

# *A Contextual Analysis of the Integration of Muslims in Four Western Societies*

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Current developments in law, politics and public policy in France and Germany are being driven in part by the interaction of the visibility of Muslims and the difficulty of maintaining generous social welfare benefits in the face of reduced economic growth. British and U.S. Muslim populations have similarly come under greater scrutiny and faced increased hate crime victimization as a result of the 2001 terrorist attacks in New York (see FAIR surveys for the U.K., Council on American-Islamic Relations Research Center, 2002 for U.S.) In Britain, the repercussions of the 2001 attacks served to highlight the marginalization of the Muslim population brought to the public's attention a few months earlier by the unrest in Northern England. Contradictorily, the attacks on New York highlighted the fact that the Middle Eastern and Asian Muslim identity in the U.S. had previously been characterised by its low salience and that Muslims there are comparatively "well integrated" into society.

We seek to explain these differences in Muslim integration, hypothesizing that they are not solely a result of the socio-economic position of each nation's first generation Muslim population. We examine the importance of differences in the relationship between the state and religion, and in the primacy of state identity in societal integration. We document the visibility of Muslims in each society and the inadequacy of existing theories relating diversity and globalization to minority/majority conflict. We argue that these theories neglect the importance of the nature of the religion/state relationship and the utility of a theoretical multiculturalism/state-identity continuum in explaining the interaction between the host society and its Muslim population. The expectations of assimilation for Muslim immigrants and the political salience of their presence are shaped by the degree of religious dependence on the state and the level of state control over societal integration processes.

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## EXISTING THEORETICAL EXPLANATIONS

Conflict Theory (cf. Blalock, 1967; Jackson, 1989), human capital and discrimination theories (cf. Van Tubergen et. al., 2004), world systems theory (cf. Meyer, et. al., 1997; Boli and Thomas, 1997) and meta-constitutional analyses of political culture (cf. Walker, 2002; Jacobson, 1996; Hollifield, 1992) are instructive, but insufficient in explaining the differences in Muslim integration in Germany, France, Britain and the United States. Conflict and discrimination theories do not predict the exact nature of minority control efforts because they do not specifically take into account the contextual differences resulting from the nature of the religion/state relationship and in the strength of the state in contrast to the individual. These factors are key in explaining, for example, the “anomaly” of Britain’s limited pressure on Muslims to integrate despite the fact that they constitute 2.8% of the British population. This percentage is comparable to the 3.9% figure for Germany, a nation that does pressure its Muslim immigrants to integrate. Human capital theories based on the employment, educational and financial assets of immigrants have similarly been shown to have only limited ability to predict the labor market activity and occupational success of minority groups in western societies (cf. Van Tubergen et. al., 2004). World systems theory and meta-constitutional analyses underestimate the influence of national constitutional constructions and values (see the arguments in Joppke (ed.) 1998, as well as the perspective, in Joppke, 2005, that universalistic principles have won the upper hand with regard to migration selectivity).

Other scholars concentrate almost exclusively on state-religion relations when discussing state initiatives for Muslim integration (Soper and Fetzer, 2003; Fetzer and Soper, 2005). While we welcome the emphasis they lay on national constitutional idiosyncrasies, we believe that this approach is too narrow. Such accounts miss the fact that, even when church-state relations are based on the same principles in certain countries, they can vary in their effects on the Muslim population depending on the intensity and consistency with which they are applied. We suggest that this depends in large part on the state’s primacy in societal relations. A strict separation of religion and state will be of greater social relevance if the state actively intervenes in society, and carries its expectations of separation into, for example, the state-supported education system. We posit, then, that religion-state relations are just one element of the value system acting on Muslims, and that it is the degree of state primacy in social integration that defines how these values taken as a whole affect the process of integration.

## AN ALTERNATIVE FRAMEWORK- THE CONCEPT OF STATE PRIMACY

Our observations on the integration of Muslims into Western societies explicitly do not claim to constitute a theory capable of explaining every aspect of this process. We concentrate largely on state-led initiatives rather than Muslim expectations and activities, although we do recognise the importance of differences in the makeup of the Muslim populations. We seek to highlight a vital aspect in this state-led process, so far neglected by theorists: the level of importance accorded to the state in societal integration.

The observation is a simple one—the greater the degree of state primacy over the social sphere, the greater the potential for the state to facilitate societal integration actively and for the creation of a homogeneous, equitable society cohering to a common set of values. States have innovated two ways of integrating minorities into their values and constitutional constructions. There is a dynamic of change, in drawing up new values that are responsive to the concerns of individuals and minorities, and one of preservation, through which minorities are persuaded to accept existing values. One of these strategies alone is unlikely to succeed, and we suggest that successful integration can only occur if the state is both effective in persuading a minority of its values, and also has in place mechanisms through which to modify them. Yet, with every increase in the power of the state *vis a vis* the individual, the concomitant danger of splitting society grows disproportionately to the potential for integration. This is because of the practical difficulties which states face in either modifying or promoting their values. A third dynamic—state-sponsored social exclusion (predicted by conflict theory)— occurs either at the border via immigration policies, or through internal policies, and represents a negative means of promoting social order and cohesion.

We posit that, in countries where the state’s influence over society is comparatively limited, its potential to unite society diminishes. The limited state system works best when minority integration functions well outside the ambit of state power. The state then avoids both the task of actively defending or compromising its values and the risk of splitting society. Yet, as soon as a political event or macroeconomic change increases the visibility of a particular minority, highlighting its marginality, the limited state may find itself without the legitimacy or resources required to rectify the situation.

Limited states attempt to provide an environment conducive to the integration of minorities. Limited state policy-makers include in their repertoire of policy tools immigration restrictions controlling the size of some minority populations, an open conception of citizenship and a bottom-up dynamic of social cohesion. Limited states are necessarily more tolerant of individual liberty and religious expression, as well as entrenched group privileges. Constitutional values are reactive and minority exclusion occurs on the border (a generic multicultural model). Prime states may expect citizens to adopt constitutional values actively, and be less tolerant of cultural pluralism. Their policies for engineering social cohesion are more likely to be top-down and prescriptive. Constitutional values are often promoted in society and those who do not accept them are excluded (a generic assimilative or exclusionary model).

We believe that this conceptual framework is of particular relevance to the integration of Muslims, because so many of the concrete problems of exclusion arise from a perceived clash of values. This makes the issue of what values the state espouses and does or does not impose on society particularly potent. Further, the Muslim minority provides an instructive example of the complex interplay between religion, ethnicity and race. The vast majority of Muslims in Western Europe and the U.S. belong to ethnic and racial minorities. Discontent over their ethnic or racial exclusion may find expression in religious behavior.

We apply our observations to four Western states: Germany and France form part of what we have termed the 'prime state' model, where the state's primacy over society is more marked (cf. Haller, 2002). The U.S. is, in comparison, part of the 'limited state' model. Britain lies somewhere in between on our continuum, in terms of the level of social interventionism and the degree of legitimacy the state has in imposing its values on society. If the theory is well grounded, we would expect France and Germany to have the greatest potential for integrating excluded minorities, but also run the greatest risk that state initiatives will alienate Muslims. We would expect the reverse to be true in the U.S., and to a lesser degree in Britain. We would also expect the system of social integration to function well in the latter states unless political events or economic circumstances increase the visibility of Muslim minorities.

## **MUSLIM COMPOSITION AND VISIBILITY IN FRANCE, GERMANY, BRITAIN AND THE U.S.**

Given the sensibilities of nation-states towards the collation of information on religious minorities, statistical data do not always lend themselves to reliable comparison between the countries. Official data sources in Germany and France, for example, do not contain data on the religious or ethnic background of citizens. We have relied on the best estimates available.

Muslims are estimated to constitute about 7 per cent (5 million) of the French population. Sixty-nine percent are from the Maghreb (Algeria, Morocco and Tunisia in descending order); 7.6% are from Turkey, 6% are from sub-Saharan Africa, 2.4% from the Middle East, another 2.4% are Asians, only circa 1% are converts. While most Muslims in France are French citizens, Muslims from the Maghreb are considered by many French to be foreigners even after four generations in France. This attitude does not extend to immigrants from European countries (Open Society Institute, 2002: 74, 77).

Germany has the second largest Muslim population in continental western Europe, with about 3.2 million Muslims, or 3.9% of the German population. Three-quarters are German-born descendants of guest-workers from Turkey. In the year 2000, citizens of Turkey and the successor states of Yugoslavia accounted for nearly 80% of the foreign population in Germany. Until the legislative changes of 2000 opened citizenship to those born in Germany with long-term immigrant parents, the second and third generations of immigrant families usually did not become citizens and were classified as "foreigners." The European Commission on Racism and Intolerance (ECRI) Third Report on Germany (2003: 22) states that German authorities estimate that of the 3.2 million Muslims, 500,000 have citizenship.

In the UK, Muslims constitute 2.8% of the total population and over half of the non-Christian religious population (Office for National Statistics (ONS), 2004a, b). About 46% of Muslims living in the United Kingdom in 2001 were born in Britain. Thirty-nine percent were born in Asia (of which 18% were from Pakistan, 9% from Bangladesh, and 3% from India). Nine percent were born in Africa, 3% were from Turkey and 1% from former Yugoslav nations (ONS, 2004b). The number of white and Afro-Caribbean converts to Islam has been cited at 10,000-20,000 (Telegraph, 12/30/01).

Most of the first post-war generation of Muslim immigrants enjoyed almost full citizenship rights in Britain because of their New Commonwealth origins. Subsequent changes, particularly in the decade between 1971 and 1981, introduced a quasi-racial element into British citizenship laws. These changes have been less disadvantageous for the predominantly white immigrants from the Old Commonwealth than for immigrants of Indian, Pakistani, and Bang-

ladeshi origin.

U.S. Muslims constitute just 1 percent or less of the total national population, and are a bifurcated group, 27% Black, and 72% classified as White/Asian or other. One study provides evidence that “of the 19,000 converts a year to Islam 14,000 are African-American ... [and that] 183,000 people have converted to Islam” (as cited in the American Religious Identification Survey (ARIS) Report No. 2, 2001, p.2). Sixty-four percent of converts to Islam in the United States are African-American, while 27% are white (Council on American-Islamic Relations Mosque Study, Bagby et.al. 2001). The North American Muslim Resource Guide (Nimer, 2002) estimates the following citizenship figures for U.S. immigrants from Muslim populated regions. Eighty percent of immigrants from what the guide calls “the Arab world” (29% of American Muslims) are U.S. citizens. For immigrants from Iran (13% of American Muslims), the citizenship percentage is 44%. Just under two-thirds (65%) of sub-Saharan African immigrants (12% of U.S. Muslims) are U.S. citizens. U.S. immigrant Muslims from Turkey (7% of U.S. Muslims) also have a high rate of citizenship, at 70%.

Statistics measuring the depth of religious belief in the four countries are rare, and not directly comparable. Available data suggests that while the importance of religious identity among Muslims in these countries is strong, it is similar to that of some other religious groups. The 2001 British Home Office (HO) (2004b, Table 3.2), for example, asked respondents to pick from a list of fifteen items the elements most important to them. For English and Welsh Asians “religion” was in second place, following “family.” “Ethnicity/culture” and “education” were in third and fourth place respectively. For Whites, “religion” was in tenth place, while “work” was in second place, and education in fifth place. Christians ranked “religion” seventh in terms of its importance to identity, while Muslims, Hindus and Sikhs ranked it second. All four groups ranked family first. Jews ranked “religion” first and “family” second. (HO 2004b, Table 3.3).

Similarly, in the U.S., members of some other religions appear as committed to their beliefs as Muslims. According to the American Religious Identification Survey (ARIS Report No. 2, October, 2001: 4), 62% of Muslims say that they belong to a mosque. Muslims appear about as likely to report household membership in a mosque (62%), as the following Christian religious groups are to report household membership in a church: Catholics (59%), Baptists (69%), Methodists (66%), Lutherans (68%), Presbyterians (64%), Episcopalian/Anglicans (64%) (ARIS, 2001:6). In France, it has been found that while some distinctive characteristics (such as language) of Muslim immigrant groups have diminished over generations, identification with Islam was stronger in 2001 than in 1994 or 1989. In 2001, 36 per cent of those Muslims surveyed identified themselves as “believing and practicing,” while the figure was 27 per cent in 1994 (Open Society Institute, 2002: 76).

Economically, it appears that Muslims in France have fewer life chances than individuals of French origin. For all non-European foreign residents in France (including French citizens of North African extraction), the rate of unemployment is about 28 per cent, while it is one third of that (9.4 per cent) for native French. According to ECRI (Second Report on France, 2000: paragraph 43), the unemployment rate of young men of Algerian born parents is almost four times higher than that of comparably aged men of French origin.

The unemployment rate of legally resident foreigners in Germany in 2000 was double that of German citizens (16.4% in contrast to 8.8%). Foreigners of Turkish origin suffer most in the labor market: in 2000, their unemployment rate was 21.2% (Independent Commission on Migration to Germany, 2001: 16, 39, 215). Consequently, foreigners represented a significant proportion of those receiving social welfare, 22.5% in 1999. There is a noticeable decline in social welfare dependency the longer foreigners live in Germany, though this may point to their turning to other support networks, rather than their integration into the labor market. Other indicators of integration do not similarly improve. A survey conducted by the German Federal Statistical Office in 2000, for example, indicated that of the total immigrant population, only 17% feels German; for second generation immigrants, the figure was 32% (Shore, 2003). Studies of third generation foreign immigrants find them less integrated than their parents and grandparents. Third generation foreign immigrants’ knowledge of German is weak and their high school dropout rate is high; this has resulted in considerably greater unemployment rates and social alienation. But since most federal statistics do not employ religion as a category, it is unclear precisely to what degree Muslims as a group are affected by these problems.

In contrast to the figures for German Muslims cited above, 65% of Muslims in Britain (and 93% of Muslims born in Britain) give their national identity as English, Scottish, Welsh or British (in contrast to 95% of Christians or those with no religion). Yet Muslims are somewhat behind others in Britain in terms of employment. According to an “Occupational Profile” prepared by the Home Office (2004b: Table 2.5) only thirteen percent of Muslims are in “managerial and professional” positions, compared to 28% of Hindus, 18% of Sikhs and 31% of Christians. Their commitment to education, noted above in the discussion of factors important to self-identity, is again evident. The Home Office “Occupational Profile” indicates that twenty-two percent of Muslims are full-time students, compared to 15% of Hindus,

18% of Sikhs and 5% of Christians. Despite their commitment to education, unemployment figures suggest their difficulty in finding work. Overall, while 4% of Christian men and women in Britain are defined as unemployed, the figure is 14% for Muslim men and 15% for those Muslim women who seek work. The unemployment average for Muslims, however, masks marked differences among the ethnic groups from which Muslims come. For example, Indians (13% of whom are Muslim) have an unemployment rate of 7% for both men and women, while for Bangladeshis (93% of whom are Muslim) the figure is 20% for men and 24% for women. This reflects differences in first generation immigrant employment: Many immigrants of Indian extraction found secure jobs working for bodies like the Health Service, in contrast to Pakistanis who often filled places in the declining manufacturing sector. As in France, Muslim distribution is concentrated in a number of urban areas, however the state's role in relevant housing policies is smaller in Britain. Muslims in the United Kingdom are heavily concentrated in England's urban areas around London, Birmingham and Bradford, while there are other concentrations primarily in England and Wales.

Figures from the U.S. suggest that race is a greater barrier to social integration than religion: Educational and economic cleavages among Muslims leave whites better off than blacks, mirroring the situation in the U.S. as a whole. Overall, however, Muslims in the United States are more likely than the total national population to have graduated from college (46% of Muslims in contrast to 33% of the total U.S. population); and, while they are more likely to earn under \$25,000 a year (42% of Muslims, in contrast to 27% of the total U.S. population), Muslims are about equally likely as the total U.S. population to earn \$100,000 and over (13% of Muslims, comparable to the 14% figure for the total U.S. population). Other differences among racial groups demonstrate the importance of individuating Muslims in discussing their identity. The ARIS study shows that while 59% of those Muslims classified as "White/Asian/other" are married, only 14% of African American Muslims are married. Seventy percent of African-American Muslims are registered to vote, while this is true of only 35% of Muslims in the White/Asian/Other category. (For the entire U.S. population, the voter registration figure is 80%).

Thus, it appears that educationally and economically, U.S. Muslims "fit in" better than their counterparts in Germany, France and Britain and that, compared to non-Muslim members of the same 'racial' groups, they have been more successful in obtaining the life chances available. These figures also indicate disparities in the composition and size of the four Muslim populations relative to the total population, but they do not, in and of themselves, explain the political salience of their presence.

## A TOPOLOGY OF INCLUSION AND EXCLUSION

***State primacy and the tools of integration.*** In mapping the contours of the inclusion and exclusion of Muslims as religious and ethnic minorities in the four nations, we find that developments relate directly to the primacy of the state in social relations. In Britain and the U.S.—the 'limited' states—we have found that the state leaves society to regulate itself. It does, however, attempt to create the optimum conditions for this to occur. Both countries have a long tradition of *ius soli* in their citizenship policies, a mechanism that offers the most inclusive potential, and many membership rights still remain open to non-citizens.

Further, state-sponsored exclusion of minorities in Britain and the U.S. occurs to a large degree on the border, rather than within the population itself. As one immigration expert (Rallu, 2004 p.1) notes in his comparison of France and the US: "the French model of not selecting migrants leads to low naturalisation rates and a poor picture of migrants that hinders integration." In Britain, meanwhile, immigration policies have become among the most draconian in Western Europe, officially justified on the grounds that the state can best help facilitate the integration of existing immigrant minorities by preventing concentrations of any one group from building up (Favell, 1998).

Prime states are, however, better placed to make demands on the population about their active acceptance of state values. Yet by conceiving of citizenship as the active membership of an ethnic or cultural community, France and Germany have increased the likelihood that exclusion will occur within society itself. In France, with its emphasis on cultural values, the principal cleavage is caused by the assumption that immigrants can integrate only if they actively accept Republican values. While this creates a strong theoretical potential for ethnically diverse immigrants to integrate themselves into a culturally homogeneous society, the reality is that it has put a brake on Muslim integration. The level of state primacy in France means that Muslims find that they are perceived as placing religious values above Republican ones, simply by wearing religious dress to school. In Germany, meanwhile, cultural homogeneity is supposed to derive from racial/ethnic homogeneity. This ethnic qualification has proved a more intractable barrier to Muslim integration than French philosophical-cultural requirements, since race and ethnicity are ascribed, not achieved.

Both countries have sought to mitigate the effects of an exclusive citizenship. Germany, for example, introduced *ius soli* five years ago (and some 110 years after the French), breaking this ethnic exclusivity. It also offers extensive social rights to non-citizens. Both countries have, furthermore, laid increasing emphasis on exclusion at the border. However, they lack a cohesive force equivalent to the ‘American dream’, which exists in some ‘limited’ states and fosters minority integration. Nationalism is fraught with ethnic and cultural assumptions in France and Germany. In Germany, in particular, nationalism was tainted by the Nazi experience, but no motivational ‘social glue’ has since been innovated.

The ‘American dream’, meanwhile, exists semi-independently of nationality, and stresses individualism and materialism. Not, of course, that the ‘American dream’ is a faultless dynamic: by stressing that individuals help their country through the pursuit of their own (material) goals, it has placed individualism over responsibility to the national or local community. This lack of commitment to the national community is also common to British citizenship (Faulks, 1998). Despite access to citizenship which has traditionally been wide, and a more inclusive form of nationalism than France or Germany, Britain lacks the cohesive force that the other limited state, the U.S., finds in the American dream. The riots of 2001, predominantly carried out by Muslim Asians, added weight to calls from the influential Runnymede Trust for the state to identify ‘common values’, and in particular civic values, to facilitate social solidarity through loyalty to the local and national community. The Labour government has adopted the language of ‘community cohesion’, but, since this strategy’s implementation would involve active social intervention on the part of the limited state, there have thus far been few concrete results.

**Redressing the shortcomings of state primacy.** The different models of integration preferred by ‘limited’ and ‘prime’ states have various shortcomings which must be actively dealt with. State values may be adopted by minorities if these values can be modified so that they are acceptable to the minority, or if minorities can be persuaded to accept them. In France, there is a powerful block to the modification of values: State power rests on Republican values and, most specifically, on its theoretical ability to transcend particularist, minority cleavages. A core Republican value is thus that particularist minority values should be overcome in favor of enlightened ‘universal’ ones. Further, by making Republicanism, secularism and *laïcité* synonymous with enlightenment, the modification of Republican values to accommodate contradictory—and thus unenlightened—values is precluded.

The problem is that this rigid philosophising is not carried through into reality. The concept of equality and fraternity may seem hollow to marginalized immigrants, but it is the apparently inconsistent application of *laïcité* which is often most relevant to Muslims. Muslims may be surprised to find the state aggressively enforcing *laïcité* in public schools with an iron fist, and yet handing out funding to religious schools with the other. They are unlikely to be persuaded of the rightness of a value, which they already regard as subjective and unfair, if it is not even implemented consistently.

In Germany, the block is not so much cultural rigidity as ethnic exclusivity. The idea that immigrants were a temporary phenomenon removed the perceived need to accommodate immigrant values permanently. The *Grundgesetz* (Basic Law) demands state-religion separation, even while formally linking the state and religion in social endeavours. Despite the ambivalence inherent in its conception, this separation is pursued as if it were an absolute in cases where obvious signs of foreignness—like Muslim dress—infringe on the idea of German ethnic cohesion.

Britain and the U.S. are more successful at modifying state values, suggesting reactivity to social developments, rather than pro-activeness. This is reflected in the jurisprudential dynamic of their legal systems, which avoids or mitigates the effects of prescriptive codification. Britain, in particular, prefers legislative change to be reactive and piecemeal. This gives rise to problems of inconsistency, but the British state has never set out its values in a clear constitutional document and is thus less open to accusations of hypocrisy. This constitutional flexibility is not without friction. The result is a constant cycle of dissatisfaction and adjustment, accompanied by occasional bouts of explosive behaviour, either on the part of the ‘native population’ or on the part of minorities. Moreover, the lack of clearly defined ‘British values’ makes it difficult to know what minorities are being integrated into.

Although ‘limited’ states tend to avoid the difficult task of drawing up common values for society, they have put into effect mechanisms that should modify values in a bottom-up dynamic. Multicultural education makes many claims for itself, and one of those concerns its capacity to foster understanding among different ethnic, cultural and religious groups, leading to a modification of majority values. However, this dynamic is undermined somewhat in the religious sphere by the existence of faith schools. These risk partitioning society and may tempt the teachers best able to communicate minority religious values to leave public education. Until recently, the British state has funded the faith schools of selected religions, but without making reciprocal provisos for the inclusiveness of their pupil intake. Education in France and Germany has been used both consciously and unconsciously to impose state values on society in

a top-down fashion.

We suggested above that 'limited states' might seek to establish greater primacy over the social sphere when problems of minority integration become "visible." We noted that limited states often face popular hostility and even formal and informal constitutional obstacles to such interventions. In both Britain and the U.S., state action responding to minority visibility has been profoundly negative. Ironically, the emphasis placed on maintaining personal liberty has dissuaded the state from making restrictions on the freedoms of the majority in the name of the Muslim minority, and encouraged them to restrict the less-entrenched rights of Muslims, and other minorities, instead.

Lipset (1989: 105) believes, for example, that legislation prohibiting the incitement of hatred against an identifiable minority group would be constitutionally incompatible with U.S. freedom of speech jurisprudence. In Britain, resistance to measures prohibiting incitement to religious hatred has been founded on similar concerns about freedom of speech. The solution to the problem of social control has often been to restrict the freedoms of the minority for the sake of the "freedom of the majority." Yet the rights of the minority are not as well respected. To monitor the minority population Britain and the U.S. have resorted to channels, like the criminal justice system, where some control over society is already accepted. Britain has recently reinforced the Police's 'stop and search' powers which have been used to the overwhelming disadvantage of both Black and Muslim minorities (HO, 2004a). The U.S. has accomplished such monitoring through the U.S.A. Patriot Act. Both states have thus resorted to the exclusionary dynamic identified above.

***State primacy and minority rights.*** British and U.S. attitudes to positive or affirmative action appear incompatible with our supposition that limited states lack the structure and legitimacy to intervene actively in society. The British and U.S. states are far more active in this regard than either Germany or France. In the U.S., Muslims have thus far been relatively unaffected by policies of affirmative action, except insofar as they fall into a secular category—women, Blacks, ethnic minorities in general. This is unlikely to change given that Muslims are perceived to be well integrated into American society, and affording preferential treatment to one particular religion is contrary to Supreme Court rulings on the First Amendment. In Britain, positive action is a pale shadow of its U.S. equivalent, but—and despite the ethnic and racial slant to its conception of minority-majority relations—it has had an effect on Muslims as a religious minority. Privileges accorded to the Church of England and Anglicans have been extended in a piecemeal fashion to other religions.

These initiatives, however, actually reaffirm our assumptions. Firstly, they have lacked popular legitimacy. In the U.S., the 2003 Supreme Court ruling in favor of the University of Michigan Law School's affirmative action policy ended one in a long line of court cases seeking to overturn this kind of interventionism. In Britain, positive action was introduced through a typically bottom-up approach at the local level. Nevertheless, criticism of the 'race relations industry' (cf. Egtved, 2002) in the 1980s and beyond is indicative of uneasiness towards this state interference.

The more fundamental reason why these initiatives are compatible with our framework is that they actually arise from the idiosyncrasies of the limited state system. It is their conception of minorities and minority rights that give rise to the possibility of quota systems or reverse discrimination for minorities. In Britain the limited state has been unable to break long-held particularistic rights, preferring instead to extend them to other collective groups. In the U.S. collective minority rights arose from a treatment of rights in which the individual was the chief beneficiary and little emphasis was laid on the individual's responsibility to the national community. During the Civil Rights movement, minority rights were initially presented in universal terms, but still using the individual as their basic building block. It was the realization that the limited state could not guarantee equal rights in practice that led to rights being applied selectively to certain collective groups, rather than universally to all individuals.

In France and Germany, the basic building block of rights is the same as in the U.S.—the individual as part of a 'universal'. However, in these countries the state is stronger and can successfully demand that individuals be more aware of their responsibility to the universal, in this case the national community. Collective rights are seldom accorded to a sub-group in systems that favor the universal over the individual. This is particularly the case in France where the state does not, theoretically, permit itself to differentiate among its citizens for fear of compromising one of the bases of its power: the capacity to overarch society and arbitrate equally and justly. Of course, the perception that Jews do enjoy collective minority rights in both states, and that Christians enjoy collective majority rights and privileges in Germany and France is a further cause for concern among Muslim minorities.

***Problems of state-religion relations.*** The countries in which religion-state relations least disrupt Muslim integration are not those where the separation between church and state is clearly defined, nor those where it is blurred. It is instead in those where the power of the state over society is limited and more space is given for religious expression. Constitutional relations in the U.S. may annoy purist secularists, but they are rarely a barrier to societal integration. It

is indicative of the way that the balance between religious freedom and state secularism has been defined in the U.S., that it is often religious groups who argue for state control over religion—in order to gain access to funding—while secularists argue that federal government has no constitutional power over religion, to prevent it from promoting religion.

In France, the Republican state has a history of antagonism with the church when it is threatened, and one of accommodation when it is not. These nuances are not recognised in the clearly defined theory of *laïcité* and separation. The state has occasionally used the philosophy as an *apologia* for aggressively constraining religious freedoms, without recognising that the inconsistencies of its application make it a tool ill suited to this task. The situation in Germany is similar, where church and state are even more entwined. Since these states do not lay the same emphasis on avoiding preferential treatment as the U.S., the possibility exists for policies to be implemented that benefit just one religious group, or are so perceived.

England's accommodation of religious rights is informed by the position of the Church of England. The state has not aggressively repressed rival religious behaviour in the public sphere in favour of the Established Church, but has extended religious freedoms to other groups. This results in occasional incoherence. Muslims in Britain are not expected to accept state values to the same degree as in other nations; however, they are less likely to receive funding and positive rights unless they do. State values are unclear, and often based on ad-hoc judgement. The government, judiciary and local authorities make essentially subjective decisions about which religious groups are deserving of rights, instead of allotting them in a universal fashion. In Britain, however, as in the U.S., the state remains limited so that despite some contradictions, it is easier to maintain a consistent line in state-religion relations than is the case in prime states.

## CONCLUSIONS

In Germany and France, our two “prime” states, religion is not deemed to be an element of one's identity as a citizen. This argument is not typically made regarding Jews, who are considered, in light of the Holocaust, to be a protected group because of their religion. Christians are also the beneficiaries of certain incongruities in the implementation of constitutional notions of church state separation. Muslims in Germany and France, however, are currently making demands that rest on their conception of themselves as Muslim and German, or Muslim and French. They assert that their religion is a significant part of their identity as citizens, and must be recognized by institutional responsiveness to religious symbols, education, prayer and dietary concerns. Some of these requests are construed to be antithetical to the secular nature of citizenship in Germany and the Republican definition of citizenship in France. Fewer such demands have arisen in the United States, a “limited” state, as there is less state management of religion and, therefore, greater opportunity for institutions to respond to religious identity demands while maintaining separation of church and state. Discrimination against Muslims is certainly not rare, especially in the wake of the terrorist attacks in New York, but it is not seen as a response to Muslims' “failure to integrate.” The unclear place of religion in Britain's conception of cultural expression, and the fact that the two largest Muslim groups in Britain (of Bangladeshi and Pakistani origin) have become associated not only with their religion, but also with their social disadvantage presents significant complications to the British conception of multiculturalism. In Britain, our second “limited” state, these problems are being handled in piecemeal fashion, with a grassroots approach to change and without any overarching philosophy to guide the official responses to Muslim demands.

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