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Muslims in Europe:
Integration Policies in Selected Countries

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Muslims in Europe: Integration in Selected Countries

Summary

Muslims are the largest religious minority in Europe, and Islam is the fastest growing religion. Europe's Muslim population is ethnically and linguistically diverse, and Muslim immigrants in Europe hail from a variety of Middle Eastern, African, and Asian countries, as well as Turkey. Over the last few years, European countries have stepped up efforts to integrate more fully their expanding Muslim populations. Recent terrorist acts in Europe — such as the July 2005 London bombings that were carried out by young Muslims born and/or bred in Europe — have given further impetus to these initiatives. The widescale riots and violence that broke out in late October 2005 throughout France in reaction to the deaths of two young Muslims also highlight the alienation and discrimination that some European Muslims feel and the need for European governments to address such societal tensions.

This report examines the integration of Muslims into the United Kingdom, France, Germany, and Spain. It also analyzes policies at the European Union (EU) level that affect Muslim populations. However, key policies relating to integrating Muslims into society — including citizenship laws, education, treatment of religious institutions, and anti-discrimination measures — largely lie with individual governments.

The countries discussed in this report have historically pursued somewhat different policies with respect to managing their immigrant and minority populations. However, none has been completely successful. Britain most fully embraced the notion of "multiculturalism" — integration while maintaining identity — but some believe that the UK has put too much emphasis on promoting diversity at the expense of building a common society. France has long adhered to a policy that encourages assimilation, but many French Muslims live in impoverished, almost exclusively Muslim neighborhoods. Until recently, Germany and Spain made few efforts to integrate their Muslim minorities, and in some cases, parallel societies developed.

None of the four countries examined in this report has a government that believes that large parts of its Muslim populations are engaged in radical or terrorist activities. However, there is a growing awareness that social deprivation, discrimination, and a sense of cultural alienation may make some European Muslims — especially those of the second or third generation — more vulnerable to extremist ideologies. At the EU level, there is also new momentum to encourage better integration and tackle the root causes of Islamist extremism given the EU's largely open borders and the recognition that halting or severely restricting immigration to the EU is not an option in light of Europe's aging population and declining birthrates.

This report may be updated as events warrant. For more information on European efforts to counter terrorism and combat Islamist extremists, see CRS Report RL31612, *European Counterterrorist Efforts: Political Will and Diverse Responses in the First Year after September 11*, by Paul Gallis; and CRS Report RS22211, *Islamist Extremists in Europe*, by Kristin Archick, coordinator.

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Introduction[1]

European states are stepping up efforts to integrate more fully their Muslim populations into national communities. Recent terrorist acts in Europe carried out by European Muslims have driven these initiatives. The widescale riots and violence that broke out in late October 2005 throughout France in reaction to the deaths of two young Muslims also highlight the alienation and discrimination that some European Muslims feel and the need for European governments to further address such societal tensions and divisions. At the same time, many Europeans are confident that France has unique problems that triggered these riots and that the unrest will not spread to other countries.

The presence of Muslims in Europe often relates to the era of colonial rule by continental governments. Britain and France experienced large Muslim immigrations after the collapse of their empires. Many other Muslims came in the 1950s and 1960s to Britain, France, and Germany to fill labor shortages. While Spain has a close historical relationship with Muslims from North Africa, migration appeared on a large scale only after the fall of Franco in the 1970s. Several other factors have led to an increase in the Muslim population in many European countries: a high birth rate among Muslims, a need for immigrant workers as European populations age, and flight from impoverished and unstable home countries over the past two decades.

This report examines the integration of Muslims into the United Kingdom, France, Germany, and Spain. It also examines policies at the European Union (EU) level that affect Muslim populations. However, key policies relating to integrating Muslims into society largely lie with individual governments.

The countries examined in this report have held debates on a spectrum of policies, from accepting "multiculturalism" to requiring full assimilation. Britain has most fully embraced "multiculturalism," until recently. The terrorist bombings in London of July 2005 have triggered a vigorous debate on policies to encourage more rapid integration.

Until recently, Germany and Spain did little to integrate their Muslim minorities. In Germany, gaining citizenship was based solely on ethnic background before a 2000 citizenship law, in tandem with a new immigration law, that permitted migration based primarily on skills and opened the door to citizenship for Muslims.

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[1] Prepared by Paul Gallis, Specialist in European Affairs, Foreign Affairs, Defense, and Trade Division.

France, in contrast, for many years has offered citizenship to Muslims, but has sharply discouraged "multiculturalism." France requires that its citizens and its residents embrace the French language and French norms, guided by the strong hand of the government in Paris.

Education plays a central role in the process of integration. Some states, such as Germany and Spain, offer classes on Islam in an effort to meet the needs of Muslims who wish to preserve and nourish aspects of their culture and religion. France, in contrast, insists upon a secular ideal and forbids religious activity and religious dress in public schools.

State treatment of religious institutions is also part of the process of integration. All four countries have had mosques and Islamic schools with imams and teachers who came from abroad, usually with minimal knowledge of the language and culture of the country that they were entering. The imams' objective was often to teach the strain of Islam known in their country of origin. As governments became aware that some of the teachings were radicalizing elements of their Muslim populations, some stepped in to require that imams not come from abroad, and that services be conducted in the vernacular of the European country. France has required such a practice since the 1990s, and Germany may implement such a policy.

While each of the four governments views integration as a social need beyond combating terrorism, it is clear that terrorist acts have spurred further action by state authorities to encourage integration. A subway bombing in Paris in 1995 awakened the French government to the need to attune itself more closely to developments in its Muslim community, curb activities viewed as undermining the state, and require acceptance of France's long-held political and secular norms. Other governments began to move down the road of greater state involvement in and observation of Muslim life in their societies after September 11, 2001, or after terrorist activity on their own soil.

None of the four countries analyzed here has a government that believes that large parts of its Muslim population are engaged in radical activities. It may well be that the diversity within each Muslim population impedes development of any tendency towards such activities. Muslim populations in each country differ widely, with a preponderance of south Asians in Britain, North Africans in France, and Turks in Germany, but each country also has a range of ethnic groups and languages represented in its overall Muslim population. These populations have different historical and cultural backgrounds, may follow different strains of Islam, or, as in Germany, may be largely secular. While there is no sharply developed tendency towards radicalism, it is likely that young Muslims above all have in recent years grown alienated from the European societies in which they live.

The European Union plays a more distant role in the integration of Muslims into European societies. National governments normally retain the key responsibilities for shaping the laws, regulations, and practices that determine the nature of the process of assimilation of immigrants into an existing European population.

Nonetheless, the EU's role is far from negligible. Increasingly, asylum policy is debated and decided at the EU level. The Schengen Agreement is an EU plan,

agreed by most of the member states, that permits those entering the Union to travel freely once inside its borders. Recent agreements on law enforcement cooperation, the sharing of intelligence information, and the reach of arrest warrants across national borders, play a role in tracking and capturing terrorists. The EU also actively supports a range of anti-discrimination policies.

No notable generalization can comfortably be made about the effects on civil liberties of increased observation and management by European governments of their Muslim populations. In France, the acceptance of the need for public order has led to political support across most of the spectrum for close government supervision of Muslim groups. Britain has passed laws that provide for greater restrictions on some civil liberties after the London bombings of summer 2005. Germany, after the Nazi era, has for decades carefully protected civil liberties, but new attention, for example, to activities in the country's mosques has triggered greater discussion of government supervision of religious and political life. Spain's tendency since the end of the Franco era has also been to protect civil liberties assiduously, but the terrorist activity there in recent years has deepened the discussion over striking a balance between radical speech and political activity on the one hand, and curbs on free expression and assembly on the other.

The European Union[2]

Europe's Muslim Communities and Islamist Extremism

Estimates of the total number of Muslims in the 25 countries of the EU vary widely, depending on the methodology and definitions used. Researchers estimate that as many as 15 to 20 million Muslims live in the EU. Muslims are the largest religious minority in Europe, and Islam is the fastest growing religion. Given continued immigration and high Muslim fertility rates, the U.S. National Intelligence Council projects that Europe's Muslim population will double by 2025. Substantial Muslim populations exist in France, Germany, the United Kingdom, Spain, Italy, the Netherlands, and Belgium. Most Nordic and Central European countries have smaller Muslim communities.[3]

Europe's Muslim population is ethnically and linguistically diverse, and Muslim immigrants in Europe hail from a variety of Middle Eastern, African, and Asian countries, as well as Turkey. There are often significant cultural, religious, and ethnic rivalries among these groups. Many Muslim communities have their roots in Western European labor shortages and immigration policies of the 1950s and 1960s. Varying colonial legacies and historical ties resulted in different European countries

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[2] Prepared By Kristin Archick, Specialist in European Affairs, Foreign Affairs, Defense, and Trade Division.

[3] Omer Taspinar, "Europe's Muslim Street," *Foreign Policy*, March/April 2003; Simon Kuper, "Political Muscle," *Financial Times (FT)*, September 27, 2003; Roula Khalaf, "Urgent Challenge of Muslim Integration in Europe," *FT*, July 14, 2005; U.S. National Intelligence Council, *Mapping the Global Future*, available at [http://www.cia.gov/nic/NIC_home.htm].

attracting certain nationalities. Britain drew Muslims mostly from South Asia, especially Pakistan; the majority of Muslims in France emigrated from North Africa (Algeria, Morocco, and Tunisia in particular); many Turks went to Germany; and the Netherlands and Belgium attracted Moroccans and Turks. In recent years, there have been influxes of Muslim migrants and political refugees from other regions and countries, including the Balkans, Iraq, Somalia, and the West Bank and Gaza Strip.

EU countries have struggled to integrate their growing Muslim populations. A disproportionately large number of Muslims in Europe are poor, unemployed, or imprisoned, and many feel a sense of cultural alienation and discrimination. For decades, countries such as Germany and Austria viewed Muslim immigrants as temporary "guest workers." As a result, little effort was made at integration, and parallel societies developed. Britain and the Netherlands embraced the notion of multiculturalism — integration while maintaining identity — as the way to manage their immigrant populations. In practice, however, this concept also helped entrench discrete Muslim communities, functioning in many cases apart from the culture of the host country. And while France professes that it has long adhered to an integrationist policy toward immigrants that encourages assimilation, many French Muslims live in impoverished, almost exclusively Muslim neighborhoods, and are more likely to be unemployed or face discrimination.[4] The recent riots that erupted in France in October 2005 highlight the alienation and anger that many young French Muslims feel.

Although the vast majority of Muslims in Europe are not involved in radical activities, Islamist extremists and vocal fringe communities that advocate terrorism exist and reportedly have provided cover for terrorist cells. It should be noted that nationals aligning their beliefs with Al Qaeda or radical Islam are not unique to Europe. The United States has captured or identified several U.S. citizens with similar views in the course of the fight against terrorism. However, some assert that the failure of European governments to fully integrate Muslim communities into mainstream society leaves some European Muslims more vulnerable to extremist ideologies. Many experts say that some European Muslim youth, many of whom are second or third generation Europeans, feel disenfranchised in a society that does not fully accept them and appear to turn to Islam as a badge of identity. Sometimes they are then radicalized by extremist Muslim clerics or fundamentalist youth groups. Some experts also believe that the recent wars in Afghanistan and Iraq have radicalized more European Muslims, and strengthened terrorist recruitment efforts. Many young Muslims view the "war on terrorism" as a war on Islam, and claim common cause with suffering brethren in the Israeli-occupied Palestinian territories, Iraq, Chechnya, and elsewhere.[5]

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[4] "The War of the Headscarves," *The Economist*, February 7, 2004; Ian Buruma, "Letter from Amsterdam," *The New Yorker*, December 27, 2004; "Identity Crisis: Old Europe Meets New Islam," *Frontline*, January 25, 2005, available at [http://www.pbs.org].

[5] Patrick Tyler and Don Van Natta, "Militants in Europe Openly Call for Jihad," *New York Times*, April 26, 2004; "Moderate Muslims in Britain Worry the Iraq War Makes Recruiting Disillusioned Muslim Youth by Extremists Easier," Associated Press, November 27, 2004; "Al Qaeda Today: The New Face of the Global Jihad," *Frontline*, January 25, 2005,

Perhaps even more than the September 2001 attacks or the March 2004 bombings in Madrid, the brutal murder in November 2004 of Dutch filmmaker Theo van Gogh brought the issue of Islamist extremism in Europe to the forefront of European political debate. Van Gogh, who was an outspoken critic of the treatment of women in some Muslim communities, was killed by a 27-year-old Dutch citizen of Moroccan descent and a follower of radical Islam. Since the killing, a wide range of European officials and social commentators have proclaimed that European experiments with multiculturalism have failed, and are urging greater integration of Muslims and other immigrants into mainstream European society. The July 2005 London bombings — and the revelation that several of those responsible were British-born and/or bred — has reinforced the imperative in many European countries, and at EU level, to encourage better integration and tackle the root causes of Islamist extremism. Concerns among EU member states about integration are also being driven by the recognition that halting or severely restricting immigration to the EU is not an option in light of Europe's aging population and declining birth rates.

EU Role in Promoting Integration and Preventing Radicalization

Although the EU has sought since the September 11, 2001 terrorist attacks to strengthen its law enforcement and security capabilities against terrorism, the Union is in the early stages of grappling with the broader issue of Islamist extremism.[6] Integration policy is primarily the responsibility of individual member states rather than that of the EU as a whole given different national histories, legal frameworks, and preferences for managing immigration. There is no legal basis in the EU treaties for the Union to act on or direct integration policy, and implementation is up to the member states. However, members increasingly believe that the EU can and should play a role in encouraging good integration practices, harmonizing standards, and monitoring policies. The EU offers a useful forum for members to discuss common challenges and to pursue cooperative strategies. Given the EU's largely open borders, EU leaders are keenly aware that the failure of one member to adequately address integration challenges and prevent social exclusion that could lead to extremism or criminal activity could have severe negative implications for other EU members.

EU policymakers stress that efforts in the area of integration are intended to apply to all legal immigrants from countries outside of the EU member states — known as "third countries" in EU terminology — and are not aimed specifically at Muslims. The EU is also eager to keep its integration policies separate from those developed to combat terrorist recruitment and radicalization, maintaining that integrating immigrants into European society is a wider concern with economic,

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[5] (...continued)
available at [http://www.pbs.org]; Sebastian Rotella, "Europe's Boys of Jihad," *Los Angeles Times*, April 2, 2005.

[6] For information on EU efforts to improve police and judicial cooperation, intelligence-sharing, and external EU border controls to better counter terrorism, see CRS Report RL31509, *Europe and Counterterrorism: Strengthening Police and Judicial Cooperation*, by Kristin Archick.

social, and cultural ramifications for the EU that go beyond the need to prevent terrorist radicalization and recruitment. EU officials also note that while the lack of integration may be a contributing factor in explaining why some individuals turn to extremism, it is not the only one. Furthermore, many EU officials and member states worry that targeting Muslims in its initiatives aimed at either promoting integration or combating extremism could be counterproductive if they further feelings among some Muslims of exclusion and discrimination.

Critics argue, however, that the EU is essentially avoiding the specific issue of Muslim integration out of concern for political correctness. In doing so, the EU is failing to address the difficulties with integration that some Muslims in Europe experience that may relate to their religious affiliation. In addition, they contend that the EU's focus on integration of legal third-country nationals may not account sufficiently for the identity and social exclusion problems faced by second or third generation European Muslims.[7]

Integrating Third Country Nationals. As the issue of integration has gained increasing importance on the EU agenda, the EU has been working to develop a framework that seeks to balance respect for multiculturalism and tolerance with the definition of clear expectations and rules for immigrants to EU countries. Some EU efforts to promote the successful integration of immigrants and minorities pre-dates the Van Gogh murder in 2004 and the London bombings in July 2005, but EU-level initiatives in this field are relatively new. In October 2002, EU leaders decided to establish national contact points on integration to facilitate information exchange on challenges and best practices among member states. In July 2004, the EU issued its first annual report on migration and integration, which examines trends in member states' integration policies and identifies main barriers to integration. In November 2004, the EU published a handbook on integration for policymakers developed by the national contact points that sets out best practices, with particular focus on language learning and participation in European civic, political, social and cultural life.

Also in November 2004, EU leaders adopted 11 common basic principles for immigrant integration policy. These common basic principles emphasize that integration is a two-way process of mutual accommodation by all immigrants and residents of member states, and implies respect for the basic values of the EU. One European official commented, "Integration means wanting to take part in the society in which you live. But it also means being able to take part." Among other measures, the common principles identify the following as crucial to successful integration: access to employment, education, and public services; protection against discrimination; basic knowledge of the host society's language, history, and institutions; and immigrant participation in member states' democratic processes and political decision-making.[8] The EU already has the ability to address some of these factors vital to integration through existing EU laws on racial and religious

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[7] Discussions with EU and European officials and experts, July-September 2005.

[8] The list of 11 EU common basic principles on integration may be found in a European Commission press release, "Integration of Third Country Nationals," September 1, 2005, available at [http://europa.eu.int/comm/press_room/index_en.htm]; also see "Handbook on Integrating Immigrants Unveiled by Commission," *European Report*, November 13, 2004.

discrimination, and general EU strategies to boost economic growth, employment, and education.

In September 2005, the European Commission — the EU's executive — proposed a "Common Agenda for Integration" that contains actions for putting the basic principles into practice. It suggests efforts to be taken at both national and EU level, and calls for measures such as boosting participation of immigrant women in the work place, promoting inter-faith dialogue, and increasing the participation of non-EU nationals in local elections. EU leaders stress, however, that both the common principles on integration and the newly proposed agenda for implementing them represent suggestions and guidelines for EU members. They are neither binding nor exhaustive, and work on their development will continue.[9]

In addition, the EU plans to establish a European integration forum where relevant stakeholders can consult one another and a widely accessible EU integration website to support the exchange of expertise and information. The European Commission has also proposed an EU integration fund to support national and EU-level integration projects in accordance with the common basic principles. The EU has been funding some pilot projects on integration since 2002, with a budget of roughly $5 million annually. For the new EU integration fund, the Commission is proposing a funding level of $1.8 billion for the 2007-2013 EU budget period, but it must still be approved by member states. Some EU leaders have also suggested possibly requiring immigrants to make a declaration in which they pledge to respect national laws and the EU charter of fundamental rights, viewed by many as representing the basic values of the EU and its member states.[10]

Preventing Terrorist Recruitment and Radicalization. In November 2004, the EU set the end of 2005 as a deadline for developing a long-term strategy to address the factors that contribute to radicalization and recruitment for terrorist activities. In September 2005, the European Commission issued a document on "Terrorist Recruitment: Addressing the Factors Contributing to Violent Radicalization" to be considered by EU leaders in formulating their strategy by December 2005. Although the Commission acknowledges that the main terrorist threat currently stems from "an abusive interpretation of Islam," it stresses that its proposals also seek to address other extremist threats, such as those posed by right-wing skinheads or indigenous violent groups, such as the Basque terrorist organization ETA that has been active in Spain and France for decades.

The Commission's policy paper sets out ways in which the problem of radicalization and terrorist recruitment could be addressed through various fields, including stemming the spread of terrorist propaganda through the media and Internet; promoting education, youth engagement, inter-faith dialogue, and European citizenship programs; enhancing integration policies; increasing cooperation between members' law enforcement and security services; and improving dialogue and

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[9] Communication from the European Commission, *Common Agenda for Integration*, September 1, 2005.

[10] "Common Rules for Expelling Illegal Immigrants Proposed," *European Report*, September 3, 2005.

cooperation with third countries to reduce the emergence of terrorist breeding grounds. It describes EU instruments already available in some of these fields, and calls for them to be employed more effectively in the fight against extremism. These include the EU's Television Without Frontiers Directive, which prohibits incitement to hatred on grounds of race, sex, religion, or nationality in broadcast, and the E-Commerce Directive, which contains provisions allowing member states to take action against violent radicalization and terrorist recruitment occurring on the internet. The Commission also calls for more extensive research and analysis of the causes of violent radicalization.[11]

One of the most controversial aspects of the Commission's proposal will likely be its treatment of the media and Internet. The Commission appears concerned that the media may be acting inadvertently as messengers for terrorists, and urges journalists to avoid conveying an over-simplified view of the world "where inequity and oppression are dominant." The Commission is also worried about the use of Internet websites and chatrooms as tools for terrorist propaganda and recruitment, and calls on Internet service providers to do more to end incitement. The Commission suggests that self-regulation of the industry or a code of conduct may be beneficial. Some EU members and civil liberty advocates may object to these proposals because of concerns that they could impede freedom of speech.

Some observers had expected the Commission's policy paper to address whether the lack of integration by some foreign preachers and their poor local language skills have contributed to radicalization. Some EU member states, such as the UK, Germany, and the Netherlands, have been introducing or considering new requirements that foreign "ministers of religion" demonstrate a basic command of the local language and customs. The Netherlands has reportedly created an "imam buddy system" that links foreign imams with Dutch volunteers to promote a better understanding among these imams of Dutch culture and society. However, the Commission appears to have shied away from the role of foreign clerics because some EU officials were concerned that such measures could be perceived by Muslims as discriminatory and heighten feelings of alienation. Also, in an attempt to ensure that the vast majority of peaceful Muslims are not portrayed as terrorist sympathizers, the Commission asserted that "there is no such thing as 'Islamic terrorism,' nor 'catholic' nor 'red' terrorism...the fact that some individuals unscrupulously attempt to justify their crimes in the name of a religion or an ideology cannot be allowed...to cast a shadow upon such a religion or ideology."[12]

Challenges Ahead

The EU recognizes that any efforts toward forging a common EU policy on integration or combating Islamist extremists will face certain limitations given

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[11] Communication from the European Commission, *Terrorist Recruitment: Addressing the Factors Contributing To Violent Radicalization*, September 21, 2005.

[12] "Terrorism: Commission Faces Busy Workload in Coming Months," *European Report*, July 27, 2005; "EU Seeks Links with Imams, Media To Fight Terrorism," Reuters, July 29, 2005; "Brussels Calls for Media Code To Avoid Aiding Terrorists," *The Guardian*, September 21, 2005.

member states' different national histories and preferences. For example, some experts suggest that European countries should institute U.S.-style affirmative action plans for European Muslims as a way to combat discrimination, improve Muslim social and economic standing, and further integration. However, it is unlikely that the EU would be able to forge agreement among all 25 member states on a common affirmative-action or "positive discrimination" program in light of members' varying legal frameworks. For instance, ethnic groups are not recognized in French law, under which all are considered equal, so such a "positive discrimination" policy would be difficult to implement; some policymakers in France and elsewhere in the EU also contend that such a policy could lead to further segregation of immigrants or ethnic minorities rather than less. Furthermore, some initiatives urged by the EU in its common basic principles or agenda for integration — such as encouraging more immigrants to become citizens or promoting greater political participation — can only be accomplished at the national, regional, or local level given that citizenship and electoral laws remain in the national competencies of member states.[13]

As with attempts to institute new EU law enforcement and security measures against terrorism, the EU will likely struggle to balance combating Islamist extremism and terrorist recruitment against European democratic ideals, civil liberty protections, and human rights concerns. For example, the extent to which liberal societies should tolerate those who preach intolerance in the name of free speech is a key challenge for many European governments. Different member states have traditionally had different levels of tolerance. The UK, for example, has been criticized by French officials for years for not clamping down on radical preachers who espouse violence in the name of Islam. Following the July 2005 London bombings, the British government appears ready to take a harder line; it has announced plans to make justifying or glorifying terrorism a crime and is moving to ban extremist Muslim groups such as Hizb-ut-Tahrir and the successor organizations to the radical Al Muhajiroun youth movement. However, it is unclear how much convergence on this question of the appropriate balance between tolerance and risk will be possible among 25 different states, including the new Central and Eastern European members of the EU for whom memories of state repression of free speech and other basic rights remain fresh.

Some suggest that the effectiveness of EU efforts to address and prevent Islamist radicalization and recruitment may also partly depend on the EU's success in improving immigration and asylum controls so that those deemed threats to public security are either excluded or removed from EU territory. But asylum and immigration issues remain difficult areas to reach agreement among EU member states because of different national sensitivities and concerns about safeguarding the human rights of asylum-seekers, migrants, and illegal immigrants. For example, France, Spain, Belgium, and Sweden have consistently opposed various proposals to establish asylum centers outside the EU — in North Africa or elsewhere on Europe's periphery — to process refugee claims. They argue that such camps would pose legal and moral problems because the EU could not guarantee that the refugees' rights or

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[13] "The War of the Headscarves," *op. cit.*; Keith Richburg, "Europe's Minority Politicians in Short Supply," *Washington Post*, April 24, 2005; Discussions with EU and European officials, July-September 2005.

humanitarian needs would be respected or met outside EU territory. Within EU territory, however, asylum-seekers can easily become unaccounted for, disappearing into the population-at-large.

Many EU members are also hesitant to link asylum and immigration policies to anti-terrorism efforts because they do not view the vast majority of asylum-seekers, migrants, or illegal immigrants as terrorist threats and do not want to be perceived as doing so. The Commission has proposed a new EU directive to harmonize expulsion procedures for illegal immigrants and failed asylum-seekers, but it does not explicitly address the issue of deporting foreign terrorist suspects. EU law forbids returning individuals to countries where they could face torture, execution, or inhumane treatment, and could slow member states' plans to expel some foreign nationals who advocate violence or incite hatred. Furthermore, even if the EU were to agree on a common set of standards for deporting foreign terrorist suspects, the actual decision to expel a non-EU national deemed a threat to public security would still remain up to the discretion of each member state.[14]

The United Kingdom[15]

Britain's Muslim Community and Islamist Extremists

The UK is home to 1.6 million Muslims out of a British population of nearly 60 million, according to the UK's 2001 Census. The majority of Muslims in the UK have their roots in Britain's former colonial territories of Pakistan, Bangladesh, and India. UK labor shortages and immigration policies in the 1950s and 1960s attracted numerous Muslim workers from these countries. Other Muslims in the UK hail from Middle Eastern and African countries, as well as Turkey. Muslims are the largest religious minority in the UK, and 46% of all Muslims living in the UK are British-born. Muslims have the youngest age profile of all faith based groups in the UK; in 2001, one-third of Muslims were under the age of 16 as compared to one-fifth of the population as a whole. Some experts believe that the UK's Muslim population may be as high as 2 million, if undocumented asylum-seekers or illegal immigrants are added to the government's official figures.[16]

A leaked British government report in 2004 acknowledged that compared with the population as a whole, Muslims in the UK had three times the unemployment rate, the lowest economic activity rates, a higher proportion of unqualified working-

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[14] "Common Rules for Expelling Illegal Immigrants Proposed," *op. cit.*; "After Van Gogh," *The Economist*, November 11, 2004.

[15] Prepared by Kristin Archick, Specialist in European Affairs, Foreign Affairs, Defense, and Trade Division.

[16] Results of the UK's 2001 Census are available at [http://www.statistics.gov.uk]; fact sheets on UK ethnicity and religion are available at [http://www.statistics.gov.uk/focuson/default.asp]; also see, Open Society Institute, *Muslim's in the UK: Policies for Engaged Citizens*, November 2004 [http://www.eumap.org/topics/minority/reports/britishmuslims].

age individuals, and a higher concentration in deprived residential areas. Those of Pakistani and Bangladeshi descent appear to be the most disadvantaged sub-groups. Also, a disproportionate number of Muslims are imprisoned; although only 3% of the general population, Muslims make up 8% of UK inmates.[17]

Although the vast majority of Muslims in Britain are not involved in extremist activities, a fringe community exists that advocates radical Islam and, in some cases, supports terrorism. Some of those attracted to extremism are immigrants or asylum-seekers, while others are British-born, like three of the four young men who carried out the deadly July 7, 2005 London bombings. At least two of the four alleged perpetrators of the failed July 21, 2005 attacks had lived in the UK since childhood. Although the UK has suffered dozens of terrorist attacks on its soil over the last several decades from groups seeking to end British rule in Northern Ireland, Islamist terrorism poses a relatively new challenge for the UK.

Many young British Muslims drawn to extremism feel a sense of cultural alienation, disenfranchisement, and discrimination in a society that does not fully accept them. They appear to turn to Islam as a badge of cultural identity to counteract feelings of exclusion and then become susceptible to radical thought promulgated by extremist Muslim clerics. The UK's traditionally liberal asylum and immigration laws, as well as its strong free speech and privacy protections, have attracted numerous such clerics and Middle Eastern dissidents. As a result, long before the July 2005 London bombings, analysts asserted that the UK had become a haven for extremists and a breeding ground for terrorists. Radical mosques in London apparently indoctrinated Richard Reid, the airplane "shoe bomber," and Zacarias Moussaoui, the "20th" September 11 hijacker. However, radicalization of young Muslims has taken place not just in mosques, but also in prisons and at universities, according to Muslim leaders and UK officials. They point out that many Muslims who turn to extremism or engage in terrorism are well educated, often with technical or professional qualifications.[18]

Some experts, including moderate Muslim leaders in the UK, also believe that the recent wars in Afghanistan and Iraq have helped radicalize more British Muslims, and strengthened terrorist recruitment efforts. Those attracted to extremist or terrorist groups appear to identify with suffering brethren in the Israeli-occupied Palestinian territories, Iraq, Chechnya, Kashmir, and elsewhere. Many see an unjust double standard at work in British foreign policy, which in their view preaches democracy

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[17] Several UK government documents on "Relations with the Muslim Community" from April-May 2004 were leaked to *The Times* (London) in May 2004; see Robert Winnett and David Leppard, "Britain's Secret Plans To Win Muslim Hearts and Minds," *The Times* (London), May 30, 2004. This set of documents includes correspondence between UK Cabinet Secretary Andrew Turnbull and Home Office official John Gieve; they are available on the Internet from several sites, including [http://www.globalsecurity.org/library/report/2004/muslimext-uk.htm]. (Hereafter, this set of documents will be cited as Turnbull-Gieve correspondence.)

[18] Ibid.; Elaine Sciolino and Don Van Natta, "For a Decade, London Thrived as a Busy Crossroads of Terror," *New York Times (NYT)*, July 10, 2005; Steve Coll and Susan Glasser, "In London, Islamic Radicals Found a Haven," *Washington Post (WP)*, July 10, 2005.

but practices or tolerates oppression of the "ummah," or one nation of believers. Another leaked Foreign Office document from 2004 appears to agree that the perceived negative effect of UK foreign policy on Muslims globally contributes to extremist recruitment.[19] Officially, however, London insists that its foreign policies have not made terrorist attacks on the UK more likely.

The British Debate Over Multiculturalism

The UK's approach to integration has long rejected assimilation in favor of multiculturalism — promoting tolerance and integration while allowing immigrants and ethnic groups to maintain cultural identities and customs. Multiculturalism has been embraced in the UK since the 1960s as a way to deal with Britain's growing diversity as a result of immigration from outside of Europe. Experts point out that multiculturalism was a natural choice for the United Kingdom, given that it was already an assembly of nations (English, Scottish, Welsh, plus the communities of Northern Ireland). However, critics charge that in practice, multiculturalism has helped entrench discrete Muslim communities in the UK, functioning apart in some cases from mainstream British society.

The debate over multiculturalism in the UK pre-dates the July 2005 London bombings, but the attacks — and especially the revelation that several of those responsible were British born and/or bred — have brought the issue to the forefront of British political debate.   Some analysts assert that until recently, British policymakers had a "laissez-faire" attitude toward integration that essentially consisted of not worrying about it; to the extent that government was concerned with the issue, the focus was largely on promoting tolerance and discouraging discrimination. For example, the practice of veiling by some Muslim women has been generally accepted in the UK. Although the issue of Islamic dress has generated controversies in a few British schools, UK leaders view it as a problem for school officials and not politicians to resolve. This contrasts sharply with France, which has banned headscarves for Muslim school girls as a way to promote integration and secularism.[20]

Critics claim that Britain's "laissez-faire" multiculturalism has resulted in too much emphasis placed on maintaining individual or community identity at the expense of building a common British identity and set of values. They say that political leaders celebrate Britain's multicultural tableau without addressing the segregation and divisions that lie below the surface. One commentator asserts, "Multiculturalism as a lived experience enriches our lives. But multiculturalism as a political ideology has helped to create a tribal Britain with no political or moral

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[19] Letter from UK Foreign Office official Michael Jay to Cabinet Secretary Andrew Turnbull, May 2004; leaked to *The Observer* in August 2005; see Martin Bright, "Leak Shows Blair Told of Iraq War Terror Link," *The Observer*, August 28, 2005. The text of the letter is available at [http://observer.guardian.uk].

[20] "The War of the Headscarves," *The Economist*, February 7, 2004. There is no strict separation of church and state in the UK, as there is in France. The Church of England remains the established or official state church in England; the Queen is the Supreme Governor of the Church and 26 bishops are members of the House of Lords.

center...where many groups assert their identity through a sense of victimhood and grievance."[21]

Recent polling data on the issue of multiculturalism in the UK reveals mixed results. A survey commissioned by the BBC after the July 2005 London bombings showed that 62% of the general public and 87% of Muslims still held favorable views of multiculturalism, believing that it made Britain a better place to live and that it should not be jettisoned. At the same time, 58% of those polled thought that people who immigrate to Britain should adopt its values, traditions, and way of life; only 28% of Muslims agreed with this statement. Part of the difficulty in interpreting the results is one of definition, with multiculturalism and integration meaning different things to different people. Many Muslims argue that the two are not mutually exclusive, and stress that Muslims do not need to give up their faith or values in order to be integrated in British society. The BBC poll also indicated a high level of Muslim and non-Muslim agreement (90% and 82% respectively) on the need for immigrants to learn English, and no statistical difference on the degree of national loyalty that Muslims and non-Muslims feel toward Britain (76% and 73% respectively).[22]

The British government appears committed to maintaining multiculturalism, but also seems to recognize that more effort is needed to promote integration and instill a greater sense of British values and citizenship in immigrant and ethnic communities. In response to a question on whether Britain should maintain multiculturalism during a press conference in early August 2005, UK Prime Minister Tony Blair stated, "Most people understand that you can have your own religion and your own culture," but he also asserted that, "Coming to Britain is not a right, and even when people have come here, staying here carries with it a duty. That duty is to share and support the values that sustain the British way of life."[23]

UK Efforts to Promote Muslim Integration and Combat Extremism

The British government has been pursuing a variety of strategies to reduce the sense of alienation among Muslims and other immigrant and minority communities. Some initiatives to promote greater integration of British Muslims and prevent radicalization have been underway for several years, while others are more recent and seek to respond to the concerns raised by the July 2005 London bombings. UK efforts include introducing new citizenship and English language requirements;

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[21] Kenan Malik, "Multiculturalism Has Fanned the Flames of Islamic Extremism," *The Times* (London), July 16, 2005. Also see, "UK Multiculturalism Under Spotlight," BBC News, July 14, 2005," and "Davis Attacks UK Multiculturalism," BBC News, August 3, 2005.

[22] "Analysis: UK at Ease with Islam?," BBC News, August 10, 2005; Kevin Sullivan, "Poll: Britons Support Multiculturalism," *WP*, August 11, 2005.

[23] See the transcript of UK Prime Minister Tony Blair's press conference, August 5, 2005, available at [http://www.pm.gov.uk]; also see Kevin Sullivan and Mary Jordan, "Blair Acts Against Muslim Fringe," *WP*, August 6, 2005.

improving dialogue with Muslim communities and promoting moderate Islam; and tackling disadvantage and discrimination. In addition, the British government is also seeking to strengthen law enforcement and security measures to curb Islamist extremism and root out terrorists.

New Citizenship and English Language Requirements. The UK has been revamping its nationality laws to require that immigrants seeking UK citizenship demonstrate sufficient knowledge of the English language and British history, culture, and customs, either by passing a short test or completing a government-approved citizenship and language class. The government has also introduced and made mandatory new citizenship ceremonies, during which those acquiring British nationality swear allegiance to the Queen and pledge to respect the UK's rights and freedoms. The government stresses that the language and "Britishness" requirements are intended to ensure that all new citizens are able to play a full part in British society, and hopes that the naturalization ceremonies will reinforce the bond between the new citizens and their new home. All of these measures took effect in 2004; the government is reportedly considering similar tests on language and life in the UK for those seeking permanent residency.[24]

In 2004, the UK announced that all foreign "ministers of religion," including imams, wishing to work in Britain must demonstrate a basic command of English. Many Muslims in Britain support this new rule, in part because many younger British Muslims do not speak the languages in which foreign imams often preach. Moderate Muslim leaders say that English skills are essential for imams to carry out their duties, not only as preachers, but as community leaders and counselors. Some hope that more English in mosques will help break down the cultural divide between Islam and mainstream British society. Many Muslims in the UK also appear to back efforts to ensure that ministers of religion from abroad understand British culture and the society in which British Muslims live; the UK government is consulting with faith communities on how to institute such additional requirements.[25]

Although not aimed specifically at integrating British Muslims, citizenship study was made a compulsory part of the national curriculum for British secondary schools in 2002. This initiative seeks to promote greater civic understanding, responsibility, and participation among young people; among other issues, teachers are expected to address the diversity of identities in the UK and Britain's legal and political system. Supporters hope that such citizenship lessons will strengthen the common glue that holds British society together and foster in young British Muslims and other minorities a greater sense of belonging.[26]

Improving Dialogue and Promoting Moderate Islam. UK officials believe that improving dialogue with Muslims is essential for better integration, and

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[24] "Q&A: The Road to UK Citizenship," BBC News, February 25, 2004.

[25] Alan Travis, "Basic English Tests for Foreign Priests," *The Guardian*, July 23, 2004; "Muslims Want Sermons in English," BBC News, August 11, 2005.

[26] Liz Bestic, "What Will Learning Citizenship Mean," *Daily Telegraph*, September 28, 2002; "Citizen Lessons Need More Input," BBC News, September 8, 2003.

that Muslim communities have a vital role to play in curbing Islamist extremism. Even before the July 2005 London bombings, the government had been working to encourage the development of moderate Muslim political voices and to give them a greater role. Some commentators note that this is especially important given that there are only ten Muslim members in the UK Parliament (four in the elected House of Commons and six in the House of Lords).

Government efforts to build relations with moderate Muslim groups over the last several years have included ministerial outreach to Muslim leaders, community organizations, and youth and student groups to discuss issues of concern, such as the UK's policy toward Iraq and new anti-terrorist security measures. The Foreign Office has established an Islamic Media Unit to improve its ability to communicate with Muslim communities at home and abroad, and is also sponsoring the annual "Muslim News Awards of Excellence" for British Muslims who have made outstanding contributions in various fields. In addition, the government has been conducting more research through polls and surveys to better understand the views and concerns of Muslim communities, as well as to improve understanding of the extent and causes of extremism.[27]

In the wake of the London attacks, the British government has sought to intensify contacts with the Muslim community. The Home Office established seven working groups of Muslim leaders and experts to provide advice on an informal basis to the government on ways to reduce disaffection and prevent radicalization of young Muslims. The working groups focused on: engaging with young people; tackling extremism; regional and local initiatives; engaging with women; imams and the role of mosques; security, policing, and Islamophobia; and education. Although many Muslim leaders have been receptive to this initiative, some also insist that the government needs to examine the role of the media in stereotyping Muslims and whether UK foreign policy has contributed to the appeal of Islamist extremism. Some have also called for a government inquiry into the July 2005 bombings and the causes of Islamist extremism. The Blair government maintains that its foreign policy is not a justification for terrorism, and opposes an inquiry into the bombings, saying it would distract attention from finding practical solutions to the extremism problem.[28]

In September 2005, the Home Office announced that the work of the seven informal groups would be carried forward by a new Commission on Integration and Cohesion, with a wide mission to explore measures ranging from establishing British citizenship lessons in Muslim schools to recruiting more Muslim law enforcement officers. British police officials are also consulting with Muslim leaders on establishing community-police partnerships to enable Muslim communities to better police themselves and identify problems early. Several Muslim members of

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[27] Turnbull-Gieve correspondence.

[28] "Blair Pledges Dialogue with Muslims," Associated Press, July 13, 2005; Roger Blitz, "Muslim Leaders Order Investigation of Mosques," *Financial Times (FT)*, August 19, 2005; "Clarke Resists Call for Royal Commission," *Daily Telegraph*, September 21, 2005.

Parliament and other community leaders argue that Muslims must be more vocal against extremism, and actively counter rather than tolerate radical preachers.[29]

British officials have also been looking at ways to foster "homegrown" imams to minister to the needs of their Muslim communities, rather than relying on foreign imams whom they claim are often unfamiliar with British secular society. Many British Muslims appear to agree with this assessment and support this effort. The UK government is also seeking to improve the quality of imams preaching in Britain. Working with Islamic organizations, the government has subsidized some pilot training programs for Muslim clerics to improve their community leadership and management skills. Muslim groups caution, however, that any effort by the government to regulate imams through a licensing scheme would likely be considered discriminatory and face considerable resistance.[30]

Several analysts are skeptical, however, that the Blair government's efforts to encourage dialogue with Muslim leaders will have much effect on preventing or reducing extremism. They argue that the Muslim community in the UK is divided over who speaks for Muslims in Britain. Some young Muslims view the leaders involved in the government discussions as co-opted careerists or sell-outs. Other Muslim leaders considered moderate by many in the Muslim community have not been invited to cooperate with the government because of positions they have taken in support of terrorist groups like Hamas that are engaged in the Israeli-Palestinian conflict. Other critics of the British government's initiative to work with Muslim groups to foster integration and prevent radicalization charge that some of the individuals and organizations involved are not as moderate as they appear and have extremist connections or beliefs. British Muslim author Salman Rushdie has called the Blair government's reliance on faith-based groups to fight extremism a "very bad mistake" and argues that "more religion" is not going to solve the problem; rather, he contends that greater attention should be focused on moving beyond tradition and bringing the core concepts of Islam into the modern age.[31]

Tackling Disadvantage and Discrimination. Many experts assert that addressing the socio-economic disadvantages and discrimination experienced by Muslims in the UK is key to promoting better integration and decreasing the sense of disaffection among young Muslims that makes some susceptible to Islamist extremism. As noted previously, Muslims are the most disadvantaged faith group in the UK labor market, suffering disproportionate levels of unemployment (about 15% in comparison to the overall UK unemployment rate of roughly 5%) and economic inactivity. They are also over-concentrated in certain low-paying sectors of the economy, such as the hotel and restaurant industry. In addition, concerns persist about educational opportunities for Muslim students. Although national data on

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[29] Roger Blitz, "Muslims Accused of Failing To Help Police," *FT*, August 10, 2005; "Agency Set To Encourage Wider Community Ties for Muslims," *The Times* (London), September 20, 2005.

[30] Jean Eaglesham, "Caution Urged Over Plans To Control Imams," *FT*, August 3, 2005.

[31] Glenn Frankel, "Muslim Leaders in Britain Pledge Solidarity Despite Divisions," *WP*, July 20, 2005; Martin Bright, "Let's Shed More Light on Islam," *The Observer*, August 28, 2005; "No Faith Solution To Extremism," BBC News, August 29, 2005.

education in the UK is currently collected only on the basis of ethnicity and not religion, the academic achievement of Pakistani and Bangladeshi students falls below the national average. While the links between social deprivation and extremism are not simple cause and effect, many experts believe that the poor socio-economic conditions in which many Muslims live serve as a recruitment tool that attracts some young Muslims — even those who are well educated and from comfortable, middle class families — to extremism.[32]

The Blair government stresses that many of its broad economic and social policies — such as moving people from welfare to work, the introduction of a minimum wage and family tax credits, and the expansion of "Sure Start" early childhood learning programs — will benefit Muslim communities. More specific measures that seek to target Muslims and other religious or ethnic minorities include new race equality grants for minority community projects; one recipient, for example, is the Muslim Welfare House in London that offers English lessons and job advice, among other services. In March 2005, the Blair government announced that it would set up new centers for vocational excellence and entrepreneurship in areas of high ethnic minority unemployment. The government has also sought to improve Muslim housing access by removing tax disadvantages for mortgages that comply with Islamic law, which forbids paying or receiving interest.

The majority of Muslim children in the UK attend British community (public) schools. In 1999, the British government established an ethnic minority achievement grant, which provides a total of roughly $300 million annually to local school districts to address the educational needs of underachieving ethnic minority groups and students learning English as an additional language. The government is also establishing an Aim Higher program to work with gifted young people in deprived areas to ensure better minority access to top universities, and is working to boost the number of minority teachers to serve as role models in British schools. Some Muslim critics charge, however, that the primary focus of such educational initiatives has been on black students of African or Caribbean descent, and that the government's approach has largely failed to address the reasons for underachievement of Muslim students that may relate to their religious affiliation.[33]

In addition to concerns about poor academic results, some Muslim parents cite racism and a lack of recognition and support for their children's faith identities as problems in British community schools. As a result, Muslim parents are increasingly exerting a preference for Muslim schools. Improving funding and access for faith schools has been a central plank of the Blair government's educational reforms designed to increase parental choice. As part of this plan, the government has

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[32] Open Society Institute, *op. cit.*; Turnbull-Gieve correspondence; Sudarsan Raghavan, "Friends Describe Bomber's Political, Religious Evolution," *WP*, July 29, 2005.

[33] Open Society Institute, *op. cit.*; UK Home Office, *Improving Opportunity; Strengthening Society: The Government's Strategy To Increase Race Equality and Community Cohesion*, January 2005, available at [http://www.homeoffice.gov.uk]; Speech by the Chancellor of the Exchequer Gordon Brown at the Muslim News Awards for Excellence, March 23, 2005; David Budworth, "Islamic Mortgages To Grow by 47% a Year," *Sunday Times*, July 31, 2005.

introduced state funding for Muslim schools, although there are only five current recipients. State-funded faith schools are required to teach the national curriculum, but are free to teach their own syllabus for religious education. The vast majority of the UK's 7,000 state-funded faith schools are Christian.

Many Muslims view state-funded Muslim schools as of great symbolic value, indicating a recognition of the Muslim community's place in Britain alongside other major religions. However, recent polls show that almost two-thirds of the general public oppose the Blair government's plan to increase the number of faith schools, believing that they have a negative impact on social cohesion and deter integration. Muslim leaders counter that faith schools turn out well-rounded citizens, less likely to succumb to criminality or extremism because they have a better understanding of Islam; they also argue that Muslim children in community schools are more likely to feel isolated and confused about who they are, which could lead to disaffection and make them more vulnerable to radicalism.[34]

The UK does not use quotas or U.S. affirmative action style programs to promote diversity in employment or higher education. Rather, it has traditionally relied on strong laws against discrimination. However, many argue that Muslims and other multi-ethnic faith groups remain at a disadvantage in terms of the legal resources available to them with which to fight discrimination because the UK Race Relations Act only prohibits discrimination on the grounds of race or ethnic origin, and not on religion. New UK regulations came into force in December 2003 banning discrimination in employment on grounds of religion or belief, but do not apply to the other areas of the Race Relations Act (education, training, housing, and the provision of goods, facilities and services). Thus, some British officials and Muslim leaders suggest that the Race Relations Act should be extended to prohibit discrimination on religious grounds in all fields covered by the act.[35]

Since the September 11, 2001 terrorist attacks, many Muslims in the UK also report feeling "under siege." One survey by a UK-based Islamic human rights group found that 80% of Muslims polled felt harassed or discriminated against in 2004, compared to 35% in 1999. There has also been a rise in hate crimes against Muslims in the UK following the July 2005 bombings. In the three weeks after July 7, 2005, there were 269 hate crimes in London — mostly against Muslims — compared to 40 in the same period in 2004. Most incidents consisted of verbal abuses or minor assaults, but damage to mosques and property also occurred; one Muslim man outside London was killed by British youths.[36]

The Blair government introduced new legislation in 2001 that increased penalties for religiously-motivated crimes, and is currently seeking parliamentary approval of a controversial bill that would create a new offense of incitement to

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[34] Open Society Institute, *op. cit.*; Matthew Taylor, "Two Thirds Oppose State Aided Faith Schools," *The Guardian*, August 23, 2005.

[35] "The War of the Headscarves," *op. cit.*; Turnbull-Gieve correspondence.

[36] Anna Mulrine, "Europe's Identity Crisis," *U.S. News and World Report*, January 10, 2005; "Hate Crimes Soar After Bombings," BBC News, August 3, 2005.

religious hatred. This law would apply to behavior, written material, and comments made in public or in the media intended or likely to stir up religious hatred. Several previous attempts by the Blair government to introduce such legislation have failed amid concerns that this sort of legislation would undermine freedom of speech. Supporters of the religious hatred bill argue that it closes a loophole in current UK race-hate legislation that protects Jews and Sikhs because they are recognized as ethnic groups under British law but does not cover other multi-ethnic faiths such as Islam or Christianity. The government also asserts that the law does not seek to curb proselytizing or artistic freedom, and that the test for what constitutes incitement is set high enough to ensure continued robust and free debate about religion in the UK. The House of Commons passed the bill in July 2005, but it still faces some resistance in the House of Lords.[37]

Law Enforcement and Security Measures. Since September 2001, the UK has also sought to contain Islamist extremists and counter terrorists by tightening security measures and reforming immigration and asylum laws.[38] Like the United States, however, the UK has been struggling to balance such law enforcement efforts against its civil liberty traditions and democratic ideals. For example, the evidentiary bar for convictions in the UK remains set high. Although nearly 800 people have been arrested since the September 11 attacks under anti-terrorism laws, only 121 have been charged with terrorist-related crimes, and only 21 of those have been convicted.[39] The UK is also mindful of its experience in Northern Ireland and is seeking to avoid policies against Islamist extremists that would risk alienating the quiet majority of Muslims. Many in the UK believe that London's attempts in the 1970s and 1980s to curb the threat posed by groups like the Irish Republican Army (IRA) with harsh and repressive law enforcement measures were both counterproductive and costly in lives, resources, and basic freedoms.

In some cases, civil liberty and human rights advocates have successfully challenged the government's counter-terrorist policies. The most notable instance relates to the policy post-September 11 to detain indefinitely foreign terrorist suspects residing in the UK; this was largely directed at foreign nationals who had previously received political asylum or could not be sent back to their home countries for fear that they would face torture or execution. In December 2004, however, the Law Lords — who constitute Britain's highest court of appeal — ruled that such detentions without charge or trial were incompatible with human rights and anti-discrimination laws. In response, the government ended indefinite detentions, but enacted a range of "control orders," including house arrest, for both foreigners and UK citizens suspected of engaging in terrorist support or activity. The government has also been seeking to negotiate deals with countries such as Jordan and Egypt that would facilitate deportations by guaranteeing that those sent back be treated humanely.

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[37] "Q&A: Religious Hatred Law," BBC News, June 9, 2005; Tania Branigan, "Concession on Abuse of Religious Hatred Bill," *The Guardian*, July 12, 2005.

[38] For more information on UK counter-terrorist policies, see the UK entry, pp. 99-107, in CRS Report RL31612, *European Counterterrorist Efforts: Political Will and Diverse Responses in the First Year After September 11*, coordinated by Paul Gallis.

[39] Sciolino and Van Natta, *op. cit.*

In the aftermath of the London bombings, the Blair government has sought to take an even harder line on the need for measures to improve security and guard against extremism. In August 2005, Prime Minister Blair asserted that the "rules of the game are changing." He announced plans to make it easier to deport or exclude foreign individuals from the UK who advocate violence and incite hatred, as well as a number of other new law enforcement and immigration reforms aimed at improving security and preventing radicalization. These include making justifying or glorifying terrorism an offense, creating a list of foreign clerics who will be denied entry to the UK, refusing asylum to anyone with possible terrorism connections, and banning extremist groups such as Hizb-ut-Tahrir and successor organizations to the fundamentalist Al Muhajiroun youth movement. The Blair government also proposed extending the maximum period during which terrorist suspects can be held in custody without charge from 14 to 90 days.[40]

Critics in the United States and other countries say that such UK measures to clamp down on Islamist extremists and Muslim clerics who espouse terrorism are long overdue. Some argue that Britain's traditional "watchful tolerance" practices have not provided British authorities with deep penetration into problem communities or mosques, but have enabled Muslim clerics and others to continue inciting hatred and violence. UK authorities counter that Britain's emphasis on extended surveillance and monitoring has provided useful intelligence information in a way that protected freedom of speech and assembly rights.[41]

The perception of British laxness in its anti-terrorism policies, however, is not universally shared. Many civil liberty and human rights groups take a very different view, believing that the balance in the UK between civil liberties and security has been shifting in favor of the latter for some time, certainly since but also before September 11, 2001. Some European officials say that the UK has some of the toughest and most comprehensive anti-terrorism legislation in Europe. Amnesty International has called it "draconian." UK observers expect that the government will face a rocky road in getting at least some of its new proposals through Parliament. In November 2005, the British House of Commons rejected extending custody without charge to 90 days, arguing that it was excessive, but did increase the time suspects can be held to 28 days.[42]

Several experts believe that the UK may be losing the battle for Muslim "hearts and minds." They point out that some Muslims appear to view the "war on terrorism" as a war on Islam; a March 2004 opinion poll of 500 Muslims in the UK found that more than two-thirds believed that British anti-terrorist laws were being used unfairly against the Muslim community. Muslims are troubled, for example, by the use of stop-and-search powers by the police. UK officials insist that police

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[40] "Blair Vows Hard Line on Fanatics," BBC News, August 5, 2005; "Blair Defends Anti-terror Plans," BBC News, September 16, 2005.

[41] "Different Approaches To Tackling Terrorism Exposed," *FT*, July 12, 2005; Thomas Catan, "The Bad News About the British Bombers," *FT*, August 7, 2005.

[42] "Haven for Terrorists Claim Rejected," *FT*, July 12, 2005; "From Disaffection To Deathly Destruction," *FT*, July 14, 2005; "Blair's New Balancing Act," BBC News, August 5, 2005; "Anti-Terror Measures Rejected in Britain," *WP*, November 10, 2005.

authorities do not engage in racial profiling and the stop-and-search policy is strictly intelligence-led, but people of color appear to be more frequent targets. Although official data is collected only on the basis of ethnicity and not religion, between 2001-2002 and 2002-2003, the number of Caucasians stopped and searched under anti-terrorism laws increased by 118%, while the corresponding increase for Asians was 302%. Many Muslims are also worried about the shoot-to-kill guidelines issued to police in 2002, but which only came to light in July 2005 after London police killed a 27-year-old Brazilian who they mistakenly believed was a suicide bomber. UK officials claim that addressing such concerns, building trust, and preventing further Muslim alienation and disaffection are key reasons behind the government's efforts to engage the Muslim community in dialogue and to ensure that Muslims in Britain feel that they are part of the solution to combating radicalization and terrorism rather than the target.[43]

France[44]

The Republican Ideal

The French Revolution that began in 1789 and continued for a decade established France as a firmly secular state. The Revolution gave birth to a republican ideal that guaranteed religious freedom but built a firm wall between religion and the state. Equality of rights for all citizens was the essence of a civic creed that, for example, abolished the social hierarchy of the *ancien régime*, gave citizenship to Jews, and, by the late nineteenth century, provided free public education to all.[45]

The state in return expected inhabitants of France to live within the republican ideal of equal rights. While the French government accepts "multiculturalism" as a phenomenon that enriches societal life, Paris at the same time puts the highest premium on public order and assimilation. The government chooses not to provide special consideration in public life for different religions or political groups. France, for example, rejects a quota system or any form of affirmative action for minorities in every aspect of public life; in this view, equality of rights theoretically brings equality of opportunity.

The debate over assimilation is not new in France. Under the Third Republic (1870-1940), the government established a vigorous system of public education that sought to create a meritocracy. For many years the public schools were a key engine for assimilation, and for moving talented young people, no matter their ethnic, social,

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[43] Open Society Institute, *op.cit.*; Alan Travis, "Desire To Integrate on the Wane as Muslims Resent War on Islam," *The Guardian*, March 16, 2004; Mary Jordan, "London Police Modify Story," *WP*, August 23, 2005.

[44] Prepared by Paul Gallis, Specialist in European Affairs, Foreign Affairs, Defense, and Trade Division.

[45] François Furet, *La Révolution de Turgot à Jules Ferry, 1770-1880* (Paris, 1988).

or religious background, up the ladder into the highest ranks of the professions, including government service.[46]

A requirement for military service was another factor that promoted assimilation, with a key moment of success coming in the First World War. Until 1914, segments of French society spoke regional languages and followed regional customs, rather than fully embracing the French language and cultural norms clearly evident in Paris. Many inhabitants of Provence, for example, spoke *provençal*, and many inhabitants of Brittany continued to speak *breton*. In the late nineteenth century there were also large migrations from Italy and Spain, bringing to France often radical political traditions such as anarchism. The First World War threw these groups together into the ranks, where discipline instilled knowledge of the French language and acceptance of the capital's political creed of republicanism. French leaders sought to build a closely-knit French nation by asserting the superiority of French history, language, and culture.[47]

A third driver of assimilation in France has traditionally been employment. Public education and equality of rights have been factors, at least theoretically, in limiting discrimination in the workplace against ethnic and religious minorities.

Overlaying the role that public education, military service, and employment have played in assimilation has been the state's approach to management of religious practices. A 1905 law reaffirmed the French ideal of separation of church and state. The law designated Catholicism, Protestantism, and Judaism as recognized religions and laid out means for them to develop representative bodies that might discuss with the French government matters of importance, such as recognition of religious holidays and construction of places of worship. It was not until the 1980s that France gave a measure of official recognition to the Muslim faith. In 2002, Muslims followed other major religious groups in France by gaining the right to create an official institution to represent Islam before the French government.

The Muslim Population in France

In keeping with the republican ideal that all citizens are equal, France does not collect statistics on inhabitants' racial, ethnic, or religious backgrounds, and forbids businesses, for example, to ask for such information from job applicants or employees.[48] Nonetheless, a range of analysts and groups estimate that approximately 10 percent of the French population, or 6 million people, is of Muslim background. Overwhelmingly, this population comes from Algeria and Morocco. There are also Muslims in France from Tunisia and other parts of the Middle East,

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[46] "La longue quête des 'Francétrangers,'" *Le Monde* (*LM*), Jan. 16, 2004, p. V.

[47] Dounia Bouzar, "La Première génération de Français de confession musulman," in *French Politics, Culture, and Society* (Jonathan Laurence, ed.), vol. 23, no. 1, spring 2005, p. 103-104.

[48] "Les critères raciaux restent interdits dans les statistiques," *LM*, Sept. 16, 2005. Of course, discrimination against Muslims is still possible, for example, based on a job applicant's name if the applicant is from North Africa or other parts of the Middle East, or on physical appearance.

and from former sub-Saharan French colonies. In terms of number of adherents, Islam is the second religion in France after Catholicism.

In the mid-1950s a revolt began in Algeria against the French colonial government in Algiers and in Paris. Many Algerians were caught in the middle of this conflict, for they occupied positions in businesses and schools run by France, and in the French armed forces. When the conflict ended in 1962 in Algerian independence, approximately 60,000 Algerians who fought with the French during the war fled to France. The descendants of this group now number some 450,000 people.[49] In the 1950s and 1960s, many North Africans also came to France to take jobs in the rebuilding of France's post-World War II economy.

Until very recently, the countries of origin of French Muslims sent imams to France to lead the different mosques. Many of these imams had no knowledge of France, and did not know the French language. The messages they brought to France normally underscored traditional sentiments found in their country of origin, and as such worked against any French ideal of assimilation. In recent years, some brought a more radical message, including Islamic fundamentalism, that French officials viewed as hostile to French interests. In addition, some imams caused divisions among Muslims by fomenting rivalries between mosques based on different Muslim traditions emanating from the countries of origin. For many years, for example, the French government viewed the Grande Mosque de Paris, representing much of the Algerian population, as the principal voice of Muslims in France. As Saudi Arabia gained prominence from the 1970s due to its petroleum resources, and as Moroccans became more organized during the last two decades of the twentieth century, it became clear that there were other, sometimes rival voices, to the Algerian Muslim community.[50]

There is a widely held view in France that its Muslim community has not been well-assimilated. Education levels are lowest among Muslims, and there is discrimination against some Muslims in employment. In recent years, the government's refusal to grant special privileges in public institutions has led to clashes with a small percentage of the Muslim population. That minority has demanded, for example, that public schools allow Muslim girls to wear a head scarf to class, or that only female doctors treat girls in public hospitals. In the French government's view, there are limits to multiculturalism, and a belief that immigrants must assimilate themselves fully into the expected norms of French society.

Muslims living in France today do not represent a coherent community. They are divided by traditions attached to their countries of origin, by language, and by ethnic background. Approximately 2 million of France's 6 million Muslims are citizens. Approximately 35% consider themselves to be "practicing" the faith of Islam. Analysts of French Muslims tend to place them in several groups. There are

[49] "For Algerians in France, what future memories?", *International Herald Tribune* (*IHT*), April 14, 2005, p. 2.

[50] Alain Boyer, "La Représentation du culte musulman en France," p. 11-12, and Jonathan Lawrence, "From the Élysée Salon to the Table of the Republic,"in Laurence, *op. cit*., pp. 45-46.

some young Muslims who view themselves as completely "French;" they do not identify with their parents' country of origin (such as Algeria or Morocco), nor accept their parents' insistence that they marry within the Muslim community. Another group see themselves as "good Muslims and good citizens," and value a cultural link to their (or their parents') country of origin. These two groups also value voting and other forms of civic participation in French life. A third group is comprised of young North Africans, often very secular, who are a generation removed from the immigrant arrivals of the 1950s and 1960s and who speak Berber, Arabic or an Arabic dialect at home. This group also considers the vote and other forms of civic participation in French life important.[51]

A fourth group considers itself as being more apart from France. This group does not view itself as French, but rather "Muslim," in a cultural sense. Muslims in this category are not likely to vote, and are alienated from French culture and society. Many in this group do not see it as possible to consider oneself both "Muslim and French." In part, the conflict between being Muslim and French is grounded in the traditions of Islam and the traditions of the French Republic. Traditional Muslims believe in a hierarchical society, with women in a position that leaves them submissive to the leadership of men. The Republic, in contrast, not only recognizes but requires that women be treated as the equals of men. This means that Muslim women must renounce their own cultural traditions to integrate fully into French society.[52]

Some observers believe that there remain lingering notions of inferiority in the French Muslim population that grew out of the relationship between France as colonial power and the subject colonial populations in North Africa and elsewhere. In this view, some "native" French believe that they imparted valuable parts of French civilization, such as language and culture, to elements of the colonial population, while the colonial population and its heirs came to accept parts of the argument that their society was improved by the contributions of the "advanced" European society of their colonial masters.[53]

Acceptance by Muslims of the "republican ideal" does not necessarily lead to their assimilation into French society. Some studies find widespread discrimination against North Africans and other Muslims who seek employment in France. Few Muslims are visible in the top levels of French politics, media, the judiciary, business, and the civil service. There are no Muslims in the French Parliament. The percentage of Muslims who fail to finish secondary school appears to be considerably higher than that of non-Muslims. By one estimate, 30% of young Algerians (between 18 and 30) are unemployed; the figure for Moroccans is 28%. Racist violence also has been rising in France. In 2003, there were 232 recorded acts of violence against

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[51] Nancy Venel, "Francités, islamités...," in Laurence, *op. cit.*, p. 88-96.

[52] Bouzar, *op. cit.*, p. 103.

[53] Venel, *op. cit.*, p. 90.

Muslims; that number rose to 595 in 2004. Extreme right wing groups, such as the National Front Party, were responsible for most of these acts.[54]

In late October 2005, riots broke out in the suburbs surrounding Paris, Lyons, Toulouse, Lille, and other cities. For the most part these are working class suburbs populated by North Africans, where unemployment levels are high and educational levels are low. In many ways, these suburbs are a society apart, their inhabitants cut off from most of the opportunities afforded French youth who are not Muslim. The rioting has largely taken the form of violence against property. The government declared a state of emergency, and responded with curfews and with police, who cut off the neighborhoods from the nearby cities.

Some Muslims criticize the French government as too passive in its approach to encouraging assimilation and insensitive to central aspects of Muslim culture. They describe the French approach, which, as already noted, abjures quotas and requires secular dress and behavior in the public school system, as telling Muslims "to assimilate themselves" to France. The government's decision to ban the head scarf (discussed in more detail below) was in part an effort to "emancipate Muslim women," but "to accept a North African as completely French is to accept him without his religion." In this view, "proclaiming equality of rights is not sufficient to accomplish equality of opportunity." Proponents of this perspective contend that France is not granting its Muslim population a true equality of rights when Paris demands that some elements of Muslim traditional life and culture be abandoned in order for Muslims to enjoy full participation in French life.[55]

At the same time, by some measures, assimilation has increased. In French Algeria in 1955, only 1 percent of Europeans married a Muslim. But by the 1990s, 20% of Muslim men who had come to France by the age of 15 were married to French women (defined as a woman born in France of parents born in France). Among Muslim men born in France, 50 percent were married to a French woman.[56]

Factors Shaping a New French Policy Towards Muslims

For several reasons the French government has taken a more assertive role over the past 25 years in addressing its Muslim population. The Iranian Revolution of 1979 alerted the French government to the political development of a more radical and potentially violent organized strain of Islam. In 1995 an Algerian terrorist group bombed a subway in Paris, killing a number of French citizens. By the 1990s the French government began to view radical imams appointed by Muslim groups' countries of origin as potential threats to public order. A secretive fundamentalist group, the Tablighi, was urging selected Muslims to embrace a more radical Islam,

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[54] "Immigrants are caught between cultures," *Financial Times* (*FT*), Sept. 1, 2004, p. 11; "Hate acts on steep increase in France," *IHT*, March 22, 2005, p. 3; "Le Modèle social français est à bout de souffle," *LM*, June 3, 2005, p. 8.

[55] Yazid Sabeg, "Les Oubliés de l'égalité des chances," Institut Montaigne (Paris, 2004), p. 25-45.

[56] Ibid., p. 63-64.

and was converting elements of the prison population to Islamic beliefs that, in France's view, could lead to violent political acts.[57] Finally, three key assimilative tools — the public schools, the military, and employment — no longer seemed to be having the desired effects. Disciplinary problems were troubling the schools, conscription was phased out in the late 1990s, and unemployment among Muslim youth remained excessively high.

Particularly troubling to many French officials have been tensions in the public school system through the secondary level between a small minority of Muslims on the one hand and school teachers and administrators and students of French heritage on the other. Some Muslim parents, opposed to having their female children in classes with boys, have been demanding gender separation in the schools, and have defended the practice of Muslim girls wearing head scarves to class. Some Muslim parents have also instructed their children not to attend classes on the Holocaust. A greater percentage of Muslims than of other social groups fails to complete secondary school, with the follow-on effect that unemployment is significantly higher among Muslim young people.[58]

Women's rights have been an important political issue in France since at least the 1960s. Muslim immigrants in France come largely from societies that demand the submission of women, and they have arrived in one that requires equal treatment of all. French officials view the demands of some Muslims for special treatment of Muslim girls in the school system as undermining the rule of law. The issue of women's rights extends well beyond a debate over management of the school system. In a case that caused a political uproar in France in 2003 and 2004, Abdelkader Bouziane, a legal immigrant from Algeria, publicly endorsed polygamy and the beating of women. He has two wives and sixteen children. He also called for Muslims to attack U.S. targets in France. French authorities arrested and deported him without a trial on the grounds that he was a security threat, but a French court allowed him to return, declaring that the charges against him were too vague.[59]

A rise in anti-Semitic violence is another trend that is troubling France. By most accounts, the violence has been committed by young Muslims. Such acts have increased noticeably since 2000. In 2003, approximately two-thirds of the acts of racist violence were committed against Jews (most of the rest were against Muslims). The acts have occurred mainly in the suburbs around Paris, and in southern cities such as Marseille and Carpentras. Molotov cocktails have been thrown at several synagogues and schools, rabbis have been assaulted, and in one instance, a school bus

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[57] "Les Conversions à l'islam radical inquiètent la police française," *LM*, July 13, 2005, p. 7.

[58] Jonathan Laurence, "Managing Transnational Islam in Western Europe," in Laurence, *op. cit.*, p. 1-2; Dominique Moisi, "France would be wise to embrace its Muslims," *FT*, Feb. 2, 2004, p. 11; and "Les Conversions à l'Islam...," *op. cit.* It is a crime in France to deny the Holocaust.

[59] Interviews with French officials, September 2005; and "France moves fast to expel Muslims preaching hatred," *Wall Street Journal*, Aug. 9, 2004, p. 1.

with Jewish children was stopped and threatened by a gang of street thugs. No one has been killed in these attacks.[60]

Over the past decade there has been a close correlation between surges in violence in the Middle East and increases in anti-Semitic acts in France. The Gulf War of 1991, the Palestinian Intifada after fall 2000, and Israeli military action on the West Bank and in Gaza after spring 2002 were all followed by increases in anti-Semitic violence in France.[61]

French Measures to Assimilate and Control the Muslim Community

In the past several years the French government has adopted new measures to assimilate and control its Muslim community. These measures place a high value on preserving the ideals of republicanism, and reflect an institutional approach in keeping with a long tradition of using a highly centralized government apparatus to ensure public order.

French officials and most observers believe that only a small minority of the Muslim population is engaged in violence and other disruptive behavior. Even with the riots of late 2005, the French government continues to reject measures that intimate that Muslims will be given special consideration and treatment, such as development of a quota system in schools and employment, in an effort to encourage assimilation. Rather, the emphasis is on development of structures for dialogue between representatives of Islam and the government, and on enforcement of the law to ensure public safety. President Chirac rejected any dramatic change of policy as a result of the autumn 2005 riots. He spurned the idea of affirmative action. Rather, he and his government said that more scholarships would be offered to children in impoverished families. The government also proposed apprenticeships for some adolescents who were failing in secondary schools.[62]

France has a tradition of "domesticating" religion to accept Republican ideals. The country has a long history of religious violence. Political factions went to war in the 16th century over religious differences and dynastic claims; the conflict left many thousands dead and the society badly divided. One cause of the Revolution was a desire by many to end the Catholic Church's grip on elements of society and to dismantle a church hierarchy widely viewed as corrupt and poorly educated.

As noted earlier, a law of 1905 designated the creation of structures for the then largest religious groups to discuss organizational matters with the government. The

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[60] "Hate acts on increase in France," *op. cit.*; "Jacques Chirac remobilise le gouvernement contre l'antisémitisme," *LM*, Nov. 18, 2003, p. 2.

[61] "Les Juifs et les Arabes en France," *Le Nouvel Observateur*, Jan. 24-30, 2002, p. 5; "Wave of anti-Semitism called threat to France," *IHT*, Oct. 20, 2004, p. 3.

[62] "A loud 'non' to quotas based on race," *IHT*, Nov. 16, 2005, p. 3; "Minority youth see odds stacked against them," *IHT*, Nov. 11, 2005, p. 5; "Chirac admits failure on social problems," *IHT*, Nov. 11, 2005, p. 5.

law is part of the lineage of the Revolution, which set France on a firmly secular path in which religious groups operated within circumscribed bounds and were required to accept the separation between religion and politics. The law enshrined "*laïcité*" as a principle of French life. "Laïcité" is not simply secularism, but the balancing of religious freedom and public order. The government protects freedom of religion; at the same time, there is an effort to ensure that religious groups do not engage in political activism disruptive of public life.[63]

CFCM. There are approximately 1,600 Muslim associations and mosques in France, which represent many traditions and viewpoints. In 2002 and 2003 the French government created the French Council for the Muslim Religion (*Conseil français du culte musulman*, or CFCM). CFCM represents the Muslim religion, but is not meant to represent all Muslims in France. Rather, it is a forum for discussion with government officials about construction of mosques, observance of religious holidays, and ensuring, for example, appropriate food for Muslims in the French prison system. Neither the government nor Muslims view CFCM as an avenue for integration of Muslims into French society, as it does not address issues, for example, in the educational system or the activities of youth groups.[64]

French Muslims elect two-thirds of the officials of CFCM, and local Muslim organizations and mosques appoint the rest. Nicolas Sarkozy, the French Minister of the Interior, led the negotiations that created the CFCM, as well as 25 regional Muslim councils in France. He demanded that women be represented in the CFCM's general assembly. Sarkozy has described the CFCM as a forum for political dialogue, and has overtly linked creation of the institution to the effort to ensure social peace in the wake of increasing violence in Muslim neighborhoods and acts of anti-Semitism. In 2003, after noting that creation of the CFCM was followed by a dip in violence in suburbs where Muslims predominate, Sarkozy said: "Who can't see the relation between an overture to an Islam of France in broad daylight, on the one hand, and the cleaning up of difficult neighborhoods? These two things go together." In the view of one observer, the French government established the CFCM to "cast religious practice in a national framework" that acknowledges the primacy of the secular state.[65]

CFCM does not represent all streams of Islam present in France. While there are fundamentalist elements in CFCM, some of the more radical currents of Islam declined to participate in the negotiations with the government, and in the subsequent elections for regional councils and the CFCM itself. Some governments in the countries of origin of France's Muslim population, wishing to maintain influence over their diaspora, reportedly urged mosques and imams not to participate in the CFCM and the regional councils. In part, this reluctance was a product of rivalry

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[63] "Laïcité in France: Promoting Religious Freedom and Tolerance," written and supplied by the French embassy, March 2004.

[64] Jonathan Laurence, "Introduction," in Laurence, *op. cit.*, p. 1-5.

[65] Sarkozy cited in Laurence, "From the Élysée Salon...," in Laurence, *op. cit.*, pp. 21-40, 54-55.

among different Muslim groups, and in part a desire by governments to continue to influence individual mosques, free of the hand of Paris.[66]

In most assessments, the CFCM is a functional apparatus that can represent mainstream French Muslims before the French government. However, due to the atomization of the French Muslim community, few believe that it is an apparatus for clear, well-developed political dialogue that can contribute in the near future to greater integration of Muslims into French life.[67]

"Le Foulard". A current controversy in France has pitted elements of the Muslim community against the government. Among the approximately one-third of French Muslims who consider themselves "practicing," there is a group who seek to ensure that their children may pursue what they view as traditional Islamic practices in the public school system. As noted earlier, some French Muslim families require their girls to wear head scarves ("le foulard") to school. French public schools are co-educational. Some Muslim families object to elements of co-education: for example, they do not want their female children to take physical education, nor do they want them to take biology classes where reproduction is discussed. The French government believes that such families are causing disruption in the public school system, especially in a period of increased tensions between Muslims and Jews in France, and a period of political tension with the Muslim world over the issue of terrorism.

After an extended debate, the government presented a bill to Parliament to ban "conspicuous" religious symbols in public schools through the secondary-school level. The law prohibits the wearing of head scarves. It also bans religious symbols such as large crosses and the yarmulke. In the parliamentary debate over the bill, then Prime Minister Raffarin said that the purpose of the legislation is "to set limits" in the face of growing religious militancy. Some religious signs "take on a political sense and cannot be considered a religious sign," he said. "I say emphatically, religion must not be a political subject."[68] Some Muslim governments, such as that of Iran, sharply condemned the bill. Moderate Muslim groups in France supported it as a means to reduce tensions in the school system and in broader society.[69] The bill passed by a wide margin in March 2004, with government parties and elements of the left supporting it.

Some observers in France criticized the bill because they viewed it as essentially a negative instrument that could alienate French Muslims. They contended that the government should do more to integrate Muslims into French society. One observer, a member of the government-appointed commission to study the issue of head scarves in schools, opposed the law. In his view, France should seek a balance that

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[66] Interviews with French officials, September 2005.

[67] Interviews with French academics and other observers, August-September 2005; "L'Europe est devenue un lieu de radicalisation islamique," *LM*, July 9, 2005, p. 7.

[68] Cited in "French premier urges approval of scarf ban," *IHT*, Feb. 4, 2004, p. 3.

[69] Justin Vaïsse, "Veiled meaning: the French law banning religious symbols in public schools," Brookings Institution, March 2004, p. 5.

embraces diversity yet preserves a degree of uniformity that sustains the French "identity." He believes that the law fails such a purpose because it stigmatizes the Muslim population and culture.[70]

In the 2004-2005 school year, the government confronted 597 instances in which girls wore a head scarf to school or objected to certain classes or practices in the school system. The government states that it resolved 550 such cases, meaning that the head scarves were removed or girls agreed to take required classes. In 47 cases that could not be resolved, schools excluded the students.[71]

Radical Imams and the Government's Response. The presence of radical imams promoting fundamentalism and, in some cases, violence led the French government in the 1980s to establish more direct contact with Muslim communities in France. The government began to discourage foreign governments from sending imams to France if those individuals did not speak French, knew little about French society, or had extremist tendencies. When the step did not yield adequate results, the government began to demand that mosques appoint imams who had been born or at least educated in France. France wished to secure a body of imams whose views had been to some extent framed in France, in the French language, and to have access to information about them from an early period in their lives.

French law allows the deportation without trial of anyone seen as a security threat. The law has been applied to a number of imams. Interior Minister Sarkozy has explained the rationale for this policy:

> "The Republic is not a weak regime and does not have to accept speeches that, under the guise of being protected by being delivered in a place of worship, might call for hatred and murder. [Such imams] will be systematically expelled.... Those who make excessive and violent remarks foreign to the values of our Republic will be expelled....[We] will surveil places of worship... as well as prisons..., and keep an eye on social and sporting or cultural organizations that serve as a screen for radical and terrorist ideologies and activities."[72]

France has had long experience with terrorist groups, most recently since the 1960s. Algerian, Basque, and Corsican terrorists have struck French targets since that time. In 1994, French police thwarted a hijacking at the Marseille airport by Islamic terrorists who reportedly intended to crash the plane into the Eiffel tower. By most accounts, a more forceful law enforcement policy against Muslim extremists took hold in the French government after the September 1995 bombing of the Paris subway by Algerian militants belonging to the Armed Islamic Group (GIA). The reaction of the French government, according to U.S. and French officials, was swift, ruthless, and effective, and the bombings ceased.[73]

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[70] Jean Baubérot, "Laïcité, le grand écart," (editorial), *LM*, Jan. 4-5, 2004, p. 1.

[71] "Un an après la 'loi sur le voile'...," *LM*, March 15, 2005, p. 9.

[72] "M. Sarkozy veut expulser les imams 'radicaux,'" *LM*, July 17-18, 2005, p. 2.

[73] The details of this operation are not in the public domain. Elements of the GIA are now reportedly linked to Al Qaeda. For a discussion of French efforts to combat terrorism, see

There are also French laws that punish hate speech. It is a crime in France to deny the Holocaust, as previously noted. In 2002, Parliament passed the "Lellouche Law," which cracks down on anti-Semitic violence and other racist crimes. Both the left and the right largely supported the law. Since the subway bombing of 1995, France has pursued vigorous surveillance of suspected terrorist groups with, for example, increased authority to eavesdrop on conversations and to view electronic mail. A new bill has been proposed for fall 2005 to increase camera surveillance of subways, buses, and other public transportation. There is reportedly a consensus in French society and in the Parliament in support of such steps.[74]

Conclusion

For over two centuries France has been one of the most centralized of European states. The Revolution established fundamental tenets of secularism and egalitarianism, and strong state power to enforce them. The French media is filled with plaintive stories that the French "identity" is being diluted by immigrants (whether Muslim, east European, or Asian), and a strong consensus remains that the Republic's central ideals must be preserved. "Multiculturalism" is not a policy that is broadly advocated by French leaders. There is, however, a broad gap between the extremists and racists of the National Front who frequently test government limits on hate speech, and more "traditional" French views that see the Republic as tolerant but protective of public order.

The suburban riots of autumn 2005 do not seem to have shaken the French government's faith in its policies. When President Chirac first spoke to the French people after nearly ten days of street violence, he again emphasized the Republican ideal of opportunity and the requirement for public order. He added that some government measures that would open the door to more of the country's poor would eventually be forthcoming.

Tolerance for violent speech in France has waned over the past century. This change is in part the result of sharp divisions caused by the Algerian war for independence and, more recently, Islamic terrorist attacks in France and the attacks of September 11, 2001, on the United States. Enforcement of legislation restricting certain forms of political action remains a route to ensure stability, preferable to an active government policy of assimilation; the latter remains in a rudimentary stage at most in France. Today, the burden remains on Muslims who have immigrated to France and on their descendants to embrace the norms of republican ideals that the government believes it must nurture and preserve. To balance this equation, in the view of some critics of government policy, Paris must act more assertively to integrate an alienated population, or face greater hostility and potential threats to security.

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[73] (...continued)
CRS Report RL31612, *European Counterterrorist Efforts: Political Will and Diverse Responses in the First Year after September 11*, coordinated by Paul Gallis.

[74] Interviews with observers and French officials, September 2005.

Germany[75]

German Legacy Regarding Muslim Immigration and Asylum

Post-war German governments, conscious of the country's Nazi past, have had a strong record of openness to foreigners seeking asylum or wishing to reside and work in Germany. They have been much less successful in integrating or assimilating outsiders who chose to stay in Germany permanently, especially the growing number of Muslim immigrants from Third World countries.

Historically, Germany has not seen itself as a nation of immigration though in fact there always has been some migration into Germany, including large groups such as the Huguenots from France in the 17ᵗʰ century or the Polish miners who settled in the Ruhr basin in the 19ᵗʰ century.[76] Since World War II, millions of ethnic Germans from Russia and Eastern Europe have been repatriated to Germany as full citizens with generous benefits.

Eligibility for German citizenship, prior to 2000, was based solely on German ancestry and not country of birth. Foreigners residing in Germany, even second and third generation residents born in Germany, had little prospect of naturalization. The government sought to compensate by granting foreigners extensive civil and social rights, as well as social benefits as non-citizens. Under the new citizenship law, passed in 2000, second generation foreigners born in Germany became eligible to apply for citizenship, assuming their parents had legal residency. However, even after the law went into effect, the old notions of who is "really" a German persisted among ethnic Germans. To this day, many Germans identify their nationality in ethnic and cultural terms and do not consider those without German ancestry as German. At the same time, a very large number of foreigners reside in Germany. In recent years, some 800,000 people have moved to Germany annually, while some 700,000 have left each year. In all, over 7 million foreigners live in Germany, or about 9 percent of the population.[77]

Post-war Germany assumed a special responsibility for those seeking asylum from political persecution. The Basic Law of 1949 established as a firm principle the right of political asylum. In the early years of the Federal Republic, refugees mainly from Communist Eastern Europe sought asylum in Germany. However, in the mid-1970s, Germany began to receive an influx of asylum seekers from other countries. In 1992, a record 440,000 applications for asylum were submitted. While only a small percentage (4.25%) were granted asylum, the rest were able to take advantage of the drawn out process to stay in Germany and receive housing and social benefits for many years while their cases were adjudicated. With German reunification and rising unemployment came growing resentment from German taxpayers. In 1993,

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[75] Prepared by Francis Miko, Specialist in International Relations, Foreign Affairs, Defense, and Trade Division.

[76] Bundesregierung fur Migration, Fluchtlinge und Integration. [http://www.handbuch-deutschland.de/book/en/002_004_001.html]

[77] Ibid.

the Federal Government responded to rising social tensions by toughening asylum criteria and streamlining the process for adjudication of asylum cases.[78]

The largest influx of foreigners resulted from Germany's policies in the 1950s and 1960s to address an acute labor shortage during a period of rapid economic development by inviting in "guest workers" from less developed countries to perform the jobs for which Germans were not available. Under agreements with foreign governments, these workers were expected to stay in the country for a fixed term and to leave the country once their services were no longer needed. Many of the original "guest workers" (Italians, Greeks, and other southern Europeans) did return to their native countries. However subsequent groups of "guest workers," mostly Muslim Yugoslavs, Turks, and North Africans stayed and eventually brought their families to join them. They and their children remained largely segregated from German society, living in their own communities and sometimes having little contact with the host society. In later years, many Germans came to accept this as a form of "multiculturalism" in that these groups were allowed to live in Germany as they chose and to maintain their own cultural identity and communities. Germany was reluctant to forcibly expel people but the government tried various packages of financial incentives to encourage them to repatriate to their native countries. Such measures had limited success and the majority of these foreigners chose to stay despite their isolation.

Status of Muslims in Germany

Today, some 3.3 million Muslims live in Germany making up about 3.5 percent of Germany's population. Turkish Muslims are by far the largest group, followed by Muslims from the former Yugoslavia, Arabs, and Muslims from Southeast Asia. Muslims now form the third largest religious group after Roman Catholics and Lutherans. The Muslim birth rate is 3 times higher than for non-Muslims and the Muslim population is expected to roughly double by 2015.[79]

The new German immigration law which went into effect in January 2005 is likely to influence the further immigration of Muslims to Germany. For certain professionals, scientists, and highly skilled workers, it means easier entry and an opportunity to gain immediate permanent residency. There is an annual quota for immigrants to be selected on a point system. The new law also favors self-employed entrepreneurs who agree to invest a minimum of one million Euro and create 10 new jobs. The law will also make it easier for certain refugees who are the victims of non-state and gender specific persecution to claim asylum. For the less skilled and educated, the law makes immigration virtually impossible.[80] The law also contains provisions for programs to help assimilate the new immigrants, including mandatory courses in German language, history, and culture.

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[78] [http://www.zuwanderung.de/english/1_fluechtlinge.html].

[79] [http://www.pbs.org/wbgbh/pages/frontline/shows/front/map/de.html].

[80] *Deutsche Welle*, January 1, 2005.

Most Muslims in Germany are Sunnis, although there are also Shia and other sects. Overall, the majority of Muslims living in Germany have been seen as religious moderates. Turkish and Yugoslav Muslims have traditionally not been drawn to radical forms of Islam. Only a small percentage even belong to formal religious organizations. However, support for more radical Islamic views may be on the rise, especially among some younger Muslims.

The German Basic Law grants religious freedom to all and the German government respects the right in practice. The U.S. State Department reports that some discrimination against minority religious groups, including Muslims, still exists despite strong anti-discrimination and anti-racism laws.[81] Church and state are separate under German law but a strong partnership exists between Government and dominant religious groups that have official status as public corporations. These include the Roman Catholic Church, several Protestant denominations, and the Jewish faith. As part of its tax system, the government collects "church taxes" from which the construction and activities of churches and Jewish synagogues are subsidized. Thus far, Islamic organizations have not gained such public status or revenues. The government has been slow to fund the building of mosques or to subsidize mosque-centered Islamic social services for the Muslim community.

Germany is increasingly concerned about radical clerics who may be preaching in German Mosques. Since there has been no training of Muslim clerics in Germany, most Muslim religious leaders are imported from outside of Europe. These clerics, often trained in Saudi Arabia, have no ties to and little familiarity with Germany or the West. However, they come to Germany with negative and often hostile views of Western institutions and values.[82] Under the anti-terrorism laws of 2001, authorities are no longer barred from monitoring what goes on inside mosques. Some German states have considered laws to make imams preach in German. Some would like to see programs to train imams in Germany.

Formal relations among Muslim and other major religious organizations are generally harmonious. There have been initiatives to increase dialogue between Christian and Islamic organizations, although these have been hampered by the differences and rivalries among Muslim groups. However, there is a significant difference in public attitudes regarding the place of the church and religion. The German population as a whole, in contrast to the Muslim minority, is becoming increasingly secular. Only a small percentage of German Protestants and Catholics attend church regularly. Secularism is especially strong in the east where less than 10 percent of the population belongs to any religious organization.

Most public schools in Germany include religious teaching in their standard curriculum. The issue of Islamic education in public schools has become a major

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[81] U.S. Department of State. International Religious Freedom Report, 2004.

[82] U.S. Congres, House Committee on International Relations, Subcommittee on Europe and Emerging Threats, Hearings on Islamic Extremism in Europe, April 27, 2005. Statement by Claude Moniquet, p. 32.

topic at the state level.[83] Public schools are slowly incorporating Islamic education into their curriculum, but policies vary greatly among the states. In some states, teaching about Islam is included only in a comparative course on world religions. In other states the government now helps to fund private Islamic schools. The wearing of headscarves in schools has become an issue in some states. While there is no Federal Law against the wearing of headscarves in schools, the federal courts have upheld legislation passed in two states banning teachers from wearing headscarves in public schools.

Despite advances in some areas, overall Muslim integration into German society has been minimal. Germans and Muslims often blame each other for this. Many Germans see the Muslim community as refusing to accept German norms and values and as wanting to stay apart from the majority population. German attitudes toward Muslim communities, though rooted in differences in culture and values, also have been worsened by persistent social and economic problems facing the country as a whole.

Many Muslims view German society as unwilling to fully accept people of different race, regardless of what they do. Thus they do not view assimilation as a realistic option. Alienation is strongest among second and third generation German-born Muslims. Unemployment and poverty are much higher in the German Muslim community than in other segments of society, especially among Muslim youth.

Concern is growing over the radicalization of many young Muslims. They do not identify with Germany and are increasingly motivated by pan-Islamic notions of Muslim humiliation around the world, the plight of the Palestinians, and perceived U.S. subjugation of Arab countries. It is within this group that Islamic terrorists are most likely to find sympathy. Radical young Muslims are believed to be largely responsible for the rise in anti-Semitic incidents in Germany in recent years.[84]

The political influence of Muslims in Germany is likely to grow in the coming years with a significant impact on German policies and possibly even relations with the United States. Since the introduction of the new citizenship law in 2000, some 160,000 Muslims have gained citizenship each year. In all, some 15 percent of Muslims in Germany are now German citizens. It has been estimated that within a decade there might be over 3 million Muslim German citizens.[85] As they become a more politically active voting bloc, Muslim voters are likely to be able to influence the major political parties on a range of significant issues. In recent elections, strong Muslim support for the Social Democrats (SPD) and Greens is believed to have affected election outcomes at the federal and state levels. Already, German opposition to the war in Iraq and support for the Palestinian cause are likely influenced to some extent by German Muslim attitudes. In the end, German policy on Turkish-EU membership is also likely to be influenced by Muslim opinion. It

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[83] Under the German federal system, education is largely under the purview of the individual states.

[84] U.S. Department of State. International Religious Freedom Report, 2004.

[85] Omer Taspinar. Europe's Muslim Street. *Foreign Policy*, March 2003.

may be noteworthy that the SPD which receives most of the Turkish and Muslim vote has been strongly pro-Turkish EU accession, while the Christian Democrats (CDU/CSU) who receive little Muslim support have been most vocally opposed.[86]

Impact of 9/11 and the Threat of Islamic Terrorism

The attacks in the United States on September 11, 2001, and other recent terrorist incidents have heightened German public suspicions of Muslims residing in the country and have led to an escalation of anti-Muslim incidents, especially in the eastern part of Germany. The terror threat has also caused German authorities to give far greater attention and scrutiny to the Muslim communities in Germany.

After the attacks of September 11, 2001, it became apparent that Germany faced a serious threat of radical Islamic terrorists on its own soil. Three of the 9/11 hijackers in the United States had lived and plotted in Hamburg and other parts of Germany for several years.[87] Other terrorist incidents are also believed to have had a German connection, indicating that the terrorists saw Germany as one of the easier places in Europe from which to operate. They were able to take advantage of Germany's liberal asylum laws, as well as strong privacy protections, and rights of religious expression which had shielded activities taking place in Islamic mosques from surveillance by authorities.

Significantly, Germany now sees radical Islamic terrorism as its primary security threat and itself as a potential target of attack.[88] Since September 11, 2001, more German citizens have died as victims of Islamic terrorist attacks than in the entire history of domestic violence by the Red Army Faction (RAF), a German terrorist group that operated for over thirty years.[89]

After 9/11, Germany adopted new anti-terrorism laws that limited the protection accorded to Muslim extremists. Legislation approved in November 2001, targeted loopholes in German law that permitted terrorists to live and raise money in Germany. The immunity of religious groups and charities from investigation or surveillance by authorities was revoked, as were their special privileges under the right of assembly, allowing the government greater freedom to act against extremist groups. Under the legislation, terrorists could now be prosecuted in Germany, even if they belonged to foreign terrorist organizations acting only in other countries.

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[86] The new CDU German Chancellor Angela Merkel opposed the start of Turkish EU accession talks during the 2005 election campaign.

[87] Bundesamt fuer Verfassungsschutz: *Aufgaben, Befugnisse, Grenzen*, 2002, p. 62. Available on the website for the German Federal Bureau for the Protection of the Constitution (in German) [http://www.verfassungsschutz.de/de/publikationen/allgemeine_infos/abg/abg.pdf].

[88] Statement of the Minister of the Interior, Otto Schily, during a press conference issuing the "Verfassungschutzbericht 2003," May 17, 2004.

[89] This would include Germans who died in the World Trade Center on 9/11, and the terrorist bombings in Bali and Tunisia.

The government launched a major effort to identify and eliminate radical Islamic extremist cells. Germany's annual "Report on the Protection of the Constitution 2004"[90] estimated that about 32,000 German residents were members of 24 Islamic organizations with extremist ties. Shortly after the 9/11 attacks the government moved against twenty religious groups and conducted more that 200 raids.[91] Three radical Islamic organizations were banned in Germany (i.e., Kalifatstaat, Al-Aksa e.V., and Hizb-ut-Tahrir). In 2004, the German Justice Ministry was involved in some 80 preliminary proceedings.[92] Authorities have placed about 300 suspects who are thought to have links to international terror networks under surveillance.[93] A new German immigration law went into effect in January 2005, making it easier to deport suspected foreign extremists.

Although the ease of entry of terrorists into Germany and their movement within the country have been significantly curtailed, suspects already living in Germany may be able to take advantage of apparent loopholes in German law. For instance, Muslim extremists have been able to obtain extended residency permits by enrolling in academic and job training programs. Others have been able to gain political asylum.[94] Some extremists may have gained permanent residence through marriage to German citizens. Second and third generation Muslims who have gained citizenship under the 2000 citizenship law, but remain isolated and disgruntled, may be more susceptible to Islamic radicalism and could serve as a potential recruitment pool for terrorists.

Prospects

There is growing awareness in Germany that the integration of its Muslim population is one of the greatest challenges the country faces. Several factors are at play. First is the reality that Germany's Muslims are there to stay. Demographic trends seem to ensure that Muslims will become a growing segment of German society, even without further immigration, given the continuing decline in the ethnic German population and the high birth rates among Germany's Muslims. In addition, in order to take care of its aging population, Germany may need to expand its younger work force substantially, which at this point seems possible only through immigration. A large portion of those wanting to immigrate to Germany are likely to be Muslims from developing nations. Another factor for pressing Muslim assimilation is that, given the growing security threat of terrorism, Germany cannot

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[90] See website Ministry of the Interior (in German), released on May 17, 2005, [http://www.bmi.bund.de/cln_012/nn_121894/sid_07FFFD51648A8BDE07F0D2FA7B8 CB8F1/Internet/Content/Broschueren/2005/Verfassungsschutzbericht__2004__de.html].

[91] Katzstein, Peter J., "Same War — Different Views: Germany, Japan, and Counterterrorism," in: International Organization, vol. 57, no. 4, 2003, pp. 731-760.

[92] Minister of Justice Brigitte Zypries in *Sueddeutsche Zeitung*, June 11, 2004.

[93] According to remarks of Joerg Zierke (Director of the BKA) during a press conference on July 21, 2005.

[94] *Die Welt*, May 24, 2004.

afford to have in its midst an increasingly hostile and alienated population, among whom a few might be susceptible to terrorist recruitment. The Muslim riots which broke out in France in October 2005 may have focused greater attention on the problem of Muslim integration in Germany. However, Germans are quick to stress that the conditions that produced unrest in France do not exist in Germany where Muslims live among the German population and not in segregated ghettos.

The German government has taken some enormous strides to resolve the formal status of Muslims in Germany, through its adoption of the 2000 citizenship law and the immigration law that allows people into the country for the first time based on skills and competence rather than place of origin. These bold moves amount to a sea-change in terms of official German thinking about the future make-up of German society.

However, Germany has made much less progress in trying to eliminate the de facto isolation of Muslims (whether German citizens or not) from the rest of German society. Mind-sets may need to be changed radically, both among ethnic Germans and the Muslim minority to end the existing divisions. Efforts and programs until now have generally focused on trying to make Germany's Muslims more "German" rather than on making ethnic Germans more accepting of a multicultural German identity. Such efforts have not born much fruit to date and it is not clear how far German policymakers are prepared to go to challenge long-engrained societal attitudes.

Progress might be easier to achieve if Germany's economy starts to grow and unemployment goes down. This would remove one of the major sources of social tension. Many economists believe that, after years of stagnation, Germany's economic outlook is improving, though not dramatically, as a result of global economic trends and as economic reforms that the previous government instituted begin to take effect.

Spain[95]

The March 11, 2004 terrorist attacks in Madrid threw into sharp relief the issue of the integration of Muslims into Spanish society. Before the attacks, Spain had made limited progress in this area, due in part to the relative recentness of the immigration (in contrast to countries like France) as well as Spanish social attitudes, both historical and contemporary, about immigrants in general and Muslims in particular. Spanish Prime Minister Jose Luis Zapatero has bolstered resources devoted to fighting Islamist terrorism, but has put more stress on assimilating Muslims into Spanish society, rather than viewing them as possible security threats.

During the morning rush hour of March 11, 2004, bombs exploded on four trains on a Madrid commuter rail line, killing 192 persons and wounding 1,800. Spanish authorities later said that the Al-Qaeda-linked Moroccan Islamic Combatant

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[95] Prepared by Steven Woehrel, Specialist in European Affairs, Foreign Affairs, Defense, and Trade Division.

Group was involved in the attacks. Many observers believe that the March 11 attacks helped determine the outcome of Spain's parliamentary election, held three days later. The Socialist Party won the election, although pre-election polls taken before the attack gave the then-ruling Popular Party a narrow majority. Prime Minister Zapatero has been careful to note that he does not see a military solution to the problem of terrorism, preferring to focus on law enforcement cooperation and by pursuing an "alliance of civilizations" with the Muslim world. Zapatero has also worked to improve bilateral relations with Morocco, in hopes of boosting cooperation with that country in fighting terrorism and stemming the flow of illegal immigration.

Background on Muslims in Spain

The origins of the Muslim population in Spain go back to the conquest of the region by Muslims in the 8th century. The seven centuries of Muslim rule of Spain (named Al-Andalus by the conquerors) were distinguished by a flowering of art, architecture and learning, as well as a degree of religious tolerance that was notable for its time. Starting in the 11th century, Christian rulers in northern Spain gradually gained control over the entire peninsula, capped by the fall of Grenada to King Ferdinand and Queen Isabella in 1492. Over the course of a little more than a century, Muslims in Spain suffered forced conversions, persecution by the Spanish Inquisition, and, finally, expulsion from their homes, many settling in what is now Morocco and Tunisia.

These historical memories have colored contemporary events. The Reconquista (reconquest) of Spain from the "Moors" has had a central importance in Spaniards' understanding of their history. In contrast, at least until recently, Spaniards have generally not celebrated the achievements of Al-Andalus, in contrast to scholars in Western countries other than Spain. Public statements by Bin Laden and other Al Qaeda figures have referred to the Reconquista as the "tragedy of Al-Andalus." The terrorists who committed the March 11 attacks said they had acted in the name of Tarik Ben Ziyad, the 8th century conqueror of Spain, and called themselves the "brigade situated in Al-Andalus." Bin Laden and his supporters do not mourn Al-Andalus for its tolerance of other faiths, but rather as a symbol of the powerful Muslim empire that it represented, at least in its early history.[96]

In the modern period, Spain's Muslim population has been very small, in the tens of thousands, until the 1980s. In part this was due to the strongly pro-Catholic nature of the Franco dictatorship (which ended with Franco's death in 1975). However, perhaps most important was an increasing demand for labor in the post-Franco period, due to rapid economic growth and Spain's low birth rate. Immigrants found jobs in such areas as construction, tourism, and agriculture. Growth in immigration to Spain, including from Muslim North Africa, has been particularly rapid in the past decade.

At the same time, the population of North African Muslim states has increased rapidly and the wealth disparity across the Mediterranean Sea has grown. Morocco has a population of over 30 million, and 30% are under 15 years old. The differential

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[96] "Andalusia's Islam Connection," Toronto Star, March 20, 2005.

between per capita income in Spain and Morocco is one of the highest in the world among bordering states.[97] Illegal immigrants can reach Spain either directly across the Mediterranean Sea or through two Spanish enclaves on the North African coast, Ceuta and Melilla. Ceuta and Melilla are the EU's only land border with Africa, and as such form the southern limit of the EU's Schengen zone, within which persons can move without border controls.

The exact number of Muslims in Spain today is unknown, in part due to substantial but hard-to-document illegal immigration. In 2002, the Spanish Ministry of the Interior said that there were about 600,000 legal immigrants from Muslim countries in Spain, of which about 370,000 were Moroccans.[98] One of the higher estimates, by the Federation of Spanish Islamic Entities, estimates that there are about 1 million Muslims in Spain, which would represent about 2.4% of a total Spanish population of 42.7 million. Other estimates of Muslims in Spain are as low as 700,000. Muslims are concentrated in districts of Madrid and Barcelona, as well as other cities and towns, especially in southern Spain.

Islamic terrorists and their active supporters represent only a tiny fraction of the Muslim population in Spain. In May 2004, Spanish authorities estimated their number at about 300 persons.[99] An advisor to Spain's Interior Minister estimated that the total could be as high as 1,000.[100] According to experts who have studied Islamic terrorist networks in Spain, including those that carried out the 3/11 attacks, most terrorists were first-generation immigrants, and many, but not all, had belonged to jihadist groups well before coming to Spain. A few were well-educated, but most were not, and were employed in construction, small business, and other occupations typical of immigrants in Spain. Some had no jobs, and obtained money through petty theft and other criminal activities. In keeping with the profile of persons long dedicated to jihadist causes, many were over 30 years old and were married.[101]

Spain's Efforts to Integrate Muslims and Counter Extremism

In part due to the rapidity of the growth of the Muslim population in Spain, Spain undertook few efforts to integrate Muslims in its society until very recently. Indeed, before the March 11 attacks, the Muslim presence was seen mainly as an "immigration" problem, similar to that experienced by other European countries. Muslims experienced prejudice based as much on their poverty as on their faith. Violence against immigrants was rare, although there were two major cases of anti-

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[97] "Morocco's Biggest European Export: People," Christian Science Monitor, September 29, 2005.

[98] State Department International Religious Freedom Report 2004, from the State Department website [http://www.state.gov].

[99] David Ing, "Police Claim that 300 Islamists are Present in Spain," Jane's Intelligence Review, July 1, 2004.

[100] "One Thousand Islamic Radicals Live in Spain, Says Ministry Advisor," El Pais, July 26, 2005.

[101] Javier Jordan and Nicola Horsburgh, "Mapping Jihadist Terrorism in Spain," Studies in Conflict and Terrorism, vol. 28, p 169-191.

immigrant riots in Spain aimed at Moroccans in 2000 and 2002. The September 11 and March 11 attacks threw the issue of Muslims in Spain into sharper relief for the Spanish public. However, contrary to the predictions of many observers, the March 11 attacks did not lead to a major backlash against Muslims in Spain. Moreover, there have been no reports of widespread police abuse of Muslims after March 11.[102]

Prime Minister Zapatero's government has stressed the need to integrate the Muslim population in Spain. Far from restricting immigration, the government has moved to legalize nearly 700,000 illegal immigrants working in Spain, including over 85,000 Moroccans. Persons who have been in Spain for at least six months and have a work contract are eligible. They will receive one year residence and work permits. The government defended the new policy, saying that it will enhance Spain's security by bringing these workers out into the open. The policy marked a break from the policy of the previous Popular Party government, which had moved to crack down on illegal immigrants and pressed the EU to adopt a common policy to restrict immigration. Now in opposition, the PP has criticized the government's move, saying that it has encouraged more people to try to reach Spanish territory.[103] In October 2005, waves of immigrants, most from sub-Saharan Africa, stormed border fences around Ceuta and Mellila, resulting in the deaths of 14 immigrants, some of them shot dead, reportedly by Moroccan police.

The Spanish government has worked with Spain's two major Islamic organizations in Spain to help integrate Muslims. In 1992, the Federation of Spanish Islamic Entities and the Union of Islamic Communities in Spain, united as the Islamic Commission of Spain, signed an agreement with the Spanish government that, among other provisions, recognized Muslim holidays and provides, at least in principle, for Islamic instruction in public schools. Some observers have pointed out that, as the Muslim population in Spain has expanded particularly rapidly since 1992, the Islamic Commission represents only a portion of registered Muslim organizations in the country, not to mention those that are not registered.

Part of the problem in fighting Islamic extremism in Spain is the relatively small number of mosques in the country, when compared to the rapidly expanding Muslim population. Indeed, Muslims in Spain have complained about the difficulty of securing permits to build mosques. Many Muslims in Spain worship in informal, often unmarked, prayer rooms. Experts estimate that there are hundreds of such "garage mosques," headed by imams whose professional qualifications and political ideologies are unknown. Sarhane Ben Abdelmajid Farkhet (known as "the Tunisian"), a key figure in the March 11 attacks, led prayers at one of these informal prayer rooms.

These characteristics have made it difficult for Spanish authorities to monitor Muslim places of worship for jihadist supporters. In May 2004, newly-appointed Spanish Interior Minister Jose Antonio Alonso floated plans to regulate these

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[102] "Setting an Example?: Counterterrorism Measures in Spain," Human Rights Watch report, January 2005.

[103] "Spain: Immigration Policy Suits Market, Not Neighbors," Oxford Analytica, August 10, 2005.

informal mosques by requiring them to register with the authorities and notify them of who their imams are and what they are teaching. Spanish Muslim leaders strongly objected to the idea, and the government dropped the proposal. The government maintains a voluntary registry of places of worship, and is encouraging Muslims to found "proper" mosques, with moderate imams with better professional qualifications.

Even some established mosques have had problems with extremism. For example, a large mosque in Madrid has been criticized for preaching an intolerant version of Islam. The imam of the mosque was one of the spiritual teachers of Sarhane Ben Abdelmajid Farkhet, although the two had a falling-out well before the attacks.[104] This and other mosques in Spain have been funded by foreign countries such as Libya and Saudi Arabia. It should be noted that the Muslim community in Spain is not a unified whole. Although Moroccans form the preponderance of the Muslim population, other countries of origin are represented, as are a small number of Spanish converts to Islam. However, most Muslim leaders in Spain resent Saudi efforts to promote its ultraconservative Wahhabi Islam and have urged the government for funds to train Spanish-born imams. Claiming "90%" of Spain's Muslim population comes from Morocco, not Saudi Arabia, the head of an association of Moroccan immigrants said that "we need to teach a moderate form of Islam that reflects that."[105]

However, although it is concerned about the threat from the introduction of ultraconservative forms of Islam to Spain, the government is reluctant to fund mosques itself. This reluctance is in part due to the Socialist Party's goal of promoting greater secularism in Spanish institutions. The policy is aimed at breaking with long-standing government support for and funding of the Catholic Church, but may affect other religious groups as well. In October 2004, the Spanish government created a foundation to help minority religions integrate into Spanish society, with a modest initial budget of $3.5 million.[106] The foundation, among other initiatives, may fund Spanish language instruction for imams.

Spain has been faced with the challenge of integrating large numbers of Muslim and other immigrants into its education system. Spanish law requires Autonomous Communities (units in Spain's federal system, similar in some ways to U.S. states) to take into account the needs of the children of immigrants in their education systems and to promote their social integration. Problems facing Muslim and other students of immigrant background include a lack of knowledge of Spanish and a poor education received in their former homelands. Autonomous Communities deal with these problems in various ways, including putting children in "bridge" classes, in which they learn Spanish before being placed in mainstream classes; enrolling children in classes that are a year below their age level in order to help them "catch

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[104] "The Fight for Souls and Minds," El Pais, May 12, 2005.

[105] "Fearsome Dilemma of Spain's Muslims," London Daily Telegraph, April, 17, 2004.

[106] "Spain is Seeking to Integrate Growing Muslim Population," *New York Times*, October 24, 2004.

up" academically; and supplemental tutoring and counseling by designated teachers.[107]

A related issue is religious education. Since the 1992 agreement with the Islamic Commission of Spain, Islamic education has at least in principle been available in Spanish public schools. About 74,000 students throughout Spain have requested classes in Islam. However, the government has been slow to pay for imams to teach such classes. Moderate Spanish Muslims are concerned that if more teachers are not found, Muslim children will continue to receive most of their Islamic teachings from the informal, unregulated prayer rooms or mosques associated with foreign regimes that support an intolerant form of Islam.[108] Under the previous Spanish government, a Muslim girl was briefly forbidden in 2002 to wear a headscarf to school, but the ban was soon retracted after a public outcry. Despite its secular outlook, the current Socialist government has not moved to ban headscarves and other manifestations of Muslim practices in public schools, in contrast to France.

Spain's Security Policies

Due to its decades-long struggle with Basque terrorists, Spain has a substantial body of law and institutional capacity to fight terrorism. However, after the September 11, 2001 and March 11, 2004 attacks, analysts criticized Spanish authorities for focusing too heavily on the Basque threat and not enough on Islamist terrorism. For example, Spanish officials have admitted that police threw away wiretapping transcripts on March 11 terrorist suspects because they lacked sufficient numbers of Arabic translators. Moreover, the March 11 attacks exposed serious coordination problems among Spanish law enforcement and intelligence agencies.[109]

The Zapatero government has not proposed dramatic changes to Spain's security policies. In part this has been due to the Socialists' desire to focus on integration of Muslims in Spain rather than security measures aimed at a small minority of the Muslim population. In addition, the Socialists, and many other Spaniards, are leery of draconian security polices, due to the country's experience with Franco's authoritarian rule.

Nevertheless, the government has sharply increased resources for anti-terrorist agencies. Spain has 450 Interior Ministry officials working full-time on Islamic terrorism issues, triple the number before the Madrid attacks.[110] In order to improve coordination, it has also formed a National Anti-Terrorist Center, which coordinates the work of the National Police, the paramilitary Civil Guard, and the National Intelligence Center (CNI), Spain's main intelligence agency. According to Spanish law, terrorism suspects may be held incommunicado by police for up to five days

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[107] "Integrating Immigrant Children into Schools in Europe: Spain 2004," EU Eurydice education database, [http://www.eurydice.org].

[108] "Andalusia to Receive Extra Islamic Teachers, but Spain Needs More, Imam Says," El Pais, February 1, 2005.

[109] Jane's Sentinel Security Assessment: Spain, September 29, 2005.

[110] Robert S. Leiken, "Europe's Angry Muslims," Foreign Affairs, July 1, 2005.

before they are brought before a judge to be charged. The judge may either release them for lack of evidence or order them held for trial. The government has moved to use existing legal authority under the Law on Aliens to expel foreign terrorism suspects in cases where the evidence against them was too weak to try them in Spanish courts. The government has tightened control on the sale of explosives. (The March 11 terrorists had stolen their explosives from a Spanish mine.) Spain has formed bilateral police investigative teams with France to fight terrorism, in part a legacy of the two countries' close cooperation in recent years in fighting the Basque terrorist threat. Spain has also pushed for stronger law enforcement and intelligence cooperation within the European Union on counterterrorism.[111]

The parliamentary commission of inquiry on the March 11 attacks made several recommendations for improving Spain's security policies. Particular emphasis was laid on improved monitoring of jihadist activity in Spanish prisons, which have proved to be recruitment centers for Islamic extremists, and the dispersal of such prisoners among Spanish prisons to prevent them from working together. The government has since taken steps to disperse jihadists among Spanish prisons. The commission rejected proposals to loosen controls on police wiretapping of suspects and to permit the CNI greater access to public databases.[112]

Spain's security policies have achieved some successes. Spanish authorities said that they arrested more than 130 persons associated with Islamic terrorism in 2004, half of them suspected of involvement in the 3/11 attacks. In addition to 3/11 suspects, Spain is also holding suspects related to the 9/11 attacks in the United States and in a planned attack on several government buildings and public landmarks in Madrid that was aborted by Spanish police in October 2004. As of January 2005, 117 men were imprisoned in Spain for offenses related to Islamic terrorism, of which 103 were awaiting trial.[113]

In September 2005, Spain's High Court convicted a group of Islamic extremists accused of assisting in the September 11 attacks on the United States. The group's leader, Imad Eddin Barakat Yarkas, was sentenced to 27 years in prison for conspiring with the 9/11 plotters, but was cleared of charges of murder of those killed in the attacks. Seventeen others were sentenced to lesser terms, mainly for membership in a terrorist group. Six defendants were acquitted. Suspects in the 3/11 attacks have yet to go on trial.

However, Spanish officials note that the Islamist threat to Spain continues. They are concerned about possible "sleeper cells" that may continue to operate in Spain. Moreover, several key figures reportedly associated with the 3/11 attacks remain at large, including Mustafa Setmariam, a naturalized Spanish citizen. The CNI has reported that at least 20 Muslims from Spain have joined the insurgency in Iraq.

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[111] U.S. State Department, "Country Reports on Terrorism: Spain," April 27, 2005, from the State Department website, [http://www.state.gov].

[112] "Spanish Bombings Inquiry Makes Initial Recommendations," El Mundo, March 2, 2005.

[113] "A Fifth of Spain's Terrorist Prisoners are Islamists," El Pais, January 3, 2005.