge for immigrants in the United States, Foner and Alba observe “a bottom-line conclusion in the social science literature is that religion helps to turn immigrants into Americans and gives them and their children a sense of belonging or membership in the United States” (2008, 365). This is why, according to Hirschman (2004), one of the first acts of an immigrant community is to found a temple or church.

Hirschman suggests that religion acts as a bridge for immigrants because it provides refuge, respectability, and resources (2004, 1228). His argument builds on previous theories that highlight the positive role that religion plays in immigrant adaptation in America by suggesting that religion not only acts as a psychological ballast against the traumatic experience of migration but also serves the practical and material needs of the
population as well. Religion acts as a refuge, creating a sense of belonging and participation in the face of loss and adjustment strains, and an alternative source of respectability. Beyond this, religion provides resources, delivering different social and economic opportunities. For example, studies have emphasized how religious institutions provide: information about housing, opportunities for fellowship with co-ethnics, language assistance and navigating the American bureaucracy, counseling for parents with American-born children, and services such as credit unions, parochial schools, and charities (Hurh and Kim, 1990; Ebaugh and Chafetz, 2000; Haddad et al., 2003; Hirschman, 2004; Chen, 2006).

Public opinion polls provide evidence to support the argument that religion acts as a bridge into American society. As mentioned previously, while the American public’s positive view of Muslims lags behind other religious groups, the very fact that Muslims are religious is important and mitigates negative public opinion. Across polls atheists consistently receive the lowest favorability rating, suggesting that while Americans express a certain degree of wariness toward “foreign” religions, religiosity is preferred to no belief at all.

Although Muslims constitute a small minority in the United States, Muslim Americans are by no means "the Other" when it comes to religious life in the United States. One Pew research study finds that “in many ways, [Muslims] stand out not so much for their differences as for their similarities with other religious groups” (Ruby and Smith, 2007). For example, in terms of the intensity of their religious beliefs, Muslim Americans most closely resemble white evangelicals and black Protestants with 72% of
Muslim Americans reporting religion being “very important” to their lives (79% of white evangelicals and 85% of black Protestants responded similarly) (Table 7) (Ruby and Smith, 2007).

**TABLE 3.7**

INTENSITY OF RELIGIOUS BELIEF BY AFFILIATION IN THE U.S.: 2007

<table>
<thead>
<tr>
<th>Affiliation</th>
<th>Very Important</th>
<th>Somewhat Important</th>
<th>Not too Important</th>
<th>Not at all Important</th>
</tr>
</thead>
<tbody>
<tr>
<td>Muslims</td>
<td>72%</td>
<td>18</td>
<td>5</td>
<td>4</td>
</tr>
<tr>
<td>Protestants</td>
<td>65</td>
<td>28</td>
<td>5</td>
<td>1</td>
</tr>
<tr>
<td>White evangelical</td>
<td>79</td>
<td>18</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>White mainline</td>
<td>36</td>
<td>48</td>
<td>11</td>
<td>4</td>
</tr>
<tr>
<td>Black Protestant</td>
<td>85</td>
<td>13</td>
<td>2</td>
<td>-</td>
</tr>
<tr>
<td>Catholic</td>
<td>49</td>
<td>40</td>
<td>10</td>
<td>1</td>
</tr>
<tr>
<td>Secular</td>
<td>10</td>
<td>23</td>
<td>26</td>
<td>40</td>
</tr>
</tbody>
</table>


A similar pattern exists regarding a personal belief in God. Table 8 shows that the same percentage of Muslim Americans as the general American population, 92%, believed in God (Pew, 2008).

The Gallup 2009 survey of Muslim Americans found similar levels of religiosity and practice among Muslims and religious Americans. For example, among youth, Muslim Americans are just as likely as Protestants (with 41% of youth) and more likely than Catholics (with 27% of youth) and Jews (with 19% of youth) to attend a religious service
at least once a week. Other studies have shown similar levels of religious practice among Muslims and the general U.S. population (Pew, 2007).

TABLE 3.8
RATES OF PERSONAL BELIEF IN GOD BY RELIGIOUS DENOMINATION: 2007

<table>
<thead>
<tr>
<th>Affiliation</th>
<th>NET believe in God</th>
<th>Personal God</th>
<th>Impersonal force</th>
<th>Other/Don’t Know</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>92%</td>
<td>60</td>
<td>25</td>
<td>7</td>
</tr>
<tr>
<td>Protestant</td>
<td>98</td>
<td>72</td>
<td>19</td>
<td>7</td>
</tr>
<tr>
<td>Evangelical</td>
<td>99</td>
<td>79</td>
<td>13</td>
<td>7</td>
</tr>
<tr>
<td>Mainline</td>
<td>97</td>
<td>62</td>
<td>26</td>
<td>8</td>
</tr>
<tr>
<td>Black</td>
<td>99</td>
<td>71</td>
<td>19</td>
<td>8</td>
</tr>
<tr>
<td>Catholic</td>
<td>97</td>
<td>60</td>
<td>29</td>
<td>8</td>
</tr>
<tr>
<td>Mormon</td>
<td>100</td>
<td>91</td>
<td>6</td>
<td>2</td>
</tr>
<tr>
<td>Jewish</td>
<td>83</td>
<td>25</td>
<td>50</td>
<td>8</td>
</tr>
<tr>
<td>Muslim</td>
<td>92</td>
<td>31</td>
<td>53</td>
<td>7</td>
</tr>
<tr>
<td>Unaffiliated</td>
<td>70</td>
<td>28</td>
<td>35</td>
<td>6</td>
</tr>
</tbody>
</table>

Source: Pew Forum, 2008

In important respects, Muslim Americans reflect the religious values held by the general American population. Data from several recent Gallup polls illustrate that the issues which divide Westerners the most from European Muslims include the moral acceptability of homosexuality, abortion, pornography, suicide, and sex outside marriage. However, there is not a wide gap between Western Muslim attitudes and those of religious Americans (See Table 9).
Table 9 illustrates the significant values gap between Western Muslims and Europeans and the value convergence between religious Americans and Muslims. While there is as much as a 63-point percentage gap in France between the general population and French Muslim population who say that homosexuality is considered morally acceptable (81% and 18%, respectively), the gap between religious Americans and British Muslims is 24 percentage points and as little as 2 percentage points when compared to German Muslims. This pattern holds more generally across other questions regarding traditional values, indicating as much of a “belief gap” as a “value gap” in Europe which does not hold as strongly (or, at all) in the United States. Importantly, if the survey found a similar result for religious Europeans—not probed by the Pew Forum Global Attitudes project—the number of religious Europeans is still very low, still placing Muslims in a marginalized social category. To the contrary, the values expressed by Western Muslims mirror among religious Americans, and, given the high levels of religious belief in the United States, this constitutes a majority rather than a minority opinion.

This similarity can be explained, in part, by levels of religiosity. Many scholars have drawn the connection between the high rate of religiosity and contemporary American “traditionalism” (Inglehart and Flanagan, 1987; Inglehart, 1990; Inglehart and Baker, 2000; Flanagan and Lee, 2003; Norris and Inglehart, 2004). Among the general population, there exists high support for traditional values and an absolutist view of morality.149

---

149 According to the World Values Surveys, Americans have become more absolutist—defined as agreeing with a position that holds there are absolutely clear guidelines for what is good and evil that apply to everyone regardless of the circumstance—over the years. Thus, in 1981, 1 out of 3 Americans were absolutists. By the 1990s, 1 out of 2 Americans were so. Uhlmann, Poehlman, and Bargh (2009) connect high levels of traditionalism among the American population to the tendency to moralize social and political conflicts. They point to the Singer’s analysis of speeches made by President Bush: Singer found that President Bush used the word “evil” in 319 speeches, comprising almost 30% of total speeches. They point more generally to the tendency to frame foreign policy as a battle of good versus evil.
Compared to attitudes found among populations in wealthy countries, Americans express high levels of support for traditional family. According to Baker in *America's Crisis of Values* (2005), American values are more traditional than those of any other industrialized country and more traditional than most countries. While publics in Western European nations became less traditional from 1980 to 2000, World Value surveys demonstrate that Americans were just as traditional over this time period. Moreover, contrary to patterns found in other wealthy countries, younger Americans are just as likely to endorse traditional values than older ones.

**TABLE 3.9**

VALUE DIVERGENCE AMONG RELIGIOUS AND GENERAL POPULATION

<table>
<thead>
<tr>
<th></th>
<th>Homosexuality</th>
<th>Abortion</th>
<th>Pornography</th>
<th>Sex Outside Marriage</th>
<th>Suicide</th>
<th>Extramarital Affairs</th>
</tr>
</thead>
<tbody>
<tr>
<td>London Muslims</td>
<td>4</td>
<td>10</td>
<td>4</td>
<td>11</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>Paris Muslims</td>
<td>18</td>
<td>24</td>
<td>7</td>
<td>30</td>
<td>4</td>
<td>18</td>
</tr>
<tr>
<td>Berlin Muslims</td>
<td>26</td>
<td>34</td>
<td>24</td>
<td>38</td>
<td>6</td>
<td>8</td>
</tr>
<tr>
<td>Religious Americans</td>
<td>28</td>
<td>22</td>
<td>--</td>
<td>38</td>
<td>6</td>
<td>4</td>
</tr>
<tr>
<td>US Public</td>
<td>48</td>
<td>40</td>
<td>--</td>
<td>61</td>
<td>15</td>
<td>7</td>
</tr>
<tr>
<td>UK Public</td>
<td>66</td>
<td>58</td>
<td>29</td>
<td>82</td>
<td>38</td>
<td>18</td>
</tr>
<tr>
<td>French Public</td>
<td>81</td>
<td>77</td>
<td>52</td>
<td>88</td>
<td>40</td>
<td>47</td>
</tr>
<tr>
<td>German Public</td>
<td>68</td>
<td>52</td>
<td>60</td>
<td>86</td>
<td>33</td>
<td>35</td>
</tr>
</tbody>
</table>

Source: Rheault and Mogahed, 2008

(% Saying morally acceptable)
What the above suggests is that the religious context in America does not create a fertile ground for critiques against Muslims in terms of value conflicts. This is important because, among European elites and societies, the issue of value conflict is the most common and forceful critique of Western Muslim communities. The argument, then, is that America provides a favorable legal and cultural context for the expression of Muslim religious belief that, ultimately, leads to greater integration in other spheres. Many of these arguments are made by referring to the successful integration of Catholic immigrants during the twentieth century. Reflecting on the arduous journey Roman Catholics, particularly Irish Catholics, took to become part of the mainstream, Foner and Alba noted that:

what was not in doubt was the ability of these previously minority religions to form their own institutions, without much interference from the outside society. That Catholics could erect a separate school system and eventually a panoply of organizations to channel their social and professional lives within a religiously circumscribed subsociety, was not in question. Nor was Catholicism in this respect at a disadvantage compared to Protestant churches, for...no denomination enjoyed state support (2008: 367).

This favorable legal and cultural setting, the argument continues, is open to the Muslim religion as well, especially with respect to the strongly-held notion of freedom of religion. Indeed, a 2007 Harris multi-nation poll provides an interesting contrast of America’s more favorable cultural setting toward religious freedom. When asked whether children should be allowed to wear religious signs or clothing at school, the United States stands as exceptional in the high levels of support expressed by the general population: 77% of Americans supported such freedom compared to European countries in which support did not reach 50% (with the exception of Italy) (see Table 10).
### TABLE 3.10

**FREEDOM OF RELIGIOUS EXPRESSION IN SCHOOLS: 2006**

<table>
<thead>
<tr>
<th>Country</th>
<th>Yes</th>
<th>No</th>
<th>Not sure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Great Britain</td>
<td>48</td>
<td>36</td>
<td>15</td>
</tr>
<tr>
<td>France</td>
<td>10%</td>
<td>83</td>
<td>7</td>
</tr>
<tr>
<td>Italy</td>
<td>61</td>
<td>29</td>
<td>10</td>
</tr>
<tr>
<td>Spain</td>
<td>44</td>
<td>43</td>
<td>13</td>
</tr>
<tr>
<td>Germany</td>
<td>40</td>
<td>51</td>
<td>10</td>
</tr>
<tr>
<td>United States</td>
<td>77</td>
<td>14</td>
<td>8</td>
</tr>
</tbody>
</table>

Source: Harris, 2006

Question: “Should children should be allowed to wear religious sign or article of clothing at school representative of beliefs?”

### TABLE 3.11

**FREEDOM OF RELIGIOUS EXPRESSION AND THE BURQA: 2006**

<table>
<thead>
<tr>
<th>Country</th>
<th>Yes, the Islamic veil should be banned in all public places</th>
<th>Yes, the Islamic veils should be banned but only in certain circumstances (for example, schools)</th>
<th>No, Islamic women should have the right to wear the Islamic veils if they wish to do so.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Great Britain</td>
<td>39%</td>
<td>30</td>
<td>23</td>
</tr>
<tr>
<td>France</td>
<td>29</td>
<td>41</td>
<td>13</td>
</tr>
<tr>
<td>Germany</td>
<td>27</td>
<td>33</td>
<td>33</td>
</tr>
<tr>
<td>Spain</td>
<td>23</td>
<td>30</td>
<td>39</td>
</tr>
<tr>
<td>Italy</td>
<td>35</td>
<td>24</td>
<td>54</td>
</tr>
<tr>
<td>United States</td>
<td>14</td>
<td>17</td>
<td>59</td>
</tr>
</tbody>
</table>

Source: Harris, 2006
When asked about a more controversial subject, the wearing of the burqa in public, the general American public once again is exceptionally tolerant in relation to freedom of religious expression compared to their European counterparts. The poll asked respondents about a recent Dutch proposal to ban the Islamic burqa in public places. Nearly 60% of Americans expressed disapproval of the ban and only 14% of Americans supported a ban in all public places. In contrast, in no European country did the majority defend the right to religious expression (see Table 11).

This strand of theorization is somewhat in conflict with arguments put forth by scholars of the Muslim-American community. These scholars focus on how the processes of immigration and integration into the American mainstream has been different for Muslims. In one of the first major compilations on the Muslim-American experience in 1998, Haddad contended that, while having similarities with other immigrant and minority groups in the United States, the Muslim experience has been characterized by a marginalized situation that has been “deliberate and specific” based on how America (both her government and the general population) fears and distrusts Islam, contending that America has “targeted” Islam as an enemy. In a slightly different characterization, Naber (2005) referred to this as the “racialization of religion” premised on the intrinsic inferiority of Islam, which racially marked Muslim immigrants in the United States. Interestingly, the conclusions of these scholars are often in line with scholars of religion in America: that the reaction to the immigrant experience and new American context is to become more religious rather than less. What is different is the portrayal of the content of these identities. As in Europe, the Muslim identity is becoming more salient (Haddad and
Esposito, 1998; Haddad et al., 2003; Ali, 2005; Al-Johar, 2005; Naber, 2005; Abdo, 2007; Kibria, 2008; Grewal, 2009). However, in contrast to the very different outcomes discussed by scholars of religion in America, many of the scholars of the Muslim-American community point to a distancing similar to the portrayals produced by European scholars. Within this body of literature, Muslim identity and practice is portrayed as a reaction to pressures for integration rather than a product of integration. For example, Kibria (2007) argues that the growth of revivalist Islam in the American context—described elsewhere as “globalized Islam” by Roy in discussing the European context (2004)—is a means to assert distinction and independence, as a way to differentiate from the mainstream society. This “new Islam” as Kibria calls it is invoked as a counter-trend to the dangers posed by Western society: immorality, materialism, self-absorption. Particularly in the post-9/11 context, several scholars have argued that the intense scrutiny and Islamophobic reactions found within American society have spurred greater constructive engagement with larger society (Moore, 2003; Strum and Tarantolo, 2003; Barrett, 2007; Kathwari and Martin, 2007; Esposito and Mogahed, 2008). However, there is a body of scholarship which as argued the exact opposite, that the experience has spurred a retreat and nurturing of feelings of alienation and, possibly, radicalism among the Muslim-American community (Mazrui, 2004; Abdo, 2007).

2. Focusing on the Political Process and Political Incentives

The problem with the above arguments is that they largely portray the outcome in question, that is why Muslims are not perceived as a “policy problem” in the United States, as structurally-determined. I do not want to underestimate the effects of the pre-
ceding structural variables nor unfairly criticize the scholarly arguments. Indeed, as I will argue, these structural variables did influence the political process. However, I am arguing that the variables and processes delineated by scholars concerning their influence are not as determinative as most scholarly and political accounts have made them out to be. Politics needs to brought back into the analysis, particularly a focus on political actors and their incentives and/or disincentives to politicize an issue.

Using this framework for understanding the post-9/11 political process, I argue that, on the whole, one does not find significant political incentives for American politicians to exploit and augment public unease over the issue of homegrown extremism and integration problems within the Muslim American community. To a great degree, cognitive factors, including an abundance of evidence pointing to the successful integration of the Muslim-American community and the nature of the 9/11 attacks—conducted by foreigners rather than citizens—inhibited politicians from making such a connection. However, it is also important to look to other political factors, including the opportunities as well as the constraints imposed by the political environment. In contrast to the British and French cases, there were stronger pressures in the United States to de-politicize the issue of Muslim difference and radicalization.

First, in a situation far different than in Great Britain and, to a lesser extent, France, politicians were presented with information from varied sources including through Congressional testimony, government reports, and media profiles that made it difficult to point to the Muslim community as a significant policy problem, particularly in the area of integration. The demographic characteristics of the Muslim community de-
scribed above did indeed mitigate against increased public scrutiny. When faced with data which suggested that Muslims were a highly-integrated minority, it was difficult for politicians to formulate a plausible narrative which vilified the community. As public policy and social movement scholars argue, when presenting a particular frame, the available knowledge must support, or at the very least not contradict, the narrative politicians wish to portray (for example, see Stone, 1997; Birkland, 1997; Benford and Snow, 2000). In addition, as will be described in more detail below, the bulk of the evidence presented to politicians concerned a foreign policy or public diplomacy problem rather than an integration dilemma. Therefore, contrary to the British and French cases, instruments of foreign policy were rendered more relevant while domestic integration measures were rendered largely irrelevant during policy debates.

It is not simply a matter, though, that facts on the ground “speak for themselves” but, to the contrary, are interpreted and, in some cases, manipulated through a particular elite frame. Scholars studying framing have shown that there are different ways of defining the issue that is consistent with the available information. Thus, it is not enough to say that there was no political problem—or that a political problem was not constructed by elite actors—simply because the facts demonstrated there was no problem. This is where the structural and highly-determinative arguments about the demographic characteristics of the Muslim community fall short in their explanation.

A comparison to the French case provides an illustrative example of how the political process helped channel—and, to a great degree, construct—a problem which was not grounded in “fact.” Many critics of the headscarf ban argued that the public debate
never established the existence of a threat to the French Republic (Bauberot, 2004; Bowen, 2007; Scott, 2007). Scott observes in her book, The Politics of the Veil, that the number of Muslim girls wearing the veil simply could not explain the attention being paid to the phenomenon, suggesting instead that it became a symbolic gesture, “for some European nations it is a way of taking a stand against Islam, declaring entire Muslim populations to be a threat to national integrity and harmony” (2007, 3). Indeed, she points to evidence that only 14% of Muslim women wore the hijab in France while 51% declared to practice their religion, suggesting a high percentage of practicing Muslims did not veil and therefore did not pose a threat to the Republic as articulated in the public discourse (2007, 3). As for the number of actual cases in school, these numbers were also small. At the time Hanifa Cherifi was appointed the official mediator in the mid-1990s, the number of disputes dropped from 2400 in 1994 to about 1000 in 1996 with only around a hundred students reported to wear the veil in school (Scott, 2007, 28-29). Even though the public argument suggested that arbitration was not working, the facts suggest otherwise. It was not necessary, as well, to take such an aggressive stance in order to forcefully integrate the Muslim community. Various surveys and polls of the French Muslim community showed signs of becoming more secular and integrated into French society (Scott, 2007). As one indicator, the Muslim community did not show a high degree of support for girls to wear the hijab.\footnote{Just as one example, in 1989, during the first headscarf controversy, as many as 45% of Muslims believed that the hijab should not be worn in school (Scott, 2007, 26).} Despite being armed with contrary facts, the political process in France was successful in constructing the Muslim community and Islam more generally as a threat to national identity and cohesion. In the French case, the
far right and other factors, including the role of religion in public life, helped facilitate the frame that the Muslim community posed a problem.

What is more, there was evidence that American policy-makers could have marshaled if they chose to politicize an integration problem within the Muslim American community. In an effort to provide a generally sanguine picture, other more problematic indicators have been downplayed. First, several surveys have found that Muslim Americans have higher economic concerns than the general U.S. population. While most Muslim Americans were satisfied with their current standard of living, far fewer felt that their standard of living is improving. What is more, while one-third of Americans reported being worried about money, almost one-half of Muslim Americans reported money concerns and, of all the religious groups in the survey, Muslim Americans were most likely to report being unable to afford basic necessities.

Beyond economic concerns, Muslim Americans also reported higher levels of stress and dissatisfaction with their communities. In 2009 Gallup survey, they were least likely to report positive experiences and expressed more negative emotions, especially stress and anger. As one indicator, Muslim Americans reported less far-reaching social support networks than other religious groups. Moreover, while a majority of Americans surveyed believe their city is becoming a better place to live, Muslim Americans were the least likely to be satisfied with their communities, with African-American Muslims expressing the highest level of pessimism.

Muslim Americans also lag behind their religious and racial peers in terms of political integration according to recent polls. In the 2009 Gallup poll, Muslim Americans
reported the lowest levels of voter registration at 64% compared to 81% in the overall US population. This is the lowest among faith groups as well, with only 9% of Protestants, 22% of Catholics, 16% of Mormons, and 9% of Jews reporting not to be registered compared to 31% of Muslim Americans. The degree of political participation in other categories is also lower than the general population and other faith groups. In another indicator of political participation, fewer Muslims ran for political office in 2002 than in the 2000 elections. In 2000, roughly 700 Muslim-American candidates ran and 153 were elected while in 2002 there were only 50 who ran (Saeed, 2003).

In particular, studies have illustrated an important internal difference among the Muslim American community with important consequences for integration: immigrant Muslims versus African-American, or native, Muslims. Most surveys provide evidence of a significant disparity between African-American Muslims and other Muslims in income and education levels, the ability to rely upon social networks for support, and the perception of the health and future of the community in which they live. For example, the Gallup survey in 2009 found that black Muslims are on lower end of socioeconomic spectrum: with a college completion rate of 25% which is 8 percentage points below the US average and more than half (54%) have income levels below $25000 a year. What is more, the Pew Forum survey of Muslim Americans in 2007 found the African American Muslim population to be the most “disillusioned” segment: they were more skeptical that hard work paid off and less satisfied with the way things were going in the US. Only

---

151 While only 10% of foreign-born Muslims describe themselves as “black” (and 44% white, 28% Asian, an 18% mixed or other), 56% of native-born Muslims describe themselves as black (31% white and 2% Asian) (Pew, 2007). A significant majority of the African-American Muslim community are converts to Islam, comprising 59% of all converts to Islam within the United States (Pew, 2007, 22).
13% expressed satisfaction with national conditions compared with 29% of other native-born Muslims and 45% of Muslim immigrants (Pew, 2007, 6).

Surveys have found higher levels of support for remaining distinct from society and shunning political participation among African-American Muslims. The 2007 Pew Forum survey reported that 42% of Muslims under the age of 30 and 50% of African-American Muslims reported being the target of bigotry (2007, 38). This high figure for African-American Muslims should be put in context against other Muslim Americans. African-American Muslims were almost twice as likely to report a negative experience compared to white Muslims (28%) and Asian Muslims (23%) (2007, 38).

These surveys also indicate a higher level of radicalization among African-American Muslims. In 2007, the Pew survey of Muslim Americans found that while overall only 5% of Muslim Americans expressed a somewhat favorable opinion of al Qaeda, only 51% of native-born Muslims and 36% of African-American Muslims expressed an unfavorable view of al Qaeda compared to 63% of foreign-born Muslim Americans who expressed a very unfavorable view (Pew, 2007, 6). Nonetheless, absolute levels of support for Islamic extremism among Muslim Americans are quite low, especially when compared with Muslims elsewhere. For example, only 1% of Muslim Americans say that suicide bombings against civilian targets are often justified and 7% say they are sometimes justified to defend Islam (Pew, 2007).

More importantly, it is equally the case that America was not immune to home-grown extremism. While there is not yet evidence of a systematic or widespread threat of home-grown terrorism in the United States, U.S. officials have dismantled several plots
including the “Lackawanna Six,” the “Portland Seven,” the “Northern Virginia Paintball” group, a New York City plot on Herald Square Subway, a New York City plot involving two individuals associated with the terrorist organization (the “Al Muhajiroun Two”) (NYPD, 2007), and the more recent plots involving an Afghan immigrant with ties to al Qaeda and advanced plans to attack a US target and the successful Fort Dix shooting by a military psychologist (Johnston and Shane, 2009). The assessment from the NYPD report which looked at these plots in detail pointed out several similarities between the European and American environment which increased the threat of homegrown radicalization, including the fact that Salafist jihadi ideology was proliferating in Western democracies at “a logarithmic rate” due in large part to the ease of transmission by the internet (NYPD, 2007, 8). Moreover, the report illustrated that all plots, both those in Europe and those originating in the United States, followed a similar four-step process of radicalization.152

In addition to the demographic characteristics providing a constraining factor, here, too, those scholars who point to the important role of religion in public life offer useful insights. What I think is most useful is the concept that religion was not viewed as a “bright” boundary in the political process. Once again, it is how the issue was framed in the political sphere that mattered. For example, during testimony before the Senate Subcommittee on European Affairs, Senator Allen interrupted a witness, asking for clarification in terminology, stating, “I’m sorry to interrupt, but we want to send the right message. That we’re not here to condemn somebody because of their religious beliefs.

152 These stages are: pre-radicalization, self-identification, indoctrination, and jihadization.
That would be un-American. Americans believe in religious tolerance.”153 While practicing a religion in the French case was evidence that a French Muslim was not integrated enough, religious practice in the United States simply was not considered abnormal but, to the contrary, quintessentially American.

If Muslims were to be framed as a policy problem, politicians—even those elites on the political Left—did not have incentives to focus on the religious aspects of the population. In a study of comparative models of secularism, Kuru (2009) argues that, unlike in France and Turkey, the view of religion and its role in public life in America is the subject of an “overlapping consensus” among American politicians that places the importance of religion as paramount in sustaining and promoting a common American identity. There are important differences among liberals and conservatives that are rooted in the conception of religion’s place in the nation. Generally, while liberals emphasize the secular foundations of the U.S. Constitution and Republic and oppose state endorsement and funding of religion, conservatives place emphasis on religio-moral values as being crucial to the foundation of the Republic and its laws, supporting state endorsement of some religious expression and funding (see, Gunn, 2004 or Kuru, 2009 for a description of these differences). However, not withstanding these differences, as Gunn points out, a focus on these differences obscures the important agreement on several fundamental priorities, especially when placed in relief to the view of religion found in European nations. Ahmet Kuru argues that the two groups have agreed on a form of “passive secularism”—a belief that the state should play a passive role by allowing the public visibility

of religion—which, he argues, can be traced back to the founding of the nation (2009, 11, 75-77). Foremost, liberals and conservatives place priority on the right of religious freedom and resist infringement on this right.

The emphasis placed on religious freedom by both elites on both the political Left and Right in the United States has circumscribed several policy avenues that is not the case in Europe. For example, in terms of the free exercise clause of the first amendment of the U.S. Constitution, recent Supreme Court rulings have consistently ruled on the side of protecting religious beliefs and the individual believer. Indeed, based on the Supreme Court’s jurisprudence, religious belief and practice are accorded an elevated level of protection, allowing for the derogation of certain laws if based in religious belief or practice. As such, American politicians are not legally permitted to ban the wearing of the Islamic headscarf.

I argue that American politicians had important incentives to downplay the threat of homegrown radicalization and the difference of the American Muslim community and did so through a contrast with Europe. By framing the level of threat from homegrown extremism as low—a claim made possible, in part, by a comparison to their Atlantic partners—politicians were able to relieve certain societal anxieties over the terrorist threat. The threat of terrorism, while being a public issue that can engender a “rally round the

---

154 Ahmet Kuru (2009) observes that the founding fathers had different reasons for agreeing on the separation of church and state but all agreed on the basic framework of no establishment of a particular religion by the federal government (at this time, state governments were still able to have an established religion).

155 Indeed, the United States government placed the promotion of religious freedom as one of of its key foreign policy priorities in the the late 1990s through the International Religious Freedom Act. The Act created an Ambassador-at-large for International Religious Freedom as well as Office of International Religious Freedom at State to monitor religious persecution and discrimination worldwide and develop policies and programs to promote religious freedom. Through the Ambassador for International Religious Freedom, the United States government criticized the French government in 2004 for its headscarf ban.
flag” effect and increased patriotism, also is, to a large extent, outside of governmental control. Therefore, while scholars have argued that a focus on terrorism helped President Bush push certain policy initiatives through the creation of a climate of fear, it is equally the case that politicians did not have an incentive to overly emphasize the terrorist threat to the extent that widespread panic ensued, particularly if it resulted in a crisis of government. It was particularly critical to downplay the threat of terrorism during the period in which media and political scrutiny highlighted the breakdowns within government, most notably the intelligence and law enforcement oversights, which failed to prevent the attacks.

I posit that by framing the problem as a foreign policy problem, American policymakers strategically sought to decrease the perceived immediate threat of terrorism to American lives while simultaneously trying to exploit the political benefits of a general terrorist threat, including higher levels of public confidence in federal institutions. This was a delicate balancing act. The American public saw, often through graphic media images, the consequences of U.S. foreign policy playing out in foreign lands such as Iraq, Afghanistan, and Pakistan rather than in their own backyards. By contrast, the homegrown extremist threat was more immediate, at least in terms of a threat to personal safety or safety of one’s family and friends. In this sense, it was crucial that policymakers decrease the salience of the homegrown threat and present a picture of policy success in the war on terrorism.

Moreover, by using the European example as a contrast, politicians were able to provide a positive assessment of U.S. domestic policies. As will be described in more de-
tail below, the majority of hearings on terrorism pointed to how American foreign policy was contributing to rising anti-American sentiment and radicalization abroad. The public debate, consequently, focused on policy failures, particularly as the progress of war in Iraq monopolized headlines and dominated political discussions. By focusing on integration successes, the politicians could reclaim a portion of the public debate and restore confidence in government.

Indeed, the issue of confidence or trust in government, I believe, is critical to understanding the political incentives facing politicians and the subsequent political process that unfolded after 9/11. As the levels of public trust in government (across all three branches of government) soared after the 9/11 attacks, politicians sought to maintain, albeit unsuccessfully, this positive trend. By focusing on international issues—particularly international security—politicians could affect the level of public trust accorded to them. Politicians had incentives to do so because, as scholars have shown, the level of public trust affects the ability of policy-makers to govern, particularly in marshaling the public support and resources necessary to deliver public goods and services.

Why, though, would it be important to focus on the foreign dimension of the problem? A key finding on the scholarship of public trust has been that public trust increases when the public’s concern is directed to issues of national security and foreign policy rather than domestic policy concerns (Chanley, 2002). In an article published a year after the 9/11 attacks, Chanley provides evidence that as the American public became more focused on issues of international concern, levels of cynicism declined and levels of trust in government increased (2002, 477-478).
An examination of the trends in public trust both before and after 9/11 clearly supports the argument that Americans have placed greater trust in the federal government to handle international than domestic matters, extending Chanley’s initial findings over a longer time frame. Figure 3 demonstrates the high level of public trust in government immediately following the 9/11 attacks. Indeed, only in the post-9/11 period did the percentage of the American public expressing a fair amount or great deal of public trust exceed the percentage of Americans who said only some of the time or never. And, as Figure 3 shows, the level of public trust in government was extremely high in the immediate post-9/11 period, reaching the highest level of recorded trust in October 2001, with 83% of the general public expressing either a fair amount or great deal of trust and confidence in the government to deal with international problems. A Pew Research Center study conducted a week after the 9/11 attacks provides further evidence that the American public was focused on international security at this time; and, what is more, the survey found more Americans (44%) favored taking military action abroad to destroy terrorist networks around the world over a prioritization on building homeland defenses (33%). Over three-quarters (76%) were very or somewhat confident at this time that the U.S. could destroy terrorist networks around the world. These levels of trust remained high throughout 2002 as Chanley observed, following the U.S. retaliation and NATO-led invasion of Afghanistan and domestic measures to tighten security, including restricting immigration levels.

However, since the peak in October 2001, levels of trust in government have decreased in tandem with the decline in the perceived threat of terrorism. A 2008 Gallup
poll found among the lowest levels of public trust seven years after the 9/11 attacks. From September 2001 to September 2008, general public trust in government decreased from its high of 59% to a low of 26% (Gallup, 2008). As annual figures from the Gallup Governance poll indicate, displayed in Figure 4, while public support has declined from the immediate post-9/11 period, the American public has expressed greater dissatisfaction with the government’s performance on domestic issues. When asked about the government performance on international issues, public trust has remained consistently higher. In the 2008 Annual Governance survey conducted by the Gallup Corporation, for example, less than half of the American public, 48%, said they had a great deal or fair amount of trust in the government’s ability to handle domestic problems while 56% placed trust in the government to handle international problems.

Figure 3.3: General Public Trust in Government, 1993-2006
Source: Gallup, 2009a
Therefore, despite the overall decline, Figure 4 illustrates how public confidence in the government’s handling of international issues has remained high.

The American people have expressed high levels of confidence in the government to protect them and the nation against terrorism. In 2004, over 8 out of 10 Americans expressed a great deal or fair amount of confidence in the U.S. government to protect its citizens from future acts of terrorism. While this number has decreased, almost three-quarters (73%) of Americans expressed the same degree of confidence in a 2009 Gallup poll (Gallup, 2009a). This level of confidence in the government in international matters,
especially in protecting the American people against future terrorist threats, has been found in the relatively high levels of support for post-9/11 security measures.

The literature on public trust provides an explanation for why politicians would be concerned with maintaining high levels of trust. A substantial portion of the literature on public trust has looked to the determinants of trust, looking at the causes of trust or mistrust, and also the consequences of levels of trust in government (Nye et al., 1997; Chanley et al., 2000; Chanley et al., 2001; Hibbings and Theiss-Morse, 2001; Chanley, 2002). When examining the consequences of public trust, scholars have focused on the effect in levels of public support for government action and resource allocation. As public trust increases, so, too, does citizens’ support for government programs and expending of public resources. Stated in another way, public trust has considerable consequences for the government’s ability to raise needed revenue for public programs.

Alternatively, scholars find the declining levels of trust in government affect domestic policy-making, particularly in a reduction of public support for government action to address a range of domestic policy concerns (Chanley et al., 2000). In general, a decrease in public trust is connected to increased cynicism about government (Chanley et al., 2000; Chanley et al., 2001). Scholars have also argued that declining public trust increases a voter’s likelihood to choose a third-party candidate or non-incumbent, increases support for devolution of government authority from the federal to the state and local levels, and decreases support for federal government spending in areas such as education and the environment (Hetherington, 1998; Hetherington and Nugent, 2001; Chanley et al., 2000; Chanley et al., 2001).
In the post-9/11 environment, the U.S. government undertook substantial domestic and international actions to combat terrorism. These actions required a substantial amount of public support. A year after 9/11, Chanley aptly observed “if trust in government returns to the relatively low levels of the past several decades, it may become difficult to maintain public support for using public revenue to address these concerns about homeland security” (2002, 470). Thus, politicians faced important incentives to maintain the high level of public confidence entrusted to them after the 9/11 attacks. A focus on the international war on terrorism was one way of doing so. And, as public trust inevitably declined as the issue of terrorism subsided as a key concern among the general public, politicians had a greater incentive to focus on international problems of terrorism to elicit higher public support.

Finally, as in the British and French cases, it is important to examine America’s historical roots to understand the particular set of frames politicians employed after the September 11 attacks, as elites and other policy entrepreneurs do not work in a vacuum but draw from historical analogies to construct a problem that resonates with the wider public. In an article delineating how 9/11 provided an opportunity to construct a certain kind of threat and policy response, Meyer (2009) compares the response of American elites to 9/11 to the response of politicians during the Cold War. In the latter period, he contends, politicians constructed the threat of Communism and the Soviet Union as a wide military but also political and cultural threat. The fight, therefore, was necessarily foreign but also domestic: a fight over values. As such, the Cold War resulted in a wide range of foreign and domestic policies, including expansionist domestic initiatives in civil
rights and education. These domestic initiatives were implicated through American elite discourse in which the ideals of democracy and capitalism were core to the fight. Meyers portrays this period as such:

Sensing threats everywhere, political leaders saw the United States as deeply involved in not only a military competition with the Soviet Union but also a political competition for the support of foreign publics. This meant that makers of foreign policy were newly sensitized to the good opinion of the rest of the world and very interested in demonstrating the superiority of liberal democracy and capitalism (2009, 17).

Consequently, social movement activists and their elite supporters utilized this larger fight to marry domestic initiatives such as the Civil Rights Act of 1964 to fighting Communism.

Meyers argues that the construction of the threat following 9/11 has not resulted in the same progressive domestic initiatives, contending the Bush administration’s narrative has only focused on the foreign dimensions of the threat. He states, “Bush’s narrative about the war on terror located the cause of threats to America as (generally) outside U.S. borders and well outside American values. He called for mobilization only on security policy” (2009, 21). He goes on to argue, “President Bush did not tie this war to his rather limited domestic agenda.” While I do agree with his assessment that the problem has been defined as a foreign issue—at least in comparison to the problem definition within European societies that focuses on the domestic Muslim community as a threat—I, nevertheless, do not draw the same conclusions as Meyer regarding how the construction of the threat resulted in different domestic policy processes and wider narrative construction. Paralleling policy concerns during the Cold War, contemporary American politicians and bureaucrats have responded to 9/11 in very similar ways, including a concern
with a global political competition to demonstrate the superiority of the “American model” over the extremist narrative. Indeed, elites turned to the Cold War as an analogy for how to view and respond to the terrorist threat, defining the fight as an ideological battle.\textsuperscript{156} Significantly, as the Cold War and the larger political and cultural battle to win the hearts and minds propelled American policy-makers to establish a public diplomacy infrastructure—subsequently scaled back after the fall of the Soviet Union in the early 1990s\textsuperscript{157}—the attacks of 9/11 led to renewed efforts in the area of public diplomacy.

After 9/11, the issue of public diplomacy increasingly gained importance among policy-makers as a key strategic tool in the fight against extremism. In the 2002 National Security Strategy, President Bush highlighted the important place public diplomacy must have in the US government’s war on terrorism, particularly in presenting America to the world:

Just as our diplomatic institutions must adapt so that we can reach out to others, we also need a different and more comprehensive approach to public information efforts that can help people around the world learn about and understand America. The war on terrorism is not a clash of civilizations. It does, however, reveal the clash inside civilization, a battle for the future of the Muslim world. This is a struggle of ideas and this is an area where America must excel (qtd in Djerejian, 2003, 15)

\textsuperscript{156} For example, during a Senate Intelligence Committee hearing on terrorist ideology in June 2007, Senator Bond contended that 80% of the war on terrorism was the battle of ideas. See U.S. Senate, Select Committee on Intelligence, hearing on \textit{Terrorist ideology}, June 12, 2007, J.-40-579

\textsuperscript{157} During the 1990s, both funding and Congressional and executive engagement with public diplomacy decreased substantially. The level of disarmament during this time period is illustrated in the fate of the United States Information Agency (USIA), the premier agency during the Cold War for public diplomacy and American propaganda. The funding for the USIA, the independent foreign affairs body established by President Eisenhower in August 1953 in order to engage in the war of ideas against Communism, decreased by 26% and staffing for public diplomacy positions was reduced by 35% (Djerejian, 2003, 25). By the end of the decade, the USIA was abolished and its functions were transferred to the already resource-strapped State Department. The Djerejian report as well as the reports from the Government Accountability Office have highlighted how this “disarmament” has made the US more vulnerable to anti-American sentiment and left America vulnerable to lethal threats (Djerejian, 2003; GAO, 2003; GAO, 2005; GAO, 2006a; GAO, 2006b; GAO, 2009).
By 2007, President Bush, in the first National Communications Strategy, placed public diplomacy as a central national security priority:

The U.S. is engaged in an international struggle of ideas and ideologies, which requires a more extensive, sophisticated use of communications and public diplomacy programs to gain support of U.S. policies abroad. To effectively wage this struggle, public diplomacy must be treated—along with defense, homeland security, and intelligence—as a national security priority in terms of resources. We must continue to significantly increase funding for all public diplomacy and strategic communications programs, but, specifically, we need urgent funding for priority programs such as people-to-people exchanges, English language summer and after-school programs for young people in strategic areas, science outreach projects, and new media outreach to keep up with evolving audiences and technology. Increased support for Public Diplomacy programming is vitally important to confront today’s global challenges and the threat that terrorism poses to free peoples everywhere (U.S. Policy Coordinating Committee, 2007, 11).

This National Communications Strategy provided America’s “counter-narrative” to the extremist message, showing how the terrorist attacks were viewed as attacking America’s core values. American government officials from Jakarta to Mumbai to Cairo to Washington, D.C. were told to “tell America’s story” and make known the real goal of terrorists. Core messages in “America’s story” included: how America is a diverse, multicultural nation founded by immigrants and respects people of different nations, cultures and faiths and that the American government and people want a better life for the world’s people because we believe all people are “equal and equally valuable,” have the right to speak their minds, participate in government, worship freely, assemble freely, and participate in an open market (U.S. Policy Coordinating Committee, 2007, 27).
3. The Events of September 11, 2001 and the Changes to the American Political and Societal Landscape

This section provides an overview of the major changes that occurred in American society and politics after the attacks of 9/11. It focuses on how elites tried to deflect concern from the Muslim American community and advocate an inclusive American identity. It then provides a specific illustration of how elites tried to steer the political debate by an analysis of Congressional debates and testimony from the 2001-2009 period.

The impact of the events of September 11, 2001 on the United States is hard to exaggerate. In his introduction to the book, *The Politics of Terror*, William Crotty contended that “[t]he 9/11 terrorist attacks have changed the way America thinks about the world” and goes on to describe how terrorism, once associated with distant and sometimes exotic locations, was brought to American shores. While in Europe, terrorist attacks and other events implicating social order ushered in concerns over the presence of the domestic Muslim community and the “enemy within,” in the United States, the 9/11 terrorist attacks primarily ushered in concerns not of a domestic but of a foreign nature. As William Crotty described:

Before these attacks, terrorism seemed to be a distant activity directed against isolated targets by fringe individuals carrying inexplicable grudges. It was of little immediate concern to this country...The horror of the 9/11 attacks on the Twin Towers of the World Trade Center and Pentagon changed everything...terrorism was not seen as a national threat...Political terrorism was to become the new American war (2004, ix-x).

The 9/11 attacks resulted in significant security measures, producing profound changes on both the domestic and international fronts. Immediately following the attacks, the US government focused on domestic security. The United States government
and other major countries were placed on a high state of alert, including the state of emergency issued by the United States government which had the effect of downing all commercial airline flights on September 11, shutting down all major government buildings, and moving key officials such as the President and Vice-President to undisclosed, separate security locations. In the next several months, the government initiated the largest reorganization of federal government since World War II in the creation of the Department of Homeland Security. Moreover, through both legislative authorization as well as then-secret presidential decree, the federal government expanded or undertook new surveillance programs (TRAC, 2006). Within Congress, politicians struggled with the post-9/11 climate in the areas of security, through, for example, the passage of the PATRIOT Act and other measures to deal with aviation and transportation security, immigration, and civil liberties.

Media coverage of the terrorist attacks was extensive, particularly in the four days after the event in which national coverage was preempted with almost non-stop coverage of the attacks in New York, Washington, D.C., and the downed plane in Pennsylvania. One study reported that media coverage increased 11 times in the six months after 9/11 compared to the preceding six-month period, and while coverage waned over the next six months, there was still an increase of three times the coverage for the year following the events (Nacos and Torres-Reyna, 2007, 6-7). This increase in coverage concerning Islam and Muslims has remained high, reflecting a heightened attention by the American public to issues concerning Muslims and Islam. For example, in a one-year period from July
2004 to June 2005 there were 1661 relevant news items compared to 685 items in the pre-9/11 period (July 1, 2000 to June 30, 2001) (Nacos and Torres-Reyna, 2007).

On the evening following the attacks, President Bush held a televised broadcast to the nation, seeking to reassure the public of the stability of the government as well as vowing to “bring justice” to the attackers and “those who harbor them” (qtd in Schubert et al., 2002, 561). A little over a week later, on September 20, 2001, President Bush once again spoke before the nation and a joint session of Congress concerning the attacks as well as the government’s response, including plans to retaliate against the Taliban in Afghanistan who were accused of harboring Osama bin Laden.

Contrary to the British case in which the security measures were initiated and debated against a backdrop of significant public and political scrutiny, the initial domestic security response were hastily debated and the subject of considerable political bipartisanship. Declaring a blanket “war on terrorism,” President Bush sought Congressional authority to use “all necessary and appropriate force against those nations, organizations or persons [the president] determines planned, authorized, committed or aided the terrorist attacks.” This joint resolution was unanimously passed in the Senate and approved in the House with only one dissenting voice in the days following the attacks.

One of the most important domestic legislative actions was the USA PATRIOT Act. In the weeks that followed, the American Congress convened and eventually approved the USA PATRIOT Act by a vote of 347-66 in the House of Representatives and a vote of 98-1 in the Senate. While in subsequent debates over the PATRIOT Act, politicians and the media focused on the proper balance between national security and civil
liberties, William Crotty and other scholars have documented how in the volatile political climate following 9/11, Congress failed to deliberate over legislation and ceded unprecedented degrees of power to the President (Crotty, 2004; Meyer, 2009). The act incorporated into law many of the security measures pursued in the British and French cases. For example, the definition of terrorism was expanded, giving greater powers to deport individuals and proscribe groups by broadening the definition of a “terrorist organization.” The definition of “engage in terrorist activity” was also expanded to include solicitation of membership, solicitation of funds, and providing material support. Under the provisions of the act, the US government was permitted to exclude or remove representatives of groups who endorse terrorist activity and can deny admission to anyone that has been associated with a terrorist organization and who, while in US, intends to engage in activities endangering national security. The act also broadened federal authority to conduct electronic surveillance and wiretaps, monitor financial transactions and other personal records, engage in searches of person’s home or office without notifying individual, and monitor Internet usage and email communications.\textsuperscript{158} The act also increased the detention period the US government could hold a non-citizen: up to 7 days without charge or up to 6 months if the government intends to deport the individual.

A second major response in the immediate aftermath was the creation of the Department of Homeland Security. In late September of 2001, President Bush created the Office of Homeland Security and appointed former governor of Pennsylvania, Tom Ridge, as head of the new agency. Over the course of the next year, a debate ensued

\textsuperscript{158} Subsequent proposals such as the VICTORY Act sought to broaden federal powers to conduct surveillance and seize records in cases involving narcoterrorism.
among politicians within Congress and among the executive concerning the powers of the new agency, resolved on November 26, 2002 in the creation of the Department of Homeland Security. With the creation of the Department, the Bush administration undertook one of the largest reorganizations of federal government. The Department absorbed the Immigration and Naturalization Services (INS), the U.S. Customs Service, and 20 other government agencies that dealt with civilian and homeland protection under a single organizational umbrella in order to fulfill its mandate to prepare for, prevent, and respond to domestic emergencies, particularly terrorism.

The Bush administration also sought significant organizational and operational reform within the intelligence community as government officials and commissions pointed to significant shortcomings in the production, coordination, and dissemination of intelligence. In 2004, Congress passed the Intelligence Reform and Terrorism Prevention Act, a major legislative reform to overhaul the intelligence community and intelligence-related activities of the federal government. Still reflecting the relatively wide latitude in the post-9/11 environment given to the President, the bill was passed with relatively little opposition in the Senate by a vote of 89-2 and in the House to some opposition over civil liberties protection by 336-75. The bill created an empowered Director of National Intelligence (DNI) who is to be appointed by the President to head the Intelligence Community, serving as the principal intelligence advisor to the President. The bill also created the National Counterterrorism Center (NCTC), an executive branch organization in
charge of counterterrorism intelligence and strategic planning. The bill also mandated the
restructuring of the FBI to help improve domestic intelligence gathering and analysis.159

It is during this time that Attorney General John Ashcroft asked Congress for new
powers to give law enforcement agencies the tools with which to combat terrorism, in-
cluding authority to eavesdrop on suspects, conduct searches, and track Internet commu-
nications without the usual court permissions. Civil rights groups were quick to express
opposition to some aspects of his request and subsequent use of power as Attorney Gen-
eral. Indeed, through the office of the Attorney General, John Ashcroft oversaw many
initiatives that initially tightened immigration procedures and targeted the domestic Mus-
lim community. These measures will be discussed in the last section but it is important to
note that they were introduced and implemented through administrative measures rather
than the political process.

September 11 had a profound transformative effect in the area of foreign policy
for the United States, primarily through the “war on terrorism.” A key component of this
war involved fighting terrorists and included the US-led invasion in Afghanistan in Octo-
ber 2001, the US-led invasion of Iraq in April 2004, a renewed involvement in Afghani-
stan and Pakistan in 2008-2009, and other areas of suspected jihadist involvement. The
U.S. also pursued other aggressive actions, both economic and military, against states that
harbored terrorists as well as seeking to change international institutions in order to fight

159 Beyond the reorganization of the intelligence community, the act modified many of the laws and
regulations identified with Patriot Act, including expanding the scope of foreign intelligence and strength-
ening powers to detain suspected terrorists prior to trial, setting a minimum standard for personal identity
documents and bolstering their security. The government also expanded its definition of providing material
support for terrorism in the 2004 bill, including receiving military-type training from a foreign terrorist
organization; makes illegal the disseminating of false information about terrorist attacks of military move-
ments; and providing materials or support for nuclear weapons acquisition or other weapons acquisition
(including biological).
terrorism, creating what some critics have argued was a world-view which too starkly divided states and organizations who were publicly praised as being with the United States or shamed for being against her. During the first few years after the 9/11 attacks, international support for the US and the Bush administration’s foreign policy agenda was high. However, by the end of his tenure, Bush and his core policy-making team had squandered much of this initial support and left office with some of the lowest approval ratings for foreign policy for any presidential administration.

3.1. Societal Anxiety and Resurgent Nationalism

The attacks of 9/11 were a “historically focusing event” not only for the government but also for American society. Nearly five years after the attacks, a Time/Discovery Channel Poll (2006) found that 98% of Americans could recall where they were when they first heard about the attacks; 18% of respondents thought about the attacks every day, 35% a few times a week, and another 33% a few times a month; two-thirds said that the attacks changed their own life a some (39%) or a great deal (27%); and 91% of respondents said the attacks changed life in the United States some (38%) or a great deal (53%).

Paralleling the British and French cases, the evidence demonstrates a certain level of anxiety concerning personal safety, with increased perceptions of threat as well as more general concerns over the nation’s diversity, expressed in illiberal sentiment toward immigration as well as civil liberties protection for Arab and Muslims. A Gallup poll conducted shortly after the attacks found that 58% of respondents feared being a victim of a terrorist attack. According to a Zogby International poll as many as 1 in 5 Americans
believed that that terrorists would strike in his or her hometown and one-third said they were either “a little nervous” or “very nervous” about boarding an airplane (Zogby International, 2001). Another Zogby International poll found that over 40% of Americans thought about another potential terrorist attack during the course of a “routine day” (Zogby, 2001).

As revelations about the 19 terrorists were unveiled, particularly concerning how they used the immigration system to enter the United States legally, it is perhaps not surprising that support for restricting overall levels of immigration rose sharply after 9/11. In October 2001, a Gallup poll found 58% of respondents agreeing that immigration should be decreased. In the previous year, a similar poll found only 38% of respondents expressing a desire to decrease immigration levels. The increased illiberal sentiment toward immigration decreased after 9/11 but remained higher. However, support for immigration restrictions cannot simply be tied to the 9/11 terrorists attacks as immigration scholars have demonstrated that the level of support among the general American population has fluctuated with political and economic cycles since World War II (Gallup, 2003; Messina, 2007; Schain, 2009). Beyond support for immigration restrictions, polls provide evidence of illiberal public sentiment toward immigrants in the United States, including an increased support for profiling and internment (Schildkraut, 2009).

A better indicator of the immediate public concern can be found in polls which addressed the public’s support for civil liberties both generally, and for Arab and Muslim Americans in particular, during this time. As previously discussed, support for civil liberties infringement for public safety goals was quite high initially. A similar trend is found
among public opinion data concerning civil liberties infringement of Arab and Muslim-Americans. Immediately following the attacks, a Time/CNN poll found 31% of respondents said they would favor allowing the federal government to “hold Arabs who are U.S. citizens in camps until it can be determined whether they have links to terrorist organizations” and two-thirds of respondents (66%) were in favor of law enforcement officials stopping and search anyone of Middle Eastern origin in order to prevent another attack (Schildkraut, 2002, 525). In a Newsweek poll conducted a week after the attacks, 53% of the general public strongly favored closely monitoring the whereabouts of legal immigrants to the U.S. from Arab and Muslim countries and another 29% accepted such measures. This discriminatory measure elicited slightly higher support than the more general measure to monitor the whereabouts of all legal immigrants to the U.S. (44% strongly favored such a measures while 29% accepted). In an ABC News/Washington Post (2001) poll taken a month after the attacks, as many as 44% of respondents supported giving police the power to stop anyone “who appears to be Arab or Muslim” at random. In this same poll, 28% of respondents said that being Arab or Muslim should be an important part of the profile of a suspected terrorist and almost 4 out of 10 respondents (39%) reported being personally more suspicious of people they “think or of Arab descent” (Schildkraut, 2002, 526). That same month a joint survey by the Kaiser Family Foundation, Harvard Kennedy School of Government, and National Public Radio found a high level of support among the general population for ethnic or religious profiling for Arabs and Muslims, even as the support for general civil liberties protection was high in the abstract. Thus, when asked if respondents supported police profiling certain racial or ethnic
groups based on a belief that they commit more crimes than others, only 21% of respondents agreed. However, when asked about profiling people of Arab and Muslim descent, a surprising 66% of respondents expressed approval (see Schildkraut, 2002, 526). In comparing these levels of support for decreased civil liberties with the general American population’s support for interning Japanese Americans during World War II, Schildkraut noted in 2002, “Trends in public opinion have pointed to a lurking, latent ethnoculturalism that faces explicit condemnation along with a growing acceptance of an incorporationist conception of national identity” (2002, 526).

In an investigation of the determinants of support for ethnic profiling in the United States as a counterterrorism tactic, Schildkraut finds additional evidence of an ethnoculturalist reaction from the American public. Specifically, she finds high levels of support for what she terms “9/11 profiling”—practices that involve subjecting people who look Middle Eastern, Arab, or Muslims to discretionary law enforcement attention as a way to prevent terrorist activity (2009, 64). While scholars have found that support for traditional ethnic profiling is low among the general public, Schildkraut finds support for counterterrorism profiling was higher than support for profiling Black motorists, that people are more supportive of profiling immigrants than they are of profiling U.S. citizens, and that how people define what it means to be American is a powerful predictor of such support. In particular, those who believed that the American identity is based on ascriptive characteristics—in this case defined as being White, of European ancestry, and Christian—were more likely to support such measures that required Muslims and those of Arab or Middle Eastern origin to give up some of their liberties for the sake of national
security. More generally, though, the support for 9/11 profiling was also tied to sociotropic and personal threat perceptions. Thus just as being afraid of being a victim of crime generates support for traditional profiling, being afraid of another attack on the United States (“sociotropic threat”) and being afraid that one or one’s own family will be a victim of a terrorist attack (“personal threat”) increase support for profiling (Schildkraut, 2009, 64).

This initial fear and anxiety among the general public decreased over time, evident both in polls concerning whether Americans thought they would be victims of a future terrorist attacks as well as the decrease in public concern over terrorism, defense, and foreign policies issues. Thus, a month after the Gallup poll found nearly 6 out of 10 Americans were fearful of being victims of a terrorist attack, only 43% of respondents feared such an attack. By January 2002, a Pew Research Center poll found that less than 4 out of 10 Americans (38%) expressed this same fear. Since 2004, Americans, for the most part, have reported low levels of worry that they or a family member would become a victim of terrorism. A Gallup poll conducted in 2009 found that 36% of Americans expressed concern for terrorism while 64% were not too worried or worried at all (Gallup, 2009a). Table 12 demonstrates how the percentage of people who believe a terrorist attack in the United States is very likely has decreased by almost half since 2006. The percentage of Americans who believed a terrorist attack was somewhat likely also decreased during this time period by 13 percentage points. At the same time, the number of Americans who believed a terrorist attack was not likely at all rose above 1 in 5 (22%). What is more, when asked about the likelihood of an attack in one’s own community, the percent-
age of Americans who believed one is very or somewhat likely was much lower, hovering around 10-16% during the 2006-2009 period (see Table 13).

Paralleling this trend, the salience of terrorism for the nation has also waned. Since 2006, less than 10% of the general population has singled out terrorism as the most important issue facing the United States. By 2009, only 1% of respondents pointed to terrorism as the most important issue, down from a peak of 46% of respondents shortly after the attacks in October 2001 (Gallup, 2009a).

TABLE 3.12
WANING SALIENCE OF A TERRORIST THREAT AMONG GENERAL AMERICAN POPULATION: 2006-2009

<table>
<thead>
<tr>
<th>Poll Date</th>
<th>Very Likely</th>
<th>Somewhat Likely</th>
<th>Not Too Likely</th>
<th>Not at All Likely</th>
<th>Unsure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aug. 2006</td>
<td>16</td>
<td>38</td>
<td>31</td>
<td>13</td>
<td>2</td>
</tr>
<tr>
<td>Jan. 2007</td>
<td>9</td>
<td>29</td>
<td>41</td>
<td>18</td>
<td>3</td>
</tr>
<tr>
<td>Aug. 2007</td>
<td>9</td>
<td>32</td>
<td>42</td>
<td>17</td>
<td>-</td>
</tr>
<tr>
<td>Jun. 2008</td>
<td>8</td>
<td>27</td>
<td>45</td>
<td>20</td>
<td>1</td>
</tr>
<tr>
<td>Sept. 2008</td>
<td>7</td>
<td>23</td>
<td>43</td>
<td>27</td>
<td>1</td>
</tr>
<tr>
<td>Dec. 2008</td>
<td>9</td>
<td>27</td>
<td>45</td>
<td>17</td>
<td>1</td>
</tr>
<tr>
<td>Aug. 2009</td>
<td>9</td>
<td>25</td>
<td>43</td>
<td>22</td>
<td>1</td>
</tr>
</tbody>
</table>

Source: Gallup, 2009c
As the salience of the terrorist threat has waned, so too has the public’s emphasis on preventing terrorism over the protection of civil liberties. In January 2002, four months after the terrorist attacks, the American public was evenly split on the security-civil liberties trade-off, with 47% of Americans thinking the government should err on the side of protecting against terrorism and 49% preferring the protection of civil liberties. An ABC/Washington Post poll in January 2006 found a public relatively split on the trade-off. When asked about the federal government’s efforts to protect the civil liberties of citizens, only 8% said the government was doing too much, 42% said the government was not doing enough, and 48% said the government’s efforts were about right. When asked about the federal government’s measures to protect the rights of suspected terrorists, 11% said the government was doing too much, 40% said the efforts were not enough,

### TABLE 3.13

<table>
<thead>
<tr>
<th>Poll Date</th>
<th>Very Likely</th>
<th>Somewhat Likely</th>
<th>Not Too Likely</th>
<th>Not at All Likely</th>
<th>Unsure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aug. 2006</td>
<td>4</td>
<td>7</td>
<td>32</td>
<td>56</td>
<td>1</td>
</tr>
<tr>
<td>Aug. 2007</td>
<td>5</td>
<td>11</td>
<td>38</td>
<td>44</td>
<td>2</td>
</tr>
<tr>
<td>Sept. 2008</td>
<td>3</td>
<td>11</td>
<td>31</td>
<td>54</td>
<td>-</td>
</tr>
<tr>
<td>Aug. 2009</td>
<td>4</td>
<td>6</td>
<td>32</td>
<td>57</td>
<td>1</td>
</tr>
</tbody>
</table>

Source: Gallup, 2009c
and 46% said the measures were about right. When asked about what worries them more, the general public was also split between those who believed the anti-terrorism measures would not go far enough (48%) to those that believed the measures will go too far (44%). Interestingly, while 64% of the respondents believed the FBI was intruding on individuals’ privacy, slightly more believed the intrusions were justified than not (49% versus 46%). A similar split was found among the general public when asked about non-court approved wire-tapping initiatives with 51% of respondents found the actions acceptable while 47% found them unacceptable.

These polls slightly contradict several Gallup polls which ask about specific provisions of the PATRIOT Act. As noted above, the American public has been generally supportive of the PATRIOT Act and other anti-terrorism provisions. This support, though, was only found at the more abstract level. As the salience of the terrorist threat has declined, public support for specific provisions has also declined. For example, nearly 71% of Americans disapproved of a provision permitting federal agents to secretly search a U.S. citizen’s home and, for an unspecified period of time, not inform the person of that search in a 2004 Gallup poll (Gallup, 2004).

While the American public has expressed a fairly temperate response toward the Muslim-American community and has supported increased civil liberties protection since the initial aftermath of the attacks as the above numbers demonstrate, a percentage of the general population, nevertheless, still shows an illiberal response toward Muslim Americans that is not inconsequential. Five years after the attacks, as many as 4 out of 10 Americans expressed some degree of support for decreased civil liberties protection of
Muslims and Muslim Americans in a *USA Today/Gallup* poll (2006). This poll found 39% of Americans supported requiring Muslims, including US citizens, to carry a special identification document and 41% supported requiring Muslims to undergo special, more intensive security checks before boarding airplanes in the US as a means of preventing terrorist attacks.

Aside from increased societal anxiety over the threat terrorism posed to their personal lives and to the nation, the 9/11 terrorist attacks led to greater social solidarity and patriotism within American society. According to several studies and scholarly assessments, the 9/11 attacks had an immense impact on in-group solidarity, patriotism, national cohesion, and support for political institutions (Chanley, 2002; Schubert et al., 2002; White, 2004). After 9/11, there was a surge of public expressions of patriotism not seen since World War II (particularly in the post-Vietnam era), marked by displays of the American flag and the singing of “God Bless America.” In one poll, as many as 82% of respondents said they displayed the flag in the days after the terrorist attacks. White (2004) contended that, at the time, there was a transformation in popular culture after 9/11 in America. However, not all of the changes after 9/11 persisted.

According to the evidence, the events of 9/11 appear to be the catalyst of the increased patriotism and other actions of good will and solidarity among the general public. First, polls demonstrate an increase in patriotic feelings. In January 2001, a Gallup poll found that 55% of Americans described themselves as “extremely patriotic.” After 9/11, the percentage of Americans who described themselves as “extremely proud to be American” increased to 65% in January 2002 and peaked at 70% in June 2003 (Gallup, 2006).
While there are differences by age, gender, and political orientation, these gaps narrowed after 9/11. In particular, the partisan divide narrowed between 1999 and 2005, according to several Gallup polls taken over this time period. While Republicans were still more likely than Democrats to describe themselves as highly patriotic, the percentage of Democrats who described themselves as extremely or very patriotic increased from 56% in 1999 to 66% in 2005, an increase of 10 percentage points. The increase among Republicans over this time period was only 6 percentage points, from 79% in 1999 to 85% in 2005 (Gallup, 2005). There are also indications of increased social solidarity among the general public with increased volunteerism and giving to charities after the attacks.

3.2. Consolidation of the American Model: An Inclusive Multicultural Nation

The events of 9/11 opened up the opportunity to more thoroughly consolidate the hegemony of the American multicultural model in sharp contrast to the prolonged processes of questioning the national identity and concerns over national cohesion that occurred in Great Britain and France. Politicians and the media were quick to point out that the terrorists not only attacked the World Trade Center towers and the Pentagon, two symbols of America’s leadership in the world, but they also attacked the whole diversity of the American people, and most, fundamentally, “the American way.” The discourse among elites and the media argued that what the United States stood for was attacked on 9/11. While certainly not historically accurate, by the end of the 20th century the United States, especially her elites, had not only accepted but embraced the idea that the U.S. was a “nation of immigrants.” The 9/11 attacks, while unleashing certain ethnocultural
attitudes, largely resulted in a reassertion and celebration of the multicultural model (Schildkraut, 2002).

Elites were at the forefront in advocating the success of the American model and encouraging an incorporationist American identity. While Schildkraut found evidence of “lingering” ethnocultural conceptions of American identity in the aftermath of the 9/11 attacks, she also contends that elites challenged this “narrow image of ‘what it means to be an American’” (2002, 512). Schildkraut (2002) argues in the year following the 9/11 attacks elites advocated an incorporationist conception of American identity. In contrast to an ethnoculturalist conception—one which defines identity based on ascriptive characteristics—an incorporationist conception roots the American identity in the nation’s immigrant legacy and cherishes cultural diversity (Schildkraut, 2002; Schildkraut, 2009). As studies of nationalism suggest, elite actors appeared to be mobilizing agents of the incorporationist response during this period. How elites and the masses conceive of the American identity is important because it is functional, predicting public preferences.

There are many examples, particularly from right-wing media sources, of media reports which tried to inflame the public debate. However, the evidence suggests that the initial elite discourse which focused on tolerance for the Muslim minority was generally reflected within the mainstream media. In a study of the media’s framing of Muslims and Arab-Americans in the post-9/11 context, Nacos and Torres-Reyna reported several surprising findings concerning the coverage on Muslims, Islam, and Arab-Americans. They found coverage actually improved in the immediate post-9/11 period in several respects, including: an increase in the use of Muslim sources; a switch from mostly epi-
sodic, event-driven to more thematic, information-rich reporting; and an overall more positive portrayal of Muslims (2007, xi). Nacos and Torres-Reyna confirm that 9/11 “took center stage” in stories but, they contend, did so in mostly positive ways. For example, media coverage after the event in the New York city area highlighted the patriotism of American Muslims and Arabs and downplayed stereotypes that they support terrorism. The authors gave examples of headlines of these stories: “Muslims in B’klyn for peace (NY Post, 9/17/2001), “City Arabs & Muslims back U.S.” (NY Daily News, 10/8/2001), “Public Lives: A dauther of Islam, and an enemy of terror” (NY Times, 10/25/2001) (2007, 11-12). They also reported a “surge” of stories which introduced to the American public the difficult socioeconomic circumstances and identity problems of American Muslims. Overall, the authors suggest there was a more balanced presentation of the news in the aftermath because of using Muslim sources more frequently than going to politicians or other elites: described as “more frequent, inclusive, contextual, and positive coverage of Muslims and Arabs” (2007, 25).

What is more, in the immediate post-9/11 context, media reporting paid particular attention to the government’s curbs on civil liberties and civil rights as they affected Muslims and Arabs in the US after 9/11. The debates being carried out on both the news and editorial pages largely tilted in favor of those who supported fundamental freedoms (Nacos and Torres-Reyna, 2007). In general, media commentary during this period focused upon—and most often praised—the multiethnic nature of the American identity (Schildkraut, 2002, 512). For example, in a review of newspaper articles during the year

---

160 The authors present evidence that as much as one-third of the post-9/11 coverage concerned civil liberties concerns for this population, compared to 6% in the previous six-month period (Nacos and Torres-Reyna, 2007).
after 9/11, Schildkraut notes that the editorials repeatedly referred to the United States as a nation of immigrants, called upon Americans to celebrate diversity, and highlighted the evolving ethnic nature of American identity (2002, 531).

Providing additional evidence that elite framing was particularly important, Nacos and Torres-Reyna found that as the elite “voices” for tolerance dissipated as time passed, the news coverage reflected this shift through more critical and negative coverage. Thus, while they found that twice as many voices within the mass media argued against the allegation that Muslims or Arab-Americans supported terrorism in the six-month period following 9/11, in the next six-month period the researchers found an increase in reporting that accused Muslims and Arabs of supporting terrorism (from 4% after 9/11 to 14%) and a decline in reporting that indicated support of civil liberties (2007). This leads the authors to argue that decrease in contextual, balanced, and positive coverage:

was not simply the result of different choices on the part of the news media but a reflection of the behavior of political leaders and other influential figures in the United States. In the wake of 9/11, prominent voices went public with the clear message that most Muslims and Arabs in America and elsewhere were as peaceful as most Christians, Jews, and adherents of other religions. But as the weeks and months passed, most of these influential voices went silent in this respect (2007, 28).

As the threat of terrorism has decreased in salience in the post-9/11 period and, as politicians have repeatedly sought to deflect concern from Muslim difference, polls gauging the level of societal concern have registered a slight positive trend indicating that Muslims, Muslim-Americans, and the Islamic religion have been viewed more favorably over time by the general population. This suggests that while initially there may be a degree of discrimination and prejudice, an inclusive “incorporationist” response may be
forming within society, perhaps mirroring the same processes that resulted in the acceptance of Catholics and Jews into the mainstream. Based on polls conducted in March 2001 and March 2003, Keeter and Kohut of the Pew Forum argue that Americans responded to the 9/11 attacks with surprising equanimity, “making important distinctions in [their] evaluation of Muslims” (2003). Indeed, they describe American public opinion as “temperate” over this period: favorable ratings of Muslims rose from 45% in March 2001 to 59% in March 2002 and unfavorable ratings did not increase substantially. After the July 2005 bombings in London, a Pew Forum survey found that most Americans held a favorable view of Muslim Americans (55%), slightly higher than the 51% of Americans who responded so in July 2003. The survey also found that the number of Americans who believed that Islam was more likely than other religions to encourage violence fell from 44% in July 2003 to 36% in July 2005 (Pew, 2005). Moreover, while still a majority (59%) of Americans said that Islam was very different than their religion, the number of Americans who said that there was much in common rose from 22% in July 2003 to 27% in July 2005 (Pew, 2005).

These numbers are more interesting when placed in a comparative context. According to the 2008 Pew Global Attitudes project, while negative views towards Muslims have increased in Western Europe since 2004, including in Great Britain and France, in the United States the opposite trend has been found. In a steady increase, 38% of French held a negative opinion of Muslims in 2008 compared to 34% in 2005 and, while still low, 23% of British public expressed a negative opinion of Muslims in 2008 compared to 14% in 2005 before the London bombings. However, in the United States, 31% of
Americans expressed an unfavorable opinion of Muslims in 2005; by 2008, this number decreased to 23% (See Figure 5).

![Figure 3.5: Negative Attitudes toward Muslims in Select Western States, 2004-2008 (%)](image)

This may be a result of the increased number of Americans who have more knowledge of the Islamic religion and have had personal contact with a Muslim. An ABC/World News poll in 2009 found that since 2003, the number of Americans who feel they have a “good basic understanding” of Islam rose from 33% to 45% (ABC/World News, 2009). The favorable view of Islam increased over this time period as well—although rising only slightly. In September 2003, 39% of Americans expressed a positive view of Islam. In March 2009, this number rose to 41%. Moreover, the number of Americans who said they personally knew a Muslim rose from 41% to 47%. However,
during this same time period, this poll found that the number of Americans who expressed a negative opinion of Islam rose from 38% to 48% as the number of Americans who were unsure declined. This poll also found evidence that Americans are making distinctions between “mainstream Islam” and extremists. Over half of those polled, 58%, said that mainstream Islam was a peaceful religion, up from 54% in September 2003, however, a full 29% said that it encouraged violence.

4. The Non-Politicization of Religion in Political Discourse: The Case of Congress

This section will look at the Congressional political process, paying particular attention to how the problem was constructed by politicians during the political debates and following David S. Meyer’s advice to pay attention to what was not a part of the national security debate. Gleaning Congressional testimony, government reports, and speeches by government officials during the same time period, one can ascertain that the United States government defined the problem in very different ways than her counterparts in Europe. Even after the events of September 11, 2001, the focus was external—on how to combat the terrorist threat abroad with military and public diplomacy campaigns—rather than internal—for example, on homegrown extremism and the American Muslim population. Thus, while in Europe, the problem definition emphasized the lack of integration of the domestic Muslim community—leading to a focus on citizenship and integration policies that explicitly politicized religion—in the United States, the problem definition has kept and addressed the problem of terrorism offshore. While Homeland Security and domestic intelligence forces keep an eye on its potential appearance on American soil, from the US perspective, efforts to tackle Islamic extremism were primarily—although not exclusive-
ly—matters of international intelligence, military and covert action abroad, foreign policy, and foreign assistance. By contrast, for European governments, it was an internal problem which was much more daunting and complex.

I contend that it is crucial to understand the politics surrounding how American Muslims became hailed as the ideal integrated community against a backdrop of increased societal anxiety over terrorism. This section will describe how the security issue was framed in the public debate, paying particular attention to the construction of certain questions as legitimate objects of political and societal concern, and, thereby, requiring public action, while simultaneously de-emphasizing and de-legitimizing other avenues of inquiry. The evidence demonstrates that politicians went out of their way to make sure a concern with homeland radicalization did not implicate the wider Muslim American community.

In the immediate aftermath, many public officials, particularly President Bush, urged Americans to display tolerance and support for a multiethnic conception of American identity, underscoring in their rhetoric that Muslims, especially Muslim-Americans, were not to blame for the attacks but a small group of terrorists (Schildkraut, 2002; Nacos and Torres-Reyna, 2007). In his speech before the joint session on Congress on September 20, President Bush stressed that the U.S. response was not directed toward Muslims and sought to make a clear distinction between terrorists and Arabs (Schildkraut, 2002, 520-521). He asked the American people to make such distinctions as well:

I ask you to uphold the values of America, and remember why so many have come here. We are in a fight for our principles, and our first responsibility is to live by them. No one should be singled out for unfair treatment or unkind words
because of their ethnic background or religious faith (qtd in Schildkraut, 2002, 521)

Members of Congress also acted quickly to deflect blame from the Muslim American community. Only four days after the 9/11 attacks, members of Congress introduced and unanimously passed a resolution (H.Con.Res. 227) that condemned any acts of violence or discrimination against Arab-Americans, Muslim-Americans, and South Asian-Americans and called for the protection of the civil rights and civil liberties of such persons. Schildkraut noted that in the year following 9/11 politicians and the press were “quick to point out” that ethnic profiling and discriminatory or violent acts were not “the American way” (2002, 531).

First and foremost, the threat was framed as a foreign rather than domestic problem, at least in terms of characterizing its source and nature. There have been over 400 hearings during the 107th, 108th, 109th, and 110th Congresses on issues relating to terrorism. A majority of these hearings have concerned the fight against terrorism: whether the land borders and nation’s ports are secure; whether terrorists can be kept off planes; the level of preparedness of local communities; how to protect against cyberterrorism; how to protect against biological and chemical attacks; how to prevent nuclear terrorism; how to prevent terrorists from entering through the immigration system; updates on the situation in Afghanistan, Iraq, Pakistan, and other areas of al-Qaeda and affiliate terrorist activity, and so on. During these hearings policy-makers were concerned with the connection between what was happening “over there” and the potential for a future terrorist attack in the United States. The definition of the threat from testimony and questioning remained focus on its foreign characteristics.
While the intelligence and security estimates changed frequently with respect to the area which posed the greatest threat to the US, the core analysis has not changed since 9/11: al-Qaeda and radical Islam pose the greatest threat to the United States homeland and her interests abroad and, significantly, the risk of homegrown extremism has been downplayed in comparison.\footnote{161} For the span of almost a decade, threat assessments across government and enforcement agencies have highlighted the continued threat posed by foreign terrorism. Indeed, as late as March 2009 in the annual threat assessment, government officials from the National Counterterrorism Center offered the following conclusion, “Despite [successes in US counterterrorism policy], al-Qa’ida and its affiliates and allies remain dangerous and adaptive enemies, and the threat they could inspire or orchestrate an attack on the on the United States or European countries.”\footnote{162}

This is not to say that the problem of radicalization of the domestic Muslim community was absent from the policy agenda during this time. Nevertheless, even when one looks at the times in which radicalization of the domestic Muslim community was on the public agenda, the issue was framed very differently than in the European cases. The problem presented before American policy-makers was not primarily a problem of integration of the domestic Muslim community. Indeed, exactly the opposite took place in

\footnote{161 In a hearing before a subcommittee of the Committee on Homeland Security, the Assistant Director of Counterterrorism Division of the FBI, Don Van Duyn, estimated that al Qaeda was more of a threat to the U.S. than homegrown extremism. This is a significant assessment because the hearing, prompted by the Toronto-18 terrorist plot in Canada in which the group was composed of a seemingly well-integrated group of young Muslim men, explicitly was concerned with the issue of radicalization. See U.S. House of Representatives, Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment of the Committee on Homeland Security, hearing on The Homeland Security Implications of Radicalization, September 20, 2006, 109-104}

\footnote{162} See U.S. Senate, Committee on Homeland Security and Governmental Affairs, hearing on Violent Islamist Extremism, March 11, 2009
the public debate, the issue of integration was consistently downplayed through testimony, especially when contrasted with the European case.

The issue of homegrown extremism rose to a heightened level of concern among policy-makers around 2007. The issue was first initiated in 109th Congress, with the Senate Committee on Homeland Security and Governmental Affairs looking at the homegrown threat potential from radicalization in US prisons. At the beginning of the 110th Congress in 2007, the Senate Committee on Homeland Security and Governmental Affairs heard testimony from senior officials from the Department of Homeland Security and the FBI that the homegrown extremist threat was on the rise in the United States. After this hearing, the Committee initiated a series of hearings on the threat of homegrown terrorism. These hearings explored the homegrown threat in the US, the European experience with domestic radicalization, the federal government’s efforts to counter the homegrown extremist threat, the role of local law enforcement in respond-


164 U.S. Senate, Committee on Homeland Security and Governmental Affairs, hearing on The Threat of Islamic Radicalism to the Homeland, March 14, 2007.


166 U.S. Senate, Committee on Homeland Security and Governmental Affairs, hearing on Violent Islamist Extremism: Government Efforts to Defeat It, May 10, 2007.
ing to threat, the Internet’s role in radicalization process, and the rise of radicalization among the Somali-American community.

The broad message was that the diverse Muslim-American community was decidedly American in its outlook, values, and attitudes. These differences were summed up for the US Senate Select Committee on Intelligence in June 2007 as: “in comparison to Muslim communities in Europe, Muslim-Americans are found to be mostly assimilated into American society, happy with their lives, and moderate with respect to so many of the issues that have divided Muslims and westerners around the rest of the world.”

The US House of Representatives Subcommittee on Intelligence and the Senate Committee on Homeland Security and Governmental Affairs heard the same general assessment during as many as five hearings on the topic between 2006-2009.

Secondly, the “problem” of homegrown extremism was repeatedly contrasted with the European cases and this was the primary frame for the public debate, at least

---

167 U.S. Senate, Committee on Homeland Security and Governmental Affairs, hearing on The Role of Local Law Enforcement in Countering Violent Islamist Extremism, October 30, 2007

168 U.S. Senate, Committee on Homeland Security and Governmental Affairs, hearing on The Internet: A Portal to Violent Islamist Extremism, May 3, 2007; U.S. Senate, Committee on Homeland Security and Governmental Affairs, hearing on Violent Extremism, the Internet, and the Homegrown Terrorist Threat Hearing, May 8, 2008


170 U.S. Senate, Select Committee on Intelligence, hearing on Terrorist ideology, June 12, 2007, J.-40-579

among elites. The stated rationale for looking to Europe was because of its longer history with Muslim populations as well as earlier experience with Muslim-associated terrorism. However, there were other reasons and incentives for politicians to look to the European experience. In the comparison, particularly in the level of the homegrown threat and the level of integration of the minority community, the policy successes of the United States could be placed at the center of debates.

One of the primary advantages in comparing the United States with Europe was that the level of threat of homegrown extremism in the United States was downplayed by contrast. Threat assessments consistently and explicitly pointed to levels of radicalization in Europe: for example, the threat assessment in February 2009 concluded that “any homegrown extremists in the United States do no yet rise to the numerical level or exhibit the operational tempo or proficiency we have seen in Western Europe” (Blair, 2009, 7-8). Dr. Marc Sageman described the situation before the Senate Committee on Homeland Security and Governmental Affairs as follows: “There's a great disparity in the threat faced by these two continents. Data on arrests for Islamic terrorism indicate that the rate per arrest per Muslim capita in Europe is five times that of the United States.”

The “severe” character of the internal Islamist threat in Europe, thus, provided a relief to the lows levels of support for terrorism found within the United States and, in turn, provided an avenue for elites to calm domestic anxieties.

---

172 U.S. Senate, “Violent Islamist Extremism: The European Experience,” Hearing before the United States Senate Committee on Homeland Security and Governmental Affairs, June 27, 2007

173 For example the 2007 National Intelligence estimate reported only a handful of individuals within the United States actively support radical Islamism or violent extremism and that “internal Muslim terrorist threat is not likely to be as severe as it is in Europe” (NDI, 2007, 7).
Secondly, by a direct comparison with the European cases, the problem presented before American policy-makers was not primarily a problem of integration of the domestic Muslim community. Across hearings the common assessment of the “problem in Europe” related to the issue of failed integration. The Assistant Secretary for European and Eurasian Affairs, Daniel Fried, stated before the US Senate Subcommittee on European Affairs on April 5, 2006 that:

most countries in Europe have not pursued a conscious integration policy. Until recently, mainstream Europeans viewed Muslim immigrants as guest workers who would someday go ‘home.’ This leads to Europe’s third-generation Muslim being seen as ‘foreign,’ despite being born in Europe, as were their parents.\textsuperscript{174}

In particular, experts pointed to significant differences in the structural contexts between European countries and the United States, highlighting America’s particular form of multiculturalism and valorization of the individual, lower levels of discrimination, lower unemployment and more flexible labor market, and the different demographic profile of the American Muslim population. While the problem of radicalization among Europe’s Muslim population was presented as one of a lack of socioeconomic integration, experts also pointed to a significant difference between the European and American context: the role of religion.\textsuperscript{175}

The authors of the New York Police Department’s “Radicalization in the West” report, a highly circulated and influential report within policy-making circles, under-

\textsuperscript{174} U.S. Senate, Subcommittee on European Affairs of the Committee on Foreign Relations, hearing on \textit{Islamist Extremism in Europe}, April 5, 2006, S. Hec. 109-818

\textsuperscript{175} Ambassador Fried, in his testimony before the Senate Subcommittee on European Affairs, identified five causes of Islamist extremism, the first two of which were connected to the issue of religion. Thus, Europe’s Muslim problem was rooted in secular alienation, spiritual alienation, the tolerance of intolerance trap (that is, the tolerance by legal institutions and norms of free speech which can be exploited by extremists), failed integration models, and extremist recruitment. U.S. Senate, Subcommittee on European Affairs of the Committee on Foreign Relations, hearing on \textit{Islamist Extremism in Europe}, April 5, 2006, S. Hec. 109-818
scored the significant integration outcomes between the United States and Europe. During testimony before the Senate Committee on Homeland Security and Governmental Affairs on October 30, 2007, they stated:

The recurring threat that homegrown al Qaeda-inspired terrorism presents to Europe is on an order of magnitude greater than that of the homegrown threat to the United States. Second and third generation Muslim citizens, whether they're in Britain, Spain, Germany, Denmark or other European nations, are more alienated, less accepted and thus more vulnerable to radicalization than in America. To some degree, America's long-standing tradition of absorbing varied diaspora populations has protected the United States and retarded the radicalization process at home.\(^\text{176}\)

It is through the running example with Europe over this time period that policy-makers were able to frame the public debate in terms of policy successes—if not in foreign policy than in domestic integration policy. Rather than focus on what policy-makers were doing wrong, they aimed to turn the spotlight to what they were doing right. The contrast with Europe brought to light problems of integration but also problems in Western European government response. Even as Senator Joseph Lieberman talked of learning from the European policy response, indicating there were important positive lessons to be learned, the lessons learned were primarily negative—that is to say, what not to do. For example, even though the NYPD report suggested that history, geography, demography, and culture were factors in the ease, speed, and degree of how radicalization occurred, the authors clearly pointed to Western European policies, particularly in the area of social systems and immigration and citizenship regimes, as significant sources of problems:

\(^{176}\) U.S. Senate, Committee on Homeland Security and Governmental Affairs, hearing on *The Role of Local Law Enforcement in Countering Violent Islamist Extremism*, October 30, 2007.
Generous welfare systems coupled with immigration laws that do not encourage assimilation of these largely Muslim communities into European culture and society have exacerbated the speed in which radicalization has spread within the European continent. This non-assimilation has allowed the migrant diaspora communities to become isolated—an isolation that has allowed them to avoid traditional European culture, society, and national spirit. For many of this diaspora, Europe is merely a place of residence and not one of belonging (NYPD, 2007, 56).

Beyond these criticisms of more long-standing policy differences, Europeans were criticized for their more immediate security responses to homegrown radicalization. Mirroring American criticisms during the Cold War and the fight against communism, American policy-makers heard that Europeans were not combating the problem adequately enough, particularly combating the ideological aspects of terrorism. Europeans were still addressing the problem as a criminal problem, Ambassador Crumpton testified as one example of this line of criticism, downplaying or ignoring the ideological warfare that must be waged to counter the ideologies that support violent extremism.177

There is another conspicuous absence when comparing political process in the United States from the British and French political processes: the lack of a large public debate over the “American model” like the debates in Great Britain over multiculturalism and France over laïcité. As illustrated in man of the testimonies quoted above, when contrasted with the European cases, the American model was valorized and praised, particularly in the sense that the Muslim American community was integrated. For example, in an exchange Marc Sageman gave before Congress in June 2007, he praised the American model as a “melting pot” which welcomed outsiders and allowed for immigrants to pursue the American dream:

First of all, our founding concept is this is a melting pot. In Europe, nationalism is built on an essence, and if it's built on an essence, this is not as welcoming to outsiders as a melting pot would be. Second: the notion of the American dream, which is a land of opportunity. A recent poll—the one that you mentioned, the Pew Research Center poll—showed that 71 percent of Muslim Americans believe in the American dream. This is not the case in Europe. And third, American individualism, in a sense, protects us from having Muslims interpret what's happening to them in a collective way hostile to the host country.\textsuperscript{178}

Indeed, in numerous testimonies and public pronouncements, the American model was praised as the source of Muslim American success. In inviting politicians to view Muslim Americans as assets in the war on terrorism, Dr. Muqtedar Khan noted:

The enormous success of Islam and Muslims within American borders is an asset to America. It is a wonderful story that needs to be told. The very fact that American Muslims are thriving in America is proof positive that America is not against Islam.\textsuperscript{179}

Dalia Mogahed, Senior Analyst and Executive Director of the Gallup Center for Muslim Studies, in testimony before Congress in which she pointed to U.S. foreign policy as a key source in explaining radicalization in the Muslim world, also acknowledged that in the domestic context, the “American model” was far superior. She suggested that American policy-makers condemn discrimination against Muslims as un-American, contending,

This is where the U.S. must stand head and shoulders above Europe's underdeveloped comprehension of free speech. We don't use public racial slurs, not because they are prohibited in the legal realm, but because our society has evolved beyond them in the moral realm. European societies, for whom living in a multicultural society is still relatively new, must grow in the same way. With all our faults and ongoing struggles, America has something to teach the world about multicultural relations. We have learned through our civil rights struggle, at least in principle,

\textsuperscript{178} U.S. Senate, “Violent Islamist Extremism: The European Experience,” Hearing before the United States Senate Committee on Homeland Security and Governmental Affairs, June 27, 2007

\textsuperscript{179} U.S. Senate, Committee on Foreign Relations, hearing on Islam and the West: Searching for Common Ground, July 18, 2006s
that our democracy is stronger when it no longer excludes entire segments of its citizens, and that our freedom is protected, not compromised, when our definition of civility includes them.¹⁸⁰

In contrast to the rosy assessment policy-makers were able to paint of the domestic situation, the foreign policy problems were far more daunting and difficult to frame in terms of policy successes. As such, policy-makers tried to frame the foreign policy problems as a public diplomacy failure—that is to say, an issue of presentation and framing—rather than a more entrenched problem of policy content. Thus, the policy debate was steered to address the “image problem” of the United States and the pervasive anti-American sentiment abroad. During hearings, policy-makers heard that anti-Americanism was strong and persistent across the world but especially in the Arab and Muslim world. Table 14 presents data provided to policy-makers in several Congressional hearings. Policy-makers heard that favorable opinions of the United States had decreased in all countries with the exception of Lebanon since the 1990s, both among her allies and countries in the Arab and Muslim world. Indeed, some of the figures presented before policy-makers were quite sobering, both in the rate of decline and the overall level of anti-Americanism expressed worldwide. Thus, in Great Britain—a long-time US ally—anti-American sentiment rose 30 percentage points since the 1990s, with only slightly more than half of the British population (53%) expressing a positive opinion of the United States in the 2008 Pew Global Attitudes poll. In Spain, less than a quarter of the population expressed a favorable opinion of the United States in 2008. More troubling to policy-makers, given both the level of diplomatic and economic resources de-

¹⁸⁰ U.S. Senate, Committee on Foreign Relations, hearing on Engaging with Muslim Communities, February 26, 2009.
voted to the country, as well as the standing of the country in the Muslim world, only 22% of Egyptians held a favorable attitude of the United States. In Turkey, a country the United States had hoped would serve as a world-wide model for a secular Muslim Republic, a mere 12% of the general population held a positive attitude in 2008, a substantial decrease from 52% in the 1990s.

TABLE 3.14
GROWING ANTI-AMERICANISM IN WORLD: 1999-2008

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Britain</td>
<td>83%</td>
<td>75</td>
<td>50</td>
<td>58</td>
<td>55</td>
<td>56</td>
<td>51</td>
<td>53</td>
</tr>
<tr>
<td>France</td>
<td>62</td>
<td>62</td>
<td>42</td>
<td>37</td>
<td>43</td>
<td>39</td>
<td>39</td>
<td>42</td>
</tr>
<tr>
<td>Spain</td>
<td>50</td>
<td>--</td>
<td>38</td>
<td>--</td>
<td>41</td>
<td>23</td>
<td>34</td>
<td>22</td>
</tr>
<tr>
<td>Germany</td>
<td>78</td>
<td>60</td>
<td>45</td>
<td>38</td>
<td>42</td>
<td>37</td>
<td>30</td>
<td>31</td>
</tr>
<tr>
<td>Poland</td>
<td>86</td>
<td>79</td>
<td>--</td>
<td>--</td>
<td>62</td>
<td>--</td>
<td>61</td>
<td>68</td>
</tr>
<tr>
<td>Russia</td>
<td>37</td>
<td>61</td>
<td>37</td>
<td>46</td>
<td>52</td>
<td>43</td>
<td>41</td>
<td>46</td>
</tr>
<tr>
<td>Turkey</td>
<td>52</td>
<td>30</td>
<td>15</td>
<td>30</td>
<td>23</td>
<td>12</td>
<td>9</td>
<td>12</td>
</tr>
<tr>
<td>Lebanon</td>
<td>--</td>
<td>36</td>
<td>27</td>
<td>--</td>
<td>42</td>
<td>--</td>
<td>47</td>
<td>51</td>
</tr>
<tr>
<td>Egypt</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>30</td>
<td>21</td>
<td>22</td>
</tr>
<tr>
<td>Jordan</td>
<td>--</td>
<td>25</td>
<td>1</td>
<td>5</td>
<td>21</td>
<td>15</td>
<td>20</td>
<td>19</td>
</tr>
<tr>
<td>India</td>
<td>--</td>
<td>66</td>
<td>--</td>
<td>--</td>
<td>71</td>
<td>56</td>
<td>59</td>
<td>66</td>
</tr>
<tr>
<td>Japan</td>
<td>77</td>
<td>72</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>63</td>
<td>61</td>
<td>50</td>
</tr>
<tr>
<td>China</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>42</td>
<td>47</td>
<td>34</td>
<td>41</td>
</tr>
<tr>
<td>Indonesia</td>
<td>75</td>
<td>61</td>
<td>15</td>
<td>--</td>
<td>38</td>
<td>30</td>
<td>29</td>
<td>37</td>
</tr>
<tr>
<td>Pakistan</td>
<td>23</td>
<td>10</td>
<td>13</td>
<td>21</td>
<td>23</td>
<td>27</td>
<td>15</td>
<td>19</td>
</tr>
<tr>
<td>Brazil</td>
<td>56</td>
<td>51</td>
<td>35</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>44</td>
<td>47</td>
</tr>
<tr>
<td>Mexico</td>
<td>68</td>
<td>64</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>56</td>
<td>47</td>
</tr>
<tr>
<td>Nigeria</td>
<td>46</td>
<td>76</td>
<td>61</td>
<td>--</td>
<td>--</td>
<td>62</td>
<td>70</td>
<td>64</td>
</tr>
</tbody>
</table>

Source: Adapted from Pew Global Attitudes Project, 2008a, 3.
The key problem was the negative perception of American conduct abroad, according to Congressional witnesses and numerous government reports. For example, policy-makers heard from Dr. Marc Sageman, a terrorist expert: “The sense of moral outrage is really driven by Iraq at this point. Iraq did not cause this problem, but Iraq is now fueling it. Whenever I speak to young Muslims in Europe or here, Iraq dominates the conversation”; from Dr. Kohut of the Pew Forum: “Anti-Americanism in the Muslim world is driven by the United States’ policies: the war in Iraq, most recently; the war on terrorism, generally; United States’ support for Israel, probably most fully; and the general perception that the United States conducts its foreign policy unilaterally”\(^1\); from Dalia Mogahed of Gallup: “It would be difficult to overstate the sense of moral outrage many Muslim communities feel, especially in the Middle East, about the acute conflicts currently involving the U.S. as a direct or indirect actor. Iraq tops of this list, but also includes Afghanistan and the Palestinian-Israeli conflict” and concludes “When asked what the U.S. can do to improve relations with the Muslim world, people in the Middle East cite the U.S. pursuing a more balanced approach to this conflict near the top of the list.”\(^2\)

Since the problem of Muslim extremism was primarily defined as a foreign policy issue through the U.S. political process, the solutions were addressed within the foreign policy domain. Policy-makers focused on questions of how to best conduct the war in

\(^1\) U.S. Senate, Committee on Foreign Relations, hearing on *Islam and the West: Searching for Common Ground*, July 18, 2006

\(^2\) Indeed, Mogahed provided results from the recent Gallup poll to underscore this statement: “Majorities around the world, including 90% of Egyptians and 57% of Iranians, believe the invasion of Iraq did more harm than good. Only percentages in the single digits believe the West takes an even-handed approach to the Palestinian-Israeli conflict.” See U.S. Senate, Committee on Foreign Relations, hearing on *Engaging with Muslim Communities*, February 26, 2009
Iraq; how to best fight Islamists in Afghanistan, Pakistan, Yemen, Saudi Arabia, and other areas; how to improve engagement with the Muslim world including how to respond to the conditions that induce radicalization among Muslim populations as well as how to combat anti-Americanism. Beyond military and intelligence measures, policy-makers turned to public diplomacy and a “diplomacy of deeds,” particularly in the area of foreign aid to the Muslim world, to combat rampant anti-Americanism and counteract the terrorist message, extending the fight to a political competition for hearts and minds as in the Cold War. So while America’s European allies were focusing inward, formulating policies that addressed the issue of integration of their domestic Muslim communities, American policy-makers were looking to craft policies for the foreign communities. The US government needed to reach out to the broader Muslim community to combat misperceptions and to publicize acts of goodwill and support.

5. Restrictive and Targeting Administrative Procedures: Forerunner of Future Integration Problems?

While the majority of U.S. actions, particularly its security actions, were externally-oriented, the US government undertook a series of domestic administrative actions following 9/11 to protect the homeland from a future terrorist attack. Contrary to the political process, these actions had the effect of targeting the Arab and Muslim communities within the United States, particularly in the two years after the September 11 attacks. In an overview of US government security initiatives implemented after 9/11, several studies found the majority of administrative measures either explicitly or implicitly targeted Arabs, Muslims, and/or immigrants (Tsao and Gutierrez, 2003; Cainkar,
A year after 9/11, the US government implemented 20 different policies, mainly actions taken by the executive branch outside of those facilitated by the 2001 PATRIOT Act, 15 of which explicitly targeted Arabs and Muslims (Cainkar, 2004a). By 2004, 25 of 37 security measures disproportionately targeted this population according to Louise Cainkar (2004b). These administrative agencies enjoyed substantial scope for action in the immediate aftermath of the attacks without public scrutiny. As public scrutiny focused on the discriminatory actions—through media, congressional, and judicial attention—many of these programs were dismantled.

Mirroring trends found in the British and French cases, important anti-terrorism actions of the U.S. federal government focused on immigrant populations in the immediate aftermath, particularly those originating from Muslim-majority nations. Many of the measures were initiated and implemented by bureaucrats within the Immigration and Naturalization Services (INS) and the Justice Department, resulting in greater scrutiny of Arab and Muslims wishing to enter the country and those already settled.

One of the first administrative responses was initiated by the State Department in October 2001, only weeks after the attack. This first measure required special security clearances for certain individuals from 26 countries. The policy, issued by a cable to all its consulates abroad, imposed a 20-day mandatory waiting period for all non-immigrant visa applications submitted by males aged 18-45 from 26 countries, mostly Arab and Muslim. In effect, this policy required approval by officials in Washington and resulted in significant response delays as well as higher rejection rates.
### TABLE 3.15
DECREASE IN VISITOR VISAS APPROVED: FY 2001 AND 2002

<table>
<thead>
<tr>
<th>Country</th>
<th>Visas Issued 2001</th>
<th>Visas Issued 2002</th>
<th>% Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>Iran</td>
<td>20268</td>
<td>12284</td>
<td>39%</td>
</tr>
<tr>
<td>Iraq</td>
<td>3071</td>
<td>1837</td>
<td>40%</td>
</tr>
<tr>
<td>Sudan</td>
<td>4576</td>
<td>2258</td>
<td>51%</td>
</tr>
<tr>
<td>Syria</td>
<td>1439</td>
<td>8529</td>
<td>41%</td>
</tr>
<tr>
<td>Afghanistan</td>
<td>1983</td>
<td>1178</td>
<td>41%</td>
</tr>
<tr>
<td>Algeria</td>
<td>7516</td>
<td>5084</td>
<td>32%</td>
</tr>
<tr>
<td>Bahrain</td>
<td>4671</td>
<td>2279</td>
<td>51%</td>
</tr>
<tr>
<td>Lebanon</td>
<td>32321</td>
<td>21741</td>
<td>33%</td>
</tr>
<tr>
<td>Morocco</td>
<td>26159</td>
<td>22775</td>
<td>13%</td>
</tr>
<tr>
<td>Oman</td>
<td>3963</td>
<td>2312</td>
<td>42%</td>
</tr>
<tr>
<td>Somalia</td>
<td>1003</td>
<td>429</td>
<td>57%</td>
</tr>
<tr>
<td>Tunisia</td>
<td>9161</td>
<td>4269</td>
<td>53%</td>
</tr>
<tr>
<td>Pakistan</td>
<td>95595</td>
<td>61538</td>
<td>36%</td>
</tr>
<tr>
<td>Saudi Arabia</td>
<td>66721</td>
<td>22245</td>
<td>67%</td>
</tr>
<tr>
<td>Bangladesh</td>
<td>21107</td>
<td>15556</td>
<td>26%</td>
</tr>
<tr>
<td>Egypt</td>
<td>61828</td>
<td>37381</td>
<td>40%</td>
</tr>
<tr>
<td>Indonesia</td>
<td>96961</td>
<td>68478</td>
<td>29%</td>
</tr>
<tr>
<td>Kuwait</td>
<td>19756</td>
<td>11242</td>
<td>43%</td>
</tr>
</tbody>
</table>

Source: INS as cited in Cainkar 2004b
The INS formally extended this policy of targeted scrutiny a year later in the National Security Entry and Exit Registry System (NEERS).183 The NEERS program required “certain non-immigrant aliens” to register with the US immigration authorities to be fingerprinted, photographed, respond to questioning and submit to routine reporting. The target population was male visitors age 16-64 from 23 Muslim-majority countries, plus the countries of Eritrea and North Korea. Visiting citizens and nationals of Iran, Iraq, Libya, Syria and Sudan first group made to report between November 15 and December 16 (Cainkar, 2003). This call for registration was widened a few weeks later to include individuals from 13 more countries, including Afghanistan, Algeria, Bahrain, Eritrea, Lebanon, Morocco, North Korea, Oman, Qatar, Somalia, Tunisia, the United Arab Emirates and Yemen. The last group, composed of males from Jordan, Kuwait, Bangladesh, Egypt and Indonesia were required to register between February and March 2002 (Cainkar, 2003).

By June 1, 2003 the Department of Homeland Security had “specially registered” 82,880 people through call-in registration. Another 127,694 persons were registered at US Port of Entry. In all, almost 83,000 persons living in the US underwent special registration. Of these, the Department of Homeland Security placed 13,434 persons in deportation proceedings for visa violations and 11 individuals were charged with security-related offenses. At the time, the US government tried to deflect criticisms of discrimination by arguing that the program would be expanded to all visiting aliens. However, in

---

183 Congress had first mandated a national entry and exit program as a part of the Illegal Immigration and Immigrant Responsibility Act in 1996. In 2000, Congress authorized the INS to use “available data” rather than devote additional resources. However, after September 11, the USA PATRIOT Act earmarked funding for the program. This was further supported in the Enhanced Border and Security Act of 2002.
May 2003, less than a year after the program was instituted, the government announced it would be phased out. Thus, in reality, the program only targeted Arabs and Muslim immigrants and visitors.\footnote{The government cites that individuals from over 100 countries have been registered under the NEERS. The guidelines established by the Attorney General allows for a visitor of any nationality to be required to submit to special registration based on a decision by an INS officer according to pre-existing criteria which includes unexplained trips to Iran, Iraq, Libya, Sudan, Syria, North Korea, Cuba, Saudi Arabia, Afghanistan, Yemen, Egypt, Somalia, Pakistan, Indonesia or Malaysia; travel not well explained; previous overstays of visas; and the visitor's behavior, demeanor or information s/he provides under questioning (Cainkar, 2003).}

The initial requirements of the special registration system were made more onerous by subsequent administrative decisions by the INS and Attorney General regarding immigration rules. As one example, registered persons were required to report to an INS office within ten days after staying in the US for 30 days and provide documentation of compliance with visa requirements, including proof of residence, employment or study. Individuals were then required to report in person annually within ten days of the date of entry. In addition, the INS, through a July 2002 administrative decision to commence enforcement of section 265(a) of the Immigration and Nationality Act, required individuals to notify the agency within ten days of change of address, job, or school. Another action initiated by Attorney General Ashcroft was an amendment to the Code of Federal Regulations that declared the willful failure to register and provide full and truthful disclosure of information a failure to maintain non-immigrant status a deportable offense.

Individuals of Middle Eastern descent were also targeted in an INS initiative launched in January 2002 which aimed to track down and deport 6000 absconders who had been ordered to leave the United States by order of a judge. This initiative only targeted men of Arab descent, who accounted for about 2% of the 314000 absconders in the
US. In May of 2002, the Justice Department reported that 585 had been caught. Other actions included an INS administrative rule which extended the maximum period for detention without charge from 24 hours to 48 hours (and longer in “extraordinary circumstances” for a “reasonable” amount of time), institution of secret immigration trials, mandatory surrender of individuals with final removal orders, security checks for all INS petitions and applications, tracking of student visa holders (and eventually the creation of the USVisit Program), limits of revalidation of temporary visas, restrictions on visitor and student visas, protective orders in immigration proceedings, denial of bond when immigration authorities claim national security risks, a requirement for consular interviews for visas from certain countries, and several large-scale immigration enforcement operations, including Operation Landmark (Tsao and Gutierrez, 2003). Taken together, these administrative initiatives served to criminalize immigration measures.

Shortly after 9/11, the Justice Department also started targeting non-immigrant aliens from the Arab and Muslim communities through a special interview initiative. In November 2001, the Department announced its plans to interview 4800 individuals with specific profiles—mainly young men from Arab and Muslim countries who had entered the United States after January 1, 2001 (GAO, 2003). Attorney General Ashcroft later expanded the profile to include about 2800 more individuals.

An April 2003 report from General Accounting Office reports that the Justice Department completed 3216 interviews of the 7602 individuals it had sought to interview, a response rate of 42%. What is more, the report raised questions of the initiative’s effectiveness. The stated criteria for targeting individuals for interviews involved characteris-
tics similar to the September 11 hijackers. Although the Justice Department clearly stated
the program was strictly voluntary—intended for information gathering purposes and that
the individuals were not suspected of any involvement in criminal activity—there was a
significant coercive aspect to the program based on its perception within the targeted
Arab and Muslim communities. Indeed, participants specifically stated they agreed to
interviews because they were fearful that their status in the United States depended upon
compliance (GAO, 2003, 9). According to the government’s own report, even though the
purpose of the interviews was not to find a criminal violation, as many as 20 individuals
were arrested under the program’s auspices, mainly for immigration violation charges
(GAO, 2003, 13). As such, more than half of the law enforcement officers audited by the
GAO questioned the quality and value of responses compiled from the interviews.
Moreover, the GAO notes that while the Justice Department stated the initiative did
gather useful intelligence information, no specific examples had been given by govern-
ment officials to justify the significant resources expended as well as the potential harm
to government relationships with Muslim and Arab communities. Several immigration
rights advocates and attorneys involved in the interviews expressed concern that the ini-
tiative had a “chilling effect” on government-community relations, even though govern-
ment officials conducted themselves in a professional and non-threatening manner (GAO,
2003, 16). The interviews, in their words, made the aliens feel they were being singled
out based on their ethnicity or religious beliefs.

In addition, at the time the GAO audited the program, in its anticipated final stage
of interviewing individuals, the Justice Department had not analyzed and did not have
specific plans in place to analyze the data collected. This very fact suggest the initiative may have been more of a signaling device to the Arab and Muslim communities rather than a data-gathering exercise. Indeed, a Justice Department report to the GAO on the program provided a telling statement to this effect:

These contacts, combined with the widespread media attention the project received, ensured that potential terrorists sheltering themselves within our communities were aware that law enforcement was on the job in their neighborhoods (qtd in GAO, 2003, 16).

Taken together, more than 100,000 persons experienced one of the above measures (Cainkar, 2004a; Cainkar, 2004b; see also CAIR, 2003; CAIR, 2005). From 2001-2003, more than 1200 individuals, both citizens and non-citizens, were detained and/or arrested with suspected ties or knowledge of terrorist activity under the heightened security conditions (Tsao and Gutierrez, 2003). However, a majority of these individuals were released or deported (largely on technical visa violations; for example, the Justice Department cites 565 persons were removed between 2001-2004 as a result of visa violations) by 2003. In July 2002, the Justice Department reported that it held 147 detainees, 74 of which were being held on immigration violations and 73 of which were held on criminal grounds (Tsao and Gutierrez, 2003). At that point, only 50 persons were charged with connections to terrorism. Indeed, a study by a research institution associated with Syracuse University, the Transactional Records Access Clearinghouse (TRAC), revealed in a 2006 study of Justice Department documents that since September 11, 2001 the U.S. government has classified a very large number of individuals, 6472, as either a "terrorists" or "anti-terrorists." The bulk of these cases came in the two years following the attacks. Of the 1,391 cases of international terrorism referred to prosecutors, 817 were de-
clined for prosecution (TRAC, 2006). The report found that almost 40% of the cases were declined because of a lack of evidence of criminal intent, weak or insufficient evidence, or because no federal offense was evident.

This report provides a pictures of post-9/11 detention and arrest trends that indicates the US government, much like the French government, has used preventive tools. A 2006 Justice Department White Paper on Counterterrorism described 9/11 as a “defining moment” in which the agency “transformed [its] approach from reactive to proactive, from response to prevention” (2006, 3). A primary tool in this preventive approach has been the federal statute, 18 USC §1001, that makes it a federal felony to lie to an investigator as the most common charge in terrorism related cases. A report in the Washington Post in 2005 found that this was the most common post-9/11 charge.

In addition to the large percentage of cases which were never prosecuted, those that have been provide evidence that the federal government has pursued cases without enough or proper evidence. The TRAC study found that of the 335 cases which resulted in prosecutions from 2001-2005 period, 66 resulted in dismissal or not guilty verdicts and 213 in convictions. However, the majority of the convictions resulted in relatively short sentences. Of the 213 convictions, only 14 resulted in substantial sentences of 20 years and only 67 cases resulted in sentences of five years or more. 704 of the individuals did not receive any prison time. This suggests that the government either has erred on the side of acting too prematurely, and thus not allowing cases to proceed far enough to gather sufficient evidence, or that the government has used the preventive tools too widely and caught individuals not involved in terrorist-related activities.
As a result of these targeted actions, the Muslim American community has expressed a degree of alienation and there have been widespread calls among Muslim community organizations and leaders against these actions. Despite the fact that the bulk of these actions were taken in 2001-2002 and then eventually phased out, the Pew Forum found in 2007 that a majority of Muslim Americans (54%) believed that the government’s anti-terrorism efforts singled out Muslims for increased surveillance and monitoring. Among those who believed this, almost three-quarters said it bothered them a lot (40%) or some (34%) (Pew, 2007). A large portion of native-born Muslims, particularly African-Americans, held this view. For example, 72% of African American Muslims said that US anti-terrorism policies singled Muslims out for extra surveillance (Pew, 2007). What is more, according to the Pew Forum survey, the view that the US government was targeting Muslim Americans was not exclusive to the Muslim American community: roughly similar percentages of the general public agreed that policies targeted Muslims than those that believed government policies were not singling out Muslims (45% to 43%, respectively) (Pew, 2007, 37).

More generally, polls found evidence that Muslims perceived life as Muslim Americans to be more difficult after 9/11. Experiences with intolerance and discrimination among the general public and with perceived discriminatory government policies and practices, both domestic and foreign, drove this feeling. In the 2007 survey of Muslim Americans, the Pew Forum reported that an “overwhelming majority” of American Muslims surveyed named discrimination (19%), being viewed as terrorists (15%), ignorance about Islam (14%) and stereotyping (12%) as top concerns for their community while
other concerns that typically ranked among the public’s top worries such as economic and job worries barely made the list (2007, 36). Generally, Muslim Americans reported perceptions of intolerance and prejudice rather than more negative experiences. For example, 25% of Muslim Americans reported that “people have acted as if they were suspicious” of them in the past year while 15% of Muslim Americans said they have been called offensive names, 9% said they have been singled out by law enforcement, and 4% reported being physically threatened or assaulted because they were Muslim (Pew, 2007, 37).

6. A Case of Contrasts

The United States offers a very different context to understand how the “problem” of Muslim minorities and that nation-state’s quest for security in a post-9/11 environment was defined, debated, and resolved. If in the European context, the political process contributed to the increased salience of the “Muslim problem” among politicians and general society, in the United States the political discourse and practice was steered away from a scrutiny of the Muslim-American community as the source of the problem. Indeed, as I argued, a number of cognitive and political factors made it unattractive and untenable to sustain any coherent link between the two within the U.S. context, with the result that public debates on the terrorism and radicalization remained relatively detached from discussions of the Muslim American community. In the case of the United States, the absence of an extreme Right and split on the political Left cannot be underestimated as both of these factors propelled British and French political processes that, at their center, placed Muslim difference as a threat to national cohesion and integrity. As a result,
American politicians had wider political space to craft a response. Without a strong and/or highly vocal extreme right, the issue did not have to be addressed in national identity terms nor was there system pressure to adopt a highly restrictionist response. Moreover, in the absence of a political left uneasy with “religion,” the problématique of competing liberal values was not raised as a main concern in the political process. Another consequence is that the political process was not consumed by a public—and, largely, symbolic,—debate over the nature and definition of the nation’s core values.

Interestingly, and quite the opposite from the European cases, I found a different dynamic is at play at the level of policy practice. At the administrative level, there is evidence that the government did view the Muslim community as “problematic” and turned to immigration and other administrative measures to place pressure on the community, particularly in the first two years after the September 11 terrorist attacks. This is a classic example of elites seeking receptive locations for their preferred outcomes. It was politically untenable to target the domestic Muslim community in a highly-publicized policy process; however, it is equally the case that certain Bush administration leaders, especially Attorney General John Ashcroft, thought a targeted approach would yield substantial intelligence on terrorist activities. Therefore, just as shifting to the administrative realm served to depoliticize state actions to “interfere” with religion for the British and French governments, a shift to the administrative realm also served to keep unpalatable government actions away from outside scrutiny. Indeed, as both societal and political scrutiny turned a focus on the many programs hastily crafted in the post-9/11 context, the government dismantled the most controversial programs.