

THE MANY SIDES OF MUSLIM
INTEGRATION: A GERMAN-
AMERICAN COMPARISON

AICGS GERMAN-AMERICAN ISSUES

13

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AT JOHNS HOPKINS UNIVERSITY

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FOREWORD

The United States has always understood itself as a country of immigrants, whereas Germany has only recently begun to grapple with its reality as a country of destination for immigrants. Yet for both countries the question of integration of its immigrants is becoming more and more important. In the United States, programs aimed at integration have been lacking because immigrants are expected to integrate without any problems. In Germany, the previous mindset of immigrants as guest workers that would leave Germany after a few years has led to a delay in establishing programs for integration.

While analyses on the integration of immigrants and especially Muslim immigrants have multiplied in recent years, debates in the U.S. and Germany differ on these issues. The U.S. debate is focused on security aspects; the German debate centers on cultural issues. The U.S. wrestles with immigration policy questions, whereas Germany and Europe examine integration policies more closely. Even though the U.S. and German debates are clearly different, a comparison of Muslim integration in the U.S. and in Europe is still drawn frequently. Europeans often view the U.S. as model in integrating immigrants, including Muslim immigrants, whereas the U.S. cites Europe's perceived lack of integration as security risk.

The authors of this edited volume examine and challenge these assumptions. After an introduction by Lily Gardner Feldman that gives an overview of the different aspects of Muslim integration in the United States and Germany, Raida Chbib examines the socioeconomic aspects of Muslim integration in both countries. Ariane Chebel d'Appollonia's essay focuses on the impact of geopolitical factors on Muslim integration and Tara Bahrapour examines the relations between Muslims and the media, both from an American perspective. The edited volume closes with a look at Muslims and their religious organizations in Germany by Rauf Ceylan and Mathias Rohe's legal perspective on Muslim immigration and integration in Germany.

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Best regards,



Jack Janes
Executive Director
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Dr. Mathias Rohe is the Founding Director of the Erlangen Center for Islam and the Law in Europe and holds the Chair for Civil Law, Private International Law, and Comparative Law at the University Erlangen-Nuremberg. He is also Co-founder and President (since 2001) of the Society for Arabic and Islamic Law. From 2004-2006, Dr. Rohe served as the Dean of the Faculty of Law in Erlangen. He is a member of the *Deutsche Islamkonferenz* (working group on constitutional issues) and serves as a Board Member for various institutions, such as the Language Center and Vinzl-Foundation of the University Erlangen-Nuremberg and the Near and Far East Association. He is part of the German-Turkish Lawyers Association, Association of Civil Law Professors, and the Banking Law Association for the Academic Society for Banking Law. Dr. Rohe taught courses in German law for foreign lawyers in cooperation with the German Academic Exchange Service (DAAD) and the Ministry of Justice Nordrhein-Westfalen. His research focuses on the habilitation for the subjects of civil law, conflict of laws, international civil procedure law, comparative law, and European law. Dr. Rohe studied Islamic studies at Tübingen and Damascus and received a Master's degree with a thesis on classical Islamic Law. He earned a Doctorate with a dissertation regarding conflict of laws and received the Reinhold-und-Maria-Teufel-Foundation award.

INTRODUCTION:

DIFFERENT WHILE SIMILAR: MUSLIM INTEGRATION IN GERMANY AND THE U.S.

LILY GARDNER FELDMAN

In September 2006, the German Minister of the Interior, Wolfgang Schäuble, made a path-breaking, categorical statement when he said in Berlin “Islam is part of Germany...part of our present and part of our future.”¹ He went on to describe the goal of the newly-inaugurated Islam Conference: to create a permanent dialogue between Muslims and non-Muslims over issues that impair coexistence between these two groups in Germany, including Islamophobia. Almost three years later, in June 2009, the U.S. President, Barack Obama, was equally forceful when he emphasized in Cairo that “Islam is a part of America,” and that he sought a “new beginning” in relations with Muslims.² He then indicated that mutual listening between Muslims and non-Muslims was essential and that he would fight constantly against negative stereotypes of Islam.

The official recognition of negative stereotyping accords with the results of surveys on attitudes toward Muslims in Germany and the U.S. According to a 2010 study reporting on opinion in 2008, only 16.6 percent “agreed that Muslim culture fits well into Germany.”³ In a U.S. Gallup poll published in 2009, 53 percent of respondents indicated they held “not too favorable” or “not favorable at all” opinions of Islam.⁴ In both the German and the American cases, negative attitudes appear to stem from lack of knowledge about Islam. However, these attitudes do not appear to carry over to other areas. A 2007 Financial Times/Harris Poll demonstrated that almost 60 percent of Germans and Americans did not believe that “the presence of Muslims in [their countries] pose[s] a threat to national security.”⁵

The similar statements above suggest common framing of the challenges for Germany and the U.S. in integrating Muslims, but they also reveal differences in words and give way to differences in subse-

quent concrete action. This introductory essay will examine governmental tone and institutions for integration as well as Muslim communities and organizations as recipients and catalysts in their relations with the larger society. It will conclude with a short list of recommendations for transatlantic interaction on Muslim integration.

Tone

VARIATION

Two features of the above governmental statements demonstrate variations in the German and American approaches to Islam. The German statement was delivered by a cabinet minister whereas the American initiative was taken by the president himself, thereby elevating the endeavor. While Obama’s statement referred to the important domestic role of American Muslims, his principal focus was on the need for change in the tense relations between the U.S. and

Muslims around the globe. This is hardly a surprising emphasis on foreign policy given the U.S. role as superpower; its involvement in wars in the two Muslim countries of Afghanistan and Iraq; the challenges presented by two issues of central importance to the Muslim world, that is, Iran and the Israeli-Palestinian conflict; and the President's own personal history with Islam abroad, namely in Indonesia and Kenya. Statements by U.S. officials following President Obama's speech in Cairo have been in the same foreign policy mold.

The German Interior Minister's principal emphasis was on domestic relations, although he hinted at the foreign policy issue of "Islamic terror." On other occasions, the German chancellor herself has spoken on the need for dialogue with Islam and for countering Islamophobia in Germany,⁶ and her foreign ministers have made statements highlighting the importance of improving relations with the Muslim world, but not with the visibility involved in statements by Schäuble or his successor as interior minister, Thomas de Maizière.

Differences in tone also reflect the different history of Germany and the U.S. with Muslim immigration. As Obama pointed out in Cairo, "Islam has always been part of America's story" from the very beginning, including slaves from Africa and North Africa, whereas Muslim migration to Germany has occurred only in the last five decades. Yet, as Raida Chbib notes in her comparison of the two countries, in the postwar period, Germany has more extensive experience dealing with large numbers of Muslim immigrants who represent a higher portion of the general population than they do in the U.S. Differences in heterogeneity of Muslim populations regarding their origins are accompanied, Chbib emphasizes, by variation in immigration motives, naturalization figures, socioeconomic standing, education, and religiosity. At the same time, she is able to identify similar features in the two cases. Her analysis permits a degree of optimism about the variety of ways in which integration can take place and the potential for fuller integration.

SIMILARITY

Despite differences in governmental tone and in the history and composition of Muslim immigrants, German and U.S. officials, at the rhetorical level at least, display similarities in how they envision the integration dialogue. Both recognize that there are domestic and foreign policy challenges of integration. Neither German nor American officials define integration as assimilation, but rather as membership in and adherence to a majority community while maintaining one's distinctive history and heritage.⁷ Mathias Rohe's essay describes the attempt to maintain such a balance in terms of German legal norms, law itself, and practice with particular reference to building mosques, labor law, and family law. He is quite optimistic about the degree of Muslim integration from the legal perspective. Obama spoke of the necessity for dialogue to relieve the "years of mistrust" between the United States and Muslims around the world, and Schäuble referred to mutual "suspicion" as the characterization of relations in need of change. German and American leaders believe dialogue requires mutual respect and reciprocal action. Both sides reference common values of tolerance, respect for differences, human dignity. To what extent is this common lofty language translated into practice and action, and to what extent are those institutional and policy responses similar or different in the U.S. and Germany?

Institutional and Policy Responses

INTERNAL INTEGRATION: INSTITUTIONAL VERSUS AD HOC

Germany's chief public response to the need for dialogue and improved integration of Muslim communities has been the Islam Conference, whose creation was promised already in the Grand Coalition agreement of the first Merkel government in fall 2005.⁸ The first phase, which involved defining the agenda, was conducted under Interior Minister Schäuble with participation of Muslim organizations, Muslim individuals, and federal, state, and local representatives; it generally has been well-reviewed for achieving a high level of dialogue and debate. The second phase, which began on 17 May 2010 under the Interior Minister of the second Merkel government, de

Maizière, centers on the goal of turning debate into practice in three main areas through demonstration projects: religious education, both of Imams and of Muslim children; gendered issues such as forced marriage and wearing of headscarves; and the prevention of extremism, radicalization, and societal polarization. The second phase of the Islam Conference, from which the Central Council of Muslims in Germany decided to withdraw, has been criticized by both Muslims and non-Muslims in Germany, including opposition parties, for being less high profile, less representative, less open to contention, and insufficiently concerned about Islamophobia.⁹

The U.S. has followed a different path in trying to advance dialogue and integration at home. Where the German process has been public, structured, formal, and focused on the long term, the American approach has been quiet, informal, unstructured, and oriented to the short term. After the fanfare of the Cairo speech, American Muslims questioned whether they would be party to Obama's initiative.¹⁰ To some extent, they have been. While Obama's lack of personal appearance in a mosque and in meetings with Muslim leaders has been duly noted, members of his cabinet, including the Homeland Security Secretary and the Attorney General, have engaged with Muslim leaders. Those leaders have also been courted and heeded by a variety of administration officials on both domestic and foreign policy questions, on an ad hoc and issue-driven basis.

WHERE INTERNAL AND EXTERNAL INTEGRATION INTERSECT

Muslim leaders have "yet to see substantive changes on a variety of issues, including what they describe as excessive airport screening, policies that have chilled Muslim charitable giving and invasive F.B.I. surveillance guidelines," but they acknowledge that a process of dialogue is underway.¹¹ These issues of concern to Muslims in America are what Ariane Chebel d'Appollonia characterizes as the "domestic impact of geopolitical factors," which also includes the Israeli-Palestinian conflict; the situations in Iraq, Syria, and Lebanon; and the U.S. role in Afghanistan; they all have a disintegrative impact, she argues. She views Muslim attitudes on foreign policy issues

increasingly as a source of "commonalities and convergences" in an otherwise heterogeneous Muslim community. The U.S. response to 9/11 solidified Muslim disagreement with official U.S. foreign policy while the event itself led to racial profiling and surveillance that impaired integration of Muslims in America. She is guardedly optimistic about the current prospect for rapprochement between American Muslims and American foreign policy leadership due to the institutional approach the Obama administration has taken on dialogue with the Muslim world. She cites various examples of the Obama administration's public commitment to improve relations with the Muslim world that have resonated with American Muslims: high profile speeches and interviews by the President; creation of new outreach positions; appointment of Muslims as foreign policy decision-makers and civil rights monitors; elevation of foreign policy issues of concern to Muslims; and the planned closing of Guantanamo. However, the Israeli-Palestinian conflict, Iraq, Afghanistan, and Iran all remain on the intractable side of the foreign policy ledger.

EXTERNAL INTEGRATION: INSTITUTIONAL AND CONVERGENT

Whereas much of the agenda of the domestic integration of American Muslims is caught up in foreign policy and national security questions, the American dialogue with the Muslim world goes beyond these issues. In Cairo, Obama called for a long-term "partnership" with the Muslim world, at the governmental level, but also importantly with civil society actors of all kinds. His administration has emphasized interaction and exchanges in education, science and technology, and economic development. In April 2010, Obama hosted a Presidential Summit on Entrepreneurship with the Muslim world in Washington, making good on a promise he delivered at Cairo.¹²

The elevation of this type of "soft power" with Muslims abroad is nothing new for the German Foreign Office, which already in 2002 began a Dialogue with the Islamic World (*Dialog mit der islamischen Welt*) under the auspices of its foreign cultural policy and overseen by the Office of the Special Plenipotentiary for Intercultural Dialogue (*Amt des Beauftragten für*

den Dialog zwischen den Kulturen).¹³ Using traditional and highly experienced facilitative channels such as the Goethe Institute and the Institute for Foreign Affairs (*Institut für Auslandsbeziehungen*), the German Foreign Office supports cultural, educational, scientific, and professional exchanges of many varieties with key Muslim countries. The Islam Dialogue also features a website. The importance of cultural understanding was highlighted in Chancellor Merkel's May 2010 speech at the Museum for Islamic Culture in Doha.¹⁴

In her visit to the Gulf, Merkel also underscored the economic pillar of relations with the Muslim world,¹⁵ as she had done in her March 2010 speech to the German-Turkish Economic Forum in Istanbul.¹⁶ On that occasion she saw Germans of Turkish descent as economic and cultural (in the broadest sense) "bridge builders" between Germany and Turkey, interweaving the domestic and external integration themes in a fashion similar to the connection Obama hinted at in Cairo. Like the State Department's Special Representative to Muslim Communities, Farah Pandith, regarding American Muslims, Germany's Foreign Minister, Guido Westerwelle, has highlighted the importance of domestic Muslim groups to German society when addressing foreign policy toward the Muslim world.¹⁷ However, unlike the practice in the U.S., where ethnic and religious influences on the "hard power" foreign policy domain are by now mainstream, German foreign policy makers do not engage Muslim groups at home in traditional foreign and security policy.¹⁸

Muslim Perspectives on Integration

THE MUSLIM AGENDA

German and American governments have recognized there are deficits in the integration of Muslim immigrants and have started, at home and abroad, to address the areas of concern. It is too soon to tell how effective these efforts are, but the measurement of efficacy will also involve an accurate reading of Muslim perspectives on the nature of the integration agenda and Muslim organizations' capacities for advancing their agenda while adhering to the laws and norms of the host society. In his essay Rauf Ceylan refers to this passage as a "reciprocal

process."

In terms of survey data, Raida Chbib has unpacked the concept of integration to offer a nuanced and complex picture for Germany and the U.S. Putting the pieces back together, there are hopeful results in terms of overall German and American Muslims' feelings of belonging to the larger society. In the 2009 major study of German Muslims sponsored by the Federal Agency for Migration and Refugees (*Bundesamt für Migration und Flüchtlinge*), on behalf of the German Islam Conference, 69 percent of respondents felt a "strong" or "very strong" connection to Germany. There was no noticeable difference between Muslims and non-Muslims in their feeling of connection with Germany.¹⁹ In a survey undertaken by Public Agenda in the same year, with an emphasis on Mexican and Muslim immigrants, 61 percent of Muslims indicated they were "extremely happy" in the U.S, compared to only 33 percent among other immigrants.²⁰

This general picture of public opinion clearly must be supplemented by detailed knowledge of what Muslims deem key issues. In addition to the items noted above in governments' endeavors to engage Muslims in dialogue, three topics have risen to the top recently from the Muslim perspective: one involves the right to religious expression in the building of mosques as a visible demonstration of faith and centers on the intersection of Muslim and non-Muslim views; one reminds us of the power and responsibility of the larger society in the way the media portray Muslims; and the third entails Muslim self-governance and self-definition in the training of Imams. All of these topics are related to what Ceylan sees as the slow formation of a "Diaspora-Islam," the reality of which would signal that the integration process, albeit incipient, is working through healthy debate, deliberation, discussion, and mutual adjustment between Muslims and non-Muslims.

The Building of Mosques

The German Muslim physical landscape is in the gradual process of transformation from one dominated by "backyard" facilities (*Hinterhofmoscheen*) with few traditional mosques to one characterized by more significant, fully representative mosques, indi-

cating a desire for permanence in the host country. Conflicts over the building of large new mosques have arisen in cities like Cologne, but the debates have also revealed important coalitions between Muslims and non-Muslims. Ceylan advocates the new mosques' multi-functionality while Rohe advocates social mediation of building disputes before the judicial route. The first phase of the German Islam Conference came up with recommendations for the mosque-building process.

In the U.S., there are over 1,200 mosques with at least one in every state of the union, ranging from small to large, but rarely hidden. Sixty-two percent of mosques have been founded since 1980, paralleling the large increase of Muslim immigrants after this date. There has been a 25 percent increase in the number of mosques since 1994.²¹ A recent major dispute has arisen over the planned construction of a 13-story Islamic mosque steps from Ground Zero in New York, but the New York City community board voted to support the plan in May 2010. Opposition to mosque building, which has increased since 9/11, is evident in various parts of the U.S.²²

Media Bias

Muslims in both Germany and the U.S. have identified the media as an essential source of negative images of Islam and Muslims. Tara Bahrapour offers personal examples of Muslim sensitivity to being misunderstood, identifies the instant-news style of American media as inimical to tolerance and appreciation of complexity, and notes the media's continuing indiscriminate use of words like "terrorism" only for Muslim behavior. Nonetheless, she sees both sides recognizing the problem and working toward mutual understanding. The larger context seems to bear out her sense of the willingness for dialogue. For example, just in the last year there have been three major conferences in the U.S. focused solely on Islam and the media (at the University of Colorado, Indiana University, and at Michigan State University). Major Islamic organizations in the U.S. are pro-active in providing speakers and knowledge for media coverage of topics involving Muslims.

Ceylan points to the German media's fundamental role in shaping attitudes, and finds them highly defi-

cient concerning Muslims. The German Islam Conference has addressed the issue of negative media images, and has called for more balanced reporting, more emphasis on Muslim contributions to German society, and more recruitment of journalists with an immigration background.²³

Young Muslims in particular need positive and recognizable images of Islam for a successful process of identifying with German society and American society. The absence of this dimension can increase the lure of new media, including those advocating violence; the danger of this negative alternative has been acknowledged by Muslim leadership in both countries. Youth also look to Imams as mediators between religion and society, but here too there are real deficiencies in both countries.

The Training of Imams

In his analysis of challenges and perspectives in the Muslim diaspora, Ceylan attaches special importance to the origin and training of Imams in Germany as factors that do not aid integration. He notes that 90 percent are foreign; largely of Turkish origin; that they command neither the language nor intimate knowledge of the German culture, society, and polity; and that their purpose is to forge a connection for Muslims with the country of origin and not permanently with Germany. The German Islamic Conference and Islamic leaders have advocated additional education for foreign Imams and an elevation and institutionalization of the training of German Imams.²⁴

A similar disaffection on the part of youth from the spiritual and social leadership of foreign Imams occurs also in the United States. Foreign Imams, who lead some 85 percent of non-African-American mosques, are seen as out-of-touch with American society and culture and as forces of isolation, rather than integration, for some mosque communities.²⁵ Young Muslims believe "the need for American-trained spiritual leaders is desperate."²⁶ According to one of the leaders of the Islamic Society of North America (ISNA), this situation is "beginning to change."²⁷ ISNA itself has made the important integrative transition from a society for foreign Muslim students in the 1960s to an organization of (North) American Muslims. How effectively have Muslim

organizations in the U.S. and Germany articulated an agenda and pursued integration?

MUSLIM ORGANIZATIONS

Four impediments are identified by Ceylan for the absence of dynamic, adaptive, purposeful, and experienced Muslim organizations that can engage German authorities and German society at a high level and thereby contribute to integration: the absence of a Muslim educational elite; the lack of professionalism; the priority accorded countries of origin rather than the German context; and the unwillingness of the German state to recognize Muslims officially as a religious community (with attendant tax, financial, and credibility benefits). American Muslim organizations do not suffer from any of these impediments. As individual organizations, they are active, well-organized, and sophisticated in their social and political dealings. Nonetheless, a 2007 task force assembled by the Chicago Council on Global Affairs saw the need for stronger coordination and centralization of Muslim institutions to overcome religious and social divisions. Like observers in Germany, the task force strongly recommended the cultivation of leadership among young Muslims.²⁸ In both countries, Muslim organizations can be constrained in their political work by the limited number of self-identified Muslim politicians at the national level: there are only two in Congress²⁹ (Keith Ellison and Andre Carson) and only one in the Bundestag (Omid Nouripour).³⁰ At the state and local level, there has been much more progress in political and administrative positions held by Muslims.

Recommendations

Ten recommendations emerge from the above comparison of Germany and the U.S.:

- There are both domestic and foreign policy aspects of Muslim integration. In both Germany and the U.S., there should be a more concerted effort to link the two and to balance their weight.
- As the media plays an important role in shaping perceptions and images of Muslims it is imperative that more Muslim voices are included in the German and American media and in transatlantic discussions on the role of new and traditional media in the twenty-first century.
- Germany and the U.S. should look to the extensive experiences with integration at the state and local level in formulating policies on the federal level.
- The U.S. should do more to institutionalize the internal dialogue with Muslims and Islam, learning from the achievements and deficits of the German Islam Conference. Such an institution might be similar to the American Diversity Dialogue proposed by the Muslim integration task force of the Chicago Council on Global Affairs in 2007.
- Germany's Islam Conference should include more representation from foreign policy decision-makers. Of the seventeen federal, state, and local government representatives, only one is from the German Foreign Office.
- Germany's foreign policy decision-making in areas of concern to Muslims could borrow from the more ad hoc American approach that permits active consultation on a case-by-case basis as key and sensitive issues develop.
- As German Muslim organizations begin to weaken their links with countries of origin, the transformation of some American Muslim organizations from associations representing foreign immigrants to typical American interest-group entities could be instructive.
- Recent undertakings to educate Imams in Germany and the U.S. should be encouraged, broadened, and

include transatlantic exchanges on methods and experiences. Increasing the numbers of American and German Imams will enable younger Muslims to foster a German and American Islam and will minimize the risk of radicalization from abroad. Additionally, it is imperative for Germany to incorporate the study of Islam in its school system.

■ The need for a new Muslim generation of spiritual, organizational, and political leaders is a frequent clarion call. While the challenges they must address have some unique situational features in Germany and the U.S., there are also often similar aspects. Building transatlantic networks among young Muslims and between them and their non-Muslim cohorts can facilitate the identification of best practices for integration.

■ Such networks can parallel and complement the existing channels of dialogue between German and American authorities on both the internal and external aspects of integration, but they should also be included in such official deliberations for the young will shape the Islamic diaspora, its purpose and engagement at home, and its connection abroad.

Notes

- 1 Die Bundesregierung, "Regierungserklärung des Bundesministers des Innern, Dr. Wolfgang Schäuble, zur Deutschen Islamkonferenz vor dem Deutschen Bundestag am 28 September 2006 in Berlin," Berlin, 28 September 2006, <http://www.bundesregierung.de/nn_1514/Content/DE/Bulletin/2006/09/93-1-bmi-islamkonferenz-bt.html> (15 May 2010).
- 2 The White House, "Remarks by the President on a New Beginning," Cairo University, Cairo, Egypt, 4 June 2009, <<http://www.whitehouse.gov/the-press-office/remarks-president-cairo-university-6-04-09>> (15 May 2010).
- 3 Quoted in Nicole Goebel, "Prejudice Still Has a Hold on German Attitudes to Turkish Culture," *Deutsche Welle*, 31 March 2010, <<http://www.dw-world.de/dw/article/0,,5415384,00.html>> (1 June 2010).
- 4 Gallup, "Religious Perceptions in America. With An In-Depth Analysis of U.S. Attitudes Toward Muslims and Islam," 2009, p. 4.
- 5 Quoted in *The Economist*, "Constructing Conflict: The Politics of Mosque-Building," *The Economist*, 30 August 2007.
- 6 An important statement by Merkel against Islamophobia and for mutual tolerance came not as a separate initiative, but as a response to a question in an interview about the 65th anniversary of World War II, anti-Semitism, and the Holocaust. See "Angela Merkel über Antisemitismus," SZ WOCHENENDE, *Süddeutsche Zeitung*, 8 May 2010.
- 7 Deutsche Islam Konferenz, "Teilhaber stärken – Auftakt der Deutschen Islam Konferenz," 2010, <http://www.deutsche-islam-konferenz.de/cln_110/nn_1319566/SubSites/DIK/DE/DieDIK/Auftaktsitzung/auftaktsitzung-node.html?__nnn=true>. In his Cairo speech, Obama emphasized the right to be different and freedom of religion, including "what clothes a woman should wear."
- 8 For extensive information on the work of the Conference, see <<http://www.deutsche-islam-konferenz.de>>.
- 9 Mounir Azzaoui, "Auf die Moscheen bauen," *die tageszeitung*, 23 March 2010; islam.de, "Vertrauen verspielt und Islamkonferenz abgewertet," 17 May 2010, <<http://www.islam.de/15851.php>> (20 May 2010); Barbara John, "Ein Zwischenruf zur Islamkonferenz," *Der Tagesspiegel*, 16 May 2010.
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ESSAYS

SOCIOECONOMIC INTEGRATION OF MUSLIMS IN GERMANY AND THE UNITED STATES

RAIDA CHBIB

Introduction

When migration scholars discuss the integration of immigrants, they distinguish between at least three dimensions: cultural integration, social integration and identification with the host country, and structural integration. The questions analyzed in this essay refer mainly to structural aspects of integration, such as education or employment; because we are talking about a population that is defined and shaped as a separate migrant group on the basis of religion also makes it necessary to include the idea of religious identity.

Until recently, religion was not a factor or a topic in German migration studies and policies.¹ Accordingly, research at the national level, e.g., on key employment or social indicators, did usually not single out Muslims or other religious groups. But in the aftermath of 11 September 2001 religion has become a factor in research on migration and integration and Islam the most prevalent religion in empirical research.² German researchers study Islam almost exclusively in its Turkish manifestations and mostly in the context of problems of integration, women's rights, and the welfare of children. After the events of 11 September 2001, the threat of terrorism and fanaticism joined the debate, resulting in a sharp rise of studies on fundamentalism.

In the United States there is a longer tradition of including religion in migration studies (due to the country's migration history), dividing research into two groups: early European migrants and post-1965 immigrants to the United States.³ Recent research is based on highly descriptive individual case studies⁴ and considers the growing American religious diver-

sity, maintaining a broader view by not limiting its focus to Muslim migrants or to any other particular religious group.⁵

The scholarly interest in followers of Islam in Germany and the United States has increased in the past decade, resulting in comprehensive surveys and studies on both sides of the Atlantic that are useful for the purposes of this essay. The study "Muslims in Germany," published in 2007 by the Federal Ministry of the Interior, examined the viewpoints of Muslims in Germany regarding integration and democracy, rule of law, and politically and/or religiously motivated violence.⁶ Two years later, the Federal Office for Migration and Refugees presented another nationwide study of migrants originating from forty-nine Islamic countries, offering a comprehensive view of Muslim life throughout Germany and of different aspects of Muslims' integration.⁷ The Bertelsmann Foundation conducted another survey on the religiosity of Muslims, which delivered a broad insight into the religious life and practice of Germany's Muslims.⁸

In the U.S., the 2009 "Muslim West Facts Project" by the Gallup Center for Muslim Studies explored the attitudes of U.S. Muslims on issues ranging from political views, civic engagement, and the socioeconomic situation to the importance of faith and political views in comparison to other religious groups in the U.S.⁹ Additionally, the Pew Research Center published a study in 2007 that gathered information including education, economic status, political and social values, and religious beliefs of American Muslims.¹⁰

Based on the findings from those studies, this essay

starts with a general comparative look at the composition of Muslim populations in Germany and the United States and considers the migration background of a majority of Muslims. Muslims' socioeconomic situation will then be highlighted using relevant data on different aspects of their economic performance from the above-mentioned studies. This then leads to the discussion of those factors that might affect the socioeconomic integration of this selected population in both countries.

The essay finally asks the question of whether religious beliefs are a determining factor in a social group's economic integration. Factoring in religion may be relevant, if considerable differences between Muslims and non-Muslims with similar backgrounds in integration emerge from this analysis.

Muslims in Germany and the United States: Data and Facts

SIZE OF MUSLIM POPULATION

The study conducted by the Federal Office of Migration and Refugees puts the generally accepted number of Muslims living in Germany in 2009 between 3.8 and 4.3 million, or 4.6 to 5.2 percent of the total population. In 1987, there were only 1.7 million Muslims in Germany, which accounted for 2.7 percent of the total population.¹¹ In the U.S. the number of Muslims is based on estimates as well. However, unlike in Germany, there is no widely accepted figure because different institutions, including Muslim organizations, have given varying estimates on the number of Muslims in the U.S. The more recent study by the Pew Research Center estimates the number to be as high as 2.5 million, which represents a share of approximately 0.6 percent of the total population.

COUNTRIES OF ORIGIN

The regional origins of the Muslim population in Germany have become much more heterogeneous in the course of the last few decades: Muslims now originate from forty-nine Islamic countries, although the dominant group is still those of Turkish descent.¹² Many Muslims in Germany still have Turkish roots but their proportion has become much smaller due to

increased immigration of Muslims from other countries.¹³ Thus, almost 63 percent of Muslims have Turkish roots, Southeastern European Muslims follow with 14 percent and Muslims from the Middle East, with 8 percent.¹⁴

In the U.S. no single racial or ethnic group constitutes a majority of the more diverse Muslim population (from sixty-eight countries). A relatively large proportion of Muslim immigrants comes from Arab countries (24 percent), but about as many also emigrated from Pakistan and other Southeast Asian countries. Compared to other western countries, the ethnic composition of the Muslim population in the United States is exceptional due to the large number of native-born Muslims. Thus, being Muslim in the U.S. is not automatically linked to a specific migrant group as it usually is in Germany or in other European countries.

MIGRATION MOTIVES

In Germany, the reasons for Muslim immigration have changed along with Muslims' migration backgrounds and histories. The earliest notable immigration of Muslims occurred in the beginning of the 1960s, when low-skilled labor migrants mainly from Turkey and North Africa arrived;¹⁵ this group shaped the socioeconomic situation of Muslims until the 1980s. In the course of the 1980s a large number of Muslim refugees and asylum seekers arrived; much of the immigration history of non-Turkish Muslim immigrants is rooted in international conflict. Throughout Muslim immigration to Germany one of the main reasons for migration has been family reunion.

Today a mixed composition of Muslim migrants' migration motives and social and economic background is evident. This leads to two socially and economically challenging conditions for a vast number of Muslim migrants in Germany: First, unskilled workers, often from poor rural parts of their home countries, still live with their extended families in relatively deprived conditions. Second, refugees from war or from inhumane conditions, such as those from Afghanistan or Iraq, have limited rights and are in need of social aid.

During the postwar period in the U.S., only 16 percent of Muslim immigrants arrived before 1980. The majority of foreign-born Muslims arrived in the 1990s (33 percent) or in the last decade (28 percent). In comparison, the Federal Republic of Germany has a longer experience with large numbers of new Muslim immigrants. Although the percentage of those who immigrated to the U.S. because of economic reasons (24 percent) or conflict (20 percent) is comparable to Germany, the numbers of those who come for education (26 percent) is considerably higher (versus 14.8 percent in Germany) and those who arrive for family reunion reasons (24 percent) is less.

Despite the relatively late immigration of Muslims in the U.S., 77 percent of them are already naturalized whereas only 50 percent of Muslims have German citizenship. While considerably less than the share of naturalized U.S. Muslims, this is an unexpectedly high rate considering the much stricter German naturalization laws.

RELIGIOSITY

Most Muslims in Germany consider themselves religious: 36 percent describe themselves as “very religious” and 50 percent identify as “rather religious.”¹⁷ More objective indicators of different dimensions of religiosity, such as the Bertelsmann Religion Monitor, confirm this result. Accordingly, Muslims in Germany are characterized by deep religiosity (90 percent); including 41 percent of “highly religious” individuals. In essence, this study shows that Muslims in Germany are far more religious than the average population. With its three-stage index on the centrality of religiosity (non-religious, religious, highly religious), the Religion Monitor 2008 established that, in contrast to the Muslim population, only 18 percent of Germans are “highly religious” and 52 percent are “religious,” while about 28 percent are “not religious” (versus 5 percent of the interviewed Muslims).¹⁸

In the U.S. the overall Muslim approach to religion is fairly similar to the way American Christians approach their religion.¹⁹ Although Muslims in the U.S. are more

Figure 1: Composition of Muslims in Germany and in the U.S.

	Muslims in Germany	Muslims in the U.S.
Estimated size and share of population	3.8-4.3 million 4.6-5.2% of total population	2.5 million 0.6% of total population
Diversity	Growing diversity of Muslim population but still a majority of Turkish migrants	Muslim population has always reflected the diverse nature of American society
Indigenous Muslims	Small number of German converts to Islam ¹⁶	Large number of indigenous Muslims
Origin	Dominant Turkish Muslim group (63%); Eastern European Muslims (14%); Muslims from Arabic countries (15%)	No single ethnic group is dominant
Main reasons for immigration	Family reunion, economic reasons, conflicts	Economic reasons, education, conflicts
Religion	Strong belief and higher religiosity than the average population	High religiosity but roughly similar to total population; higher level of religious commitment compared to Germany's Muslims

likely to acknowledge the importance of faith in their lives than other Americans (80 percent and 65 percent, respectively),²⁰ their religious service attendance is similar to that of Protestants (41 percent) and Muslims are even less likely to pray daily compared to Christian believers (61 percent versus 70 percent).

Muslims in Germany show a similar approach to religion compared to Muslims in the United States in terms of importance of religion (both above 80 percent) as well as regarding fundamental religious duties (“the five pillars of Islam”), such as paying *zakat*²¹ (more than 70 percent in the U.S. and Germany) or fasting during Ramadan (more than 70 percent in the U.S. and Germany).

However, there are some differences concerning the adherence to certain religious commandments. American Muslims seem to follow these commandments more strictly,²² such as the ban on alcohol (86 percent in the U.S. versus 58 percent in Germany), daily prayer (61 percent pray at least once a day in the U.S. versus 39 percent in Germany), wearing *hijab*²³ (about 50 percent in the U.S. versus 30 percent in Germany), and regularly visiting the mosque (41 percent in the U.S. versus 34 percent in Germany).

Finally, the fundamental teachings of Islam are accepted by a large majority of Muslims in the United States. Nearly all (96 percent) believe in “One God” and the Day of Judgment (91 percent) whereas 78 percent of German Muslim respondents do so.²⁴ Hence, American Muslims display a higher level of religious commitment in their everyday lives than Muslims in Germany.

SOME SIMILARITIES – MORE DIFFERENCES

The comparative view on the composition of Muslim populations in both countries reveals some similarities but more differences. In both countries Muslims appear to be heterogeneous in terms of ethnic and regional background. But in Germany, being Muslim is still associated with being Turkish due to the large number and the early arrival of this group. The high share of those who came as unskilled workers followed by their families has led to the widespread association of Muslims as a socially weak group of

foreigners.

Conversely, U.S. Muslims belong to various racial groups (except Hispanic) and can be found in different social classes. Thus, they are not associated with a specific class, or with a single ethnic or racial group. A relatively high percentage of Muslim immigrants come to study in the United States or arrive with a high level of education and benefit from a solid educational background.

Muslims in both countries are characterized by high religiosity, which is perceived differently in the U.S. and Germany. Whereas in the U.S. Muslims’ religiosity is not perceived as uncommon or odd (despite an even higher degree of religious commitment than Germany’s Muslims) due to the relatively high religiosity among a majority of Americans, in Germany the religiosity of Muslims is often regarded as out of the ordinary. Thus, altogether, Muslims in Germany often are perceived as an alienated, socially marginalized group, while U.S. Muslims reflect the diverse nature of American society and do not particularly stand out.

Socioeconomic Integration

The following section focuses on the socioeconomic situation of Muslims in the U.S. and Germany and is structured along four key indicators: Education, income, labor market integration, occupation, and social and language skills.

EDUCATION

Migration scholars agree that education provides immigrants with the major key to socioeconomic mobility. Thus, educational progress is equally accepted by German and American researchers as a variable for examining how immigrants integrate into a society. Moreover, the level of education achieved by foreign-born immigrants is an important indication of the socioeconomic resources and backgrounds a migrant group brings with it—resources that often determine the migrant group’s starting position in the host country.

Consequently, education of Muslim migrants in Germany is one of the main aspects that scholars are

examining in order to determine how well Muslims are structurally integrated in society. The results of recent studies provide additional evidence of relatively low levels of education across the board among migrants from Muslim countries of origin. They prove once more that, in terms of education, Turkish migrants—whether Muslims or not—fare relatively badly when compared to migrants from Southeastern Europe or to migrants from other Muslim countries of origin. Studies further reveal some differences in educational achievement between Muslims of different denominations (i.e., Sunni Muslims, Shiite Muslims) and also between Muslims from different countries of origin.

Overall, Muslim immigrants in Germany who finished school in their countries of origin can be split into two groups: a large group who has no (25.5 percent) or a very low (26.3 percent) school degree on one hand and a (larger than assumed) group of those with a minimum of a high school diploma²⁵ (36.2 percent) on the other. The group with the poor education figures might be attributed to first wave of immigrant generations from Turkey or southeastern Europe, who exhibit the worst educational achievement compared to Muslims from other countries of origin. Only 20.4 percent of those Turkish immigrants have a high school diploma (vs. 63.3 percent from Central Asia or 56 percent from the Middle East) and at the same time more than a third came without any school leaving diploma from Turkey compared to 15.8 percent from Central Asia or 29.7 percent from Middle East.²⁶

Given these figures, and considering that Muslims with Turkish or southeastern European roots comprise a large majority of Muslims in Germany, the

widespread assumption that Muslims in Germany mainly belong to the uneducated segment of society is more easily understood.²⁷ However, as German society and its Muslim population become more heterogeneous and as subsequent generations of Muslims attend school, in Germany these figures of educational achievement are evolving.

In the U.S. the Muslim population in general and the new Muslim immigrants in particular reveal a higher educational background than Muslims in Germany. Compared with the general American public, fewer Muslims have finished high school, but just as many have earned college degrees: 47 percent are or were enrolled in a college and of those, 10 percent attended graduate school.²⁸ Among foreign-born U.S. Muslims, the proportion of those with a minimum of a college degree is even larger than among native-born Muslims which indicates that a considerable number of new Muslim immigrants are highly educated.

The numbers for high school or college diplomas of Muslims in the U.S. and Germany indicate that there are wide differences in the educational resources with which the first generation of Muslim immigrants to both countries arrived. The number of highly educated Muslims who came to the U.S. is considerably larger than in Germany. In addition, this difference suggests that migrants' previous human capital resources, such as education or a solid social background, are factors that determine a migrant group's prospects for socioeconomic integration.

In sharp contrast to the largest immigrant group in the U.S. (Hispanics) Muslim migrants in the U.S. have a significantly more favorable educational and social

Educational background of Muslims in the U.S. and Germany²⁹

	U.S. Muslims (overall)	German Muslims (overall)	Foreign-born U.S. Muslims	German Muslims with foreign school-leaving certificate
Less than high school degree	21%	65.9%	24%	67.5%
High school degree and/or college ³⁰	79%	34.1%	76%	33%

background. This puts them and their families in a much better starting position, although recent figures show that young Muslims (up to age 29) are less likely to have college degrees or higher when compared to older generations of Muslims.³¹

However, the opposite can be said about Muslims in Germany who, to a large degree, belong to the disadvantaged group of rural Turkish migrants. Furthermore, children of immigrants still are overrepresented in lower school types and have worse educational opportunities, not only in comparison to German natives but also to other immigrant groups. Accordingly, about 42 percent of Muslims in Germany have a low or no school diploma; 34 percent have a higher school diploma (i.e., the “Abitur” certificate in Germany).

Better educational achievement becomes visible in the second and third generations attending school in Germany. At 11.8 percent, they display a significantly lower number of young Muslims without any diploma compared to 28.9 percent of the generation that finished school in their home countries. Later generations also show an increase in students who obtain an intermediate or extended level of education at the Realschule (31 percent compared to 13.4 percent of first generation immigrants). Moreover, educational

advancement appears among female Muslim students who more often earn diplomas mostly from medium school types in Germany, such as the Hauptschule and the Realschule, than their mothers who were educated in their respective countries of origin.

On the other side, the proportion of Muslims with an “Abitur” certificate, enabling them to study at a university is still below the rate of those who finished school in their home countries with a similar qualification for University entrance.³² This highlights the limits of educational upward mobility for young Muslims, which results in a relatively low, although steadily increasing, number of Muslim academics. Moreover, it raises the question of the relationship between education and economic prospects and of the mode of integration into the labor market.

INCOME

Recent empirical studies on Muslims in the U.S. and Germany offer different figures of their household’s financial situation and their economic opportunity, particularly their integration into the labor market. In the following, comparable data on income and satisfaction with one’s personal financial situation will be discussed.

Figure 2: Household Income of U.S. Muslims and of Muslims in Germany

	U.S. Muslims	Native-born U.S. Muslims	Muslims in Germany
Less than \$30,000³³	35%	35%	53%
\$30,000-\$74,999	39%	42%	35%
\$75,000 or more	26%	23%	12%

According to a survey conducted in 2006 as part of the Pew Global Attitudes Project, Muslims in Germany were found to be less wealthy than the total population: the majority of Muslims (53 percent) reported annual incomes of less than EUR 18,000 (compared to 35 percent of the German total population with the same income) and a relatively low percentage of Muslims reported an annual income of more than EUR 30,000 (12 percent vs. 26 percent of total population).³⁴

This German Muslim income situation stands in sharp contrast to Muslims’ integration in the U.S. economy, where their family income is roughly comparable with that of the entire U.S. population. Forty-one percent (vs. 44 percent of the general U.S. population) of the Muslim interviewees reported annual household incomes of \$50,000 or more; one-third report annual household incomes of less than \$30,000.³⁵ More detailed figures on household income of both foreign- and native-born Muslims reveal that the household

income of first generation immigrants is somewhat better than that of native-born U.S. Muslims, many of whom are African-Americans. Hence, first generation immigrant Muslims are reported to be more satisfied with their financial status (“excellent” or “good,” 47 percent) than native-born Muslims (37 percent). Economic disparities among U.S. Muslims are also discernible when looking at individual subgroups: Only one-third of African-American Muslims rate their economic situation as “excellent” or “good” while 68 percent of recently immigrated Muslims of Pakistani origin are largely satisfied with their economic situation;³⁶ conversely, fewer foreign-born Muslims rate their situation as “fair” or “poor” than native-born.

In comparison, 37.5 percent of Muslims in Germany state that they are satisfied with their financial means whereas 20.3 percent report insufficient household income. In Germany, a large percentage of Muslims (42.2 percent) states that their income “fairly suffices.”³⁷

Based on this fact, one might infer that despite American Muslims on average earning more than Germany’s Muslims, half of American Muslims evaluate their financial situation as “fair” or “poor.” Perceptions of native-born U.S. Muslims appear to be similar to that of Muslims in Germany, although only 35 percent (vs. 53 percent of Muslims in Germany) of native-born Muslims belong to the lowest income group.

Figure 3: Financial situation of Muslims in the U.S. compared to Muslims in Germany³⁸

	U.S. Muslims	Native-born U.S. Muslims	Muslims in Germany
Excellent / Good	42%	37%	37.5%
Fair / Poor	52%	62%	62.5%

Thus, Muslims in the U.S.—with both their poorer and wealthier members—are seen to be broadly integrated into the economic mainstream of their country, whereas the overall income situation of Muslims in Germany varies widely from the average income of the total population due to the low number of Muslims with a high income and the relatively high share of those with a low income. However, the proportion of Germany’s Muslims with a middle income differs only slightly from that of the general population.

LABOR MARKET INTEGRATION

In most EU member states Muslims tend to have lower employment rates than the average population. Germany has the highest rate of labor market integration of young migrants in comparison to other western European nations, France the lowest, and Great Britain in the middle.³⁹ Regarding employment status, Muslims both in Germany and in the U.S. exhibit a relatively high number of those who are regularly employed, an indication that in both countries the employment status of Muslims is better than in other western countries.⁴⁰ Nevertheless, the employment

status of Muslims in the United States is not worse than that of the average population, while the rate of regularly employed Muslims in Germany is lower than it is for its general population. In this context it might be noteworthy that unlike American surveys that distinguish between part-time and full-time occupation, German studies include vocational training in employment figures.

Integration in the labor market is further shaped by education. Studies in Germany reveal a particular and remarkable correlation between education and occupation of Muslim migrants: among Muslims without a diploma and among those with an intermediate level of education from the *Realschule*, there is high employment. But Muslim immigrants who attained their high school diplomas in their countries of origin are less likely to find a job than those with an intermediate level of education from a German school.⁴¹

Germany and the United States also exhibit differences in women’s participation in the work force. In the U.S., approximately 59 percent of Muslim women work—the same as women in the general popula-

tion.⁴² In Germany, however, there is a significant gap between the employment status of immigrant females, including Muslim women, and native women. While approximately 63 percent of German women work, only 43 percent of women with migration backgrounds are employed.⁴⁷³

Although Muslims in the U.S. are racially and ethnically diverse, there are no noteworthy differences among Muslim American racial groups' employment status. There are, however, some differences associated with the length of stay: "Immigrants who came to the U.S. prior to 1990 have a full-time employment

rate comparable to the general public's (55%), while more recent immigrants lag behind (only 33% of them work full-time)."⁴⁴

In German surveys there are no similar statistics, but employment figures on Muslims from different countries of origin reveal that those from Central Asia, the Middle East, and Central Africa show the highest rates of unemployment, which might be caused by the relatively high number of new refugees from those regions. Turkish Muslims and those from Iran show the lowest unemployment rates.⁴⁵

Figure 4: Employment Rates

	U.S. Muslims⁴⁶	German Muslims⁴⁷
Employed / Working full time	41% ⁴⁸	43.5%
Employed / Working part time	16%	10.8%
Self-employed	24%	15.5%
Other	n/a	12.9% ⁴⁹

OCCUPATION

Surveys on the type of jobs worked by Muslim migrants in Germany reveal that a large percentage is still concentrated in unskilled or semi-skilled jobs.⁵⁰ Many studies on the Turkish Muslim group demonstrate that, compared to German natives, migrants of Turkish origin are overrepresented in unqualified or semi-qualified work.⁵¹ However, the evolution of the Muslim population is now reflected in the type of work: unlike the early years of Muslim immigration, Muslims are now found in different segments of the German economy and are no longer mainly unskilled laborers but also qualified, i.e., skilled laborers as well as employees or self-employed business owners.

This differentiation may also explain the increased percentage of people from Muslim countries of origin that are self-employed and the transformations that occurred in this context. A survey on enterprises of Turkish migrants in North Rhine Westphalia illustrates that Turkish migrants' early business foundation first concentrated on the ethnic niche market but has changed over several generations to a business ownership in different economic sectors. Until now,

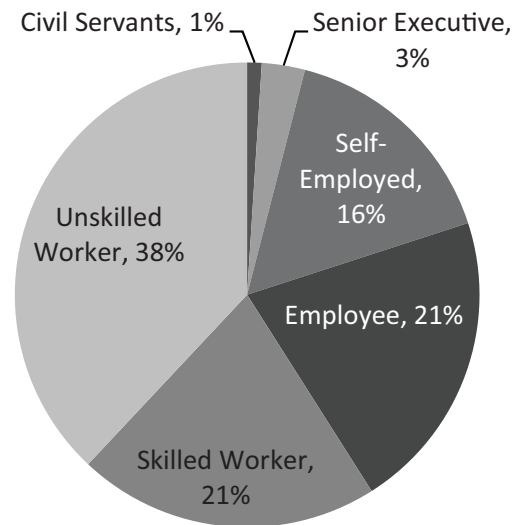
most are small and medium-sized enterprises that generated annual sales of €6.4 billion in the federal state of North Rhine Westphalia in 2003.⁵²

Comprehensive studies on Muslims in the U.S. discuss only the share of Muslims that work in "professional occupations" and do not provide further information on the standard of work. According to the Gallup Survey, Muslim Americans are slightly more likely to be in a trained profession, such as medicine or law, than the general public (30 percent versus 26 percent) and they are more likely to be self-employed than the general U.S. population.⁵³

SOCIAL INTEGRATION AND LANGUAGE SKILLS

Recent studies in the U.S. do not discuss the Muslim population's social relations or language skills. With regard to assimilation, scholars seem most interested in the topic of identification and in the attitudes of Muslims toward the American "way of life" and toward American society. In contrast, language skills and social integration are mostly at the center of attention in German research on Muslims in European countries, because language skills are perceived as an

Figure 5: Proportional distribution of economically active Muslim respondents according to the type of work⁵⁴



important prerequisite for a strong performance in school and in the labor market.

Hence, information about language use and media use was gathered in one study as a measure for linguistic integration. In the general Muslim population sample, 12.1 percent stated that they “never” spoke German with their friends and 26.3 percent said that they “rarely” did so; 36.2 percent of respondents said they “mostly” or “almost always” spoke German, while 25.5 percent said they spoke German about as often as their native language. Media use reflects similar tendencies: about one-third said they “mostly” (20.8 percent) or “exclusively” (10.9 percent) watched television programs broadcast in a language other than German.⁵⁵ Therefore, scholars conclude that about 20 percent of respondents exhibit problems with language integration and that 37 percent use the German language rarely. Thus, about half of Muslims face difficulties with the German language.

But when aspects of socio-linguistic integration are examined—differentiating among pupils, students, and adults—some differences are explained:

■ The percentage of Muslim university-level students who are “well” and “very well” integrated in socio-linguistic terms is significantly higher (78.9 percent) than in other Muslim groups. Students also appear to

have more frequent contact with native Germans.

■ In general, the findings demonstrate that younger Muslims are much better integrated in socio-linguistic terms than the older generations.

■ However, for more than 40 percent of young people significant deficits are obvious. And again Muslim adolescents reveal significantly lower levels of socio-linguistic integration than non-Muslim immigrant adolescents.

Conclusion

Regarding socioeconomic aspects of Muslim integration, U.S. surveys highlight the upper socioeconomic segments of the Muslim population while providing limited data on secondary schooling and non-professional Muslim laborers. On the other side, German surveys do the opposite: they offer limited information on higher education and on Muslim professionals in the labor market, but do include information about school degrees and educational achievement below the college or university level.

UPWARD OR DOWNWARD INTEGRATION?

In the U.S., figures on Muslim household incomes and on Muslim education reflect the racial diversity of

the Muslim population. Figures indicate differences between Muslims from different racial groups with the largest difference between Asian Muslims and African-American Muslims, with 44 percent of Asian Muslims reporting a high monthly household income of more than \$5,000 versus only 17 percent of the surveyed African-American Muslims.⁵⁶

Although data on the socioeconomic situation of Muslims in the U.S. prove that American Muslims are well integrated on average, this should not distract attention from the fact that there is still a significant number of those who live in deprived conditions. The overall socioeconomic situation of Muslims in the U.S. should therefore not be idealized. However, the socioeconomic performance of the Muslim population could be described as balanced because there are similar shares of those with a high income and education on one side and those with a low income and education on the other side. Moreover, income and employment status is comparable with the entire U.S. population.

The data reveals that foreign-born U.S. Muslims have a nearly similar educational background to native-born Muslims with an even slightly larger amount of those with a very high education. Furthermore, newly immigrated Muslims are better off in terms of income situation and financial satisfaction than their native-born fellow believers. But in terms of employment status, native-born Muslims are more often employed full-time than recently arrived migrants. Those results make it difficult to trace the educational performance and income fluctuations to the migration background of Muslims in the U.S. However, they may point to difficulties for some recently arrived migrant groups to enter the American labor market.

Muslim women are as well educated and as well integrated into the labor market as non-Muslim American women. There are even more American Muslim women who work in a professional occupation than Muslim men.

In Germany, successful Muslims are not especially visible in the labor market or in education. Compared to the overall German population, as well as to other migrant groups, Muslims exhibit a higher rate of unemployment, a significantly lower number of high

school and university degrees, a higher rate of under-performance in education, and a lower average income.

Upward mobility in education is apparent for younger generations but there remain persistent shortcomings in the education sector. About half of the Muslim respondents face particular difficulties with the German language.

Different figures on education and on labor market activity point to success stories of upward integration of Muslims into the upper-middle class with groups performing well in different sectors of the German economy. But the percentage of those trapped in the lower class, dropping out of schools and failing to find good employment, is still far higher.

There are some differences in education and labor market integration within the Muslim population. Although the Turkish migrant group has the lowest educational achievement, they show the highest employment rates compared to other Muslim groups. This suggests that, similar to the U.S., the length of stay might have an effect on the chances in the labor market. Furthermore this gives rise to the assumption that, on the one hand, a better education does not automatically enhance the chances for immigrants to gain access to the German labor market and that, on the other hand, lower skilled migrants seem to have easier access to a job.

When socioeconomic integration of Muslims in Germany is compared to the situation of the Muslim population in the postwar period, we might conclude that German Muslims of today are in many aspects better off than before. The second generation enjoys better preconditions for upward mobility but at the same time faces more difficulties financially and economically as well as with the changed perception of Muslims in Germany. In addition, recent Muslim immigrants arrive better educated and thus change the overall figures on education of Muslims. In total, the initially unfavorable situation of Muslim migrants has changed since the 1980s and they are catching up in education and in the labor market. Hence, Muslims are increasingly located in the medium income, medium education, and middle class segments of society, being conspicuously underrep-

resented in the high income and the high education segments.

In contrast, based on income, education, and occupation, U.S. Muslims are almost evenly distributed across different socioeconomic levels of society. They have been able to build upon a much better educational background and income situation than Muslims in Germany, who display similarities to their fellow Muslims in the U.S. only in their relatively high labor market integration. Nevertheless, no noticeable changes exist in socioeconomic terms among the American Muslim population. While the socioeconomic performance of Germany's Muslims is improving, young Muslims in the U.S. reveal slightly poorer levels of employment and education⁵⁷ than the older generations, which might be interpreted as a downward trend.

In this context, it is difficult to assess the effects of the global economic crisis on the situation of Muslims in Germany or in the U.S. based on existing research. However, it may be assumed that the economic decline has had the same impact on the socioeconomic situation of Muslim migrants in the United States as on the general population, given that the economic status of U.S. Muslims mirrors the economic situation of the overall population. For Germany it appears to be more difficult to assess the consequences of the economic crisis. Since a large part of Germany's Muslims are still unskilled or semi-skilled laborers in German factories, many of them constitute an economically vulnerable group that is rapidly hit by a decline in sales and layoffs in German companies, e.g., in the automotive industry.

INTEGRATION AND RELIGION

Finally, the comparative analysis of the Muslim population in Germany and in the U.S. offers some substance to discuss the relationship between religion and the socioeconomic performance of Muslims, as well as possible effects that religion may have on integration.

Germany's Muslims show an equally high religiosity but with a different approach to religion compared to American Muslims. U.S. Muslims have an even higher degree of religious commitment in their everyday lives

than their fellow believers in Germany. But while U.S. Muslims' economic performance is as strong as mainstream Americans' performance, the opposite is true for Muslims in Germany.

Despite the income and education disparities that have become apparent, U.S. Muslims from different racial and socioeconomic backgrounds resemble one another when it comes to religion.⁵⁸ The comparative view on Muslims and non-Muslims from different racial groups has revealed that Muslim white Americans, for instance, do in fact perform significantly better in education than do non-Muslim white Americans. From this, it might be concluded that, generally, Islamic religiosity does not seem to be a factor impacting the socioeconomic situation of Muslim believers in the U.S. However, since this conclusion is based on limited data from the above-mentioned surveys, with more thorough studies on religiosity of Muslims in relation to social or economic integration difficult to find in the U.S., this result is more an assumption that still has to be proven.

In the European discourse on the participation of Muslim minorities in society, Islam is often used to explain difficulties or failures of integration.⁵⁹ Additionally, various studies on the religiosity of Muslims also question the relationship between religiosity and different aspects of integration. All research agrees that Muslims as a whole are more religious than other faiths although some research points to differences between ethnic groups (e.g., Muslims of Turkish origin appear to be more religious than Iranians) or between followers of different Islamic denominations. Research that deals with the relationship between Muslim religiosity and education, for example, usually demonstrates that Muslims with a lower socioeconomic status and with a lower education are more religious than those who perform better.⁶⁰

Although present studies do point to a noticeable correlation between religious conviction and integration performance, they are neither capable of explaining this correlation or of establishing or proving a causal connection.⁶¹ The most comprehensive study on Muslim life in Germany that includes and compares different Muslim groups therefore concludes that a direct link between an affiliation to

Islam and integration cannot be established, especially given the great differences between Muslims from different countries of origin.⁶²

Considering the situation of Muslims from both the U.S. and Germany, as well as the provisional results of the relationship between Islam and integration, it becomes clear that the poorer socioeconomic position facing a segment of Muslims in the United States and a larger percentage of Muslims in Germany is more likely to be linked to other originating factors. The social backgrounds and racial disadvantages (in the U.S.) or various forms of discrimination (in the EU) which often shape the prospects for upward mobility among different social groups seem to be a more appropriate link to explain issues in integrating the Muslim population in both countries.

Thus, the better overall socioeconomic performance of Muslims in the U.S. appears to predominantly result from the immigration of Muslim groups who arrived with advantageous resources in the form of human capital and better skills, easing their successful integration into the mainstream middle and upper classes. The pluralistic nature of American society and a common acceptance of different forms of religious behavior aided this integration. In contrast, the more homogeneous nature of German society, requiring more time to adapt to the rapid increase of residents with a non-German background and to deviant religious habits of Muslim migrants, together with the large proportion of unskilled workers and their families can be seen as major barriers to the successful integration of Muslims into mainstream German society.

Notes

- 1 Gritt Klinkhammer, "Religion – Migration – Integration," in *Religion – Migration – Integration in Wissenschaft, Politik und Gesellschaft*, ed. Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration (Berlin, 2004), 12-18.
- 2 Karsten Lehmann, "Community-Kirchen im Wandel. Zur Entwicklung christlicher Migrantengemeinden zwischen 1950 und 2000," in *Religiöse Pluralität im nationalen Verfassungsstaat*, ed. Richard Münch (Berliner Journal für Soziologie 16, 2006), 485-501.
- 3 E.g., Oscar Handlin, *The uprooted. A history of immigration movements to America after 1980* (USA, 1951); Milton Gordon, *Assimilation in American life: the role of race, religion, and national origins* (New York, 1964).
- 4 Wendy Cadge and Elaine Howard Ecklund, "Immigration and Religion," *Annual Review of Sociology* 33 (2007), 359-379.
- 5 R. Stephen Warner (ed.), *Gatherings in diaspora* (USA, 1998).
- 6 Katrin Brettfeld and Peter Wetzels, *Muslims in Deutschland – Integration, Integrationsbarrieren, Religion sowie Einstellungen zu Demokratie, Rechtsstaat und politisch-religiös motivierter Gewalt* (Hamburg: Bundesministerium des Inneren, 2007).
- 7 "Muslimisches Leben in Deutschland - im Auftrag der Deutschen Islam Konferenz," Bundesamt für Migration und Flüchtlinge (Berlin, 2009).
- 8 "Religionsmonitor 2008. Muslimische Religiosität in Deutschland," ed. Bertelsmann Foundation (Gütersloh, 2008), <http://www.bertelsmann-stiftung.de/cps/rde/xbcr/SID-019DEAD3-C7DC7321/bst/xcms_bst_dms_25864_25865_2.pdf> (1 March 2010).
- 9 "Muslim Americans. A national portrait – An in-depth analysis of America's most diverse religious community," GALLUP (2009), <<http://www.gallup.com/poll/116260/muslim-americans-exemplify-diversity-potential.aspx>> (22 February 2010).
- 10 "Muslim Americans – Middle Class and mostly mainstream," PEW Research Center (2007), <<http://pewresearch.org/pubs/483/muslim-americans>> (27 February 2010).
- 11 This number was determined on the basis of the population census in 1987.
- 12 The number of Muslims with Turkish roots is put in 2009 at 2.5 – 2.7 million of estimated 3.8 – 4.3 million Muslims living in Germany. See *Muslimisches Leben in Deutschland - im Auftrag der Deutschen Islam Konferenz* (Berlin: Bundesamt für Migration und Flüchtlinge, 2009), 80.
- 13 Thomas Lemmen estimated the number of Muslims with Turkish roots at 2 million of roughly 3 million Muslims in Germany in 1999 in his study that was the standard reference at that time. See Thomas Lemmen, *Muslims in Deutschland* (Baden-Baden 1999), 35.
- 14 "Muslimisches Leben in Deutschland - im Auftrag der Deutschen Islam Konferenz," (Berlin: Bundesamt für Migration und Flüchtlinge, 2009), 96.
- 15 The history of Muslims in Germany begins before that, in 1731 with Turkish soldiers who belonged to King Friedrich Wilhelm I living in Potsdam. Until the 1960s only small groups of Muslims were living in Germany. See Muhammad Salim Abdullah, *Was will der Islam in Deutschland* (Gütersloh, 1993).
- 16 Obviously, there is no interest on the part of the German government to know the exact numbers of Muslims of German origin. Recent surveys do not include this group of Muslims and do not offer any numbers on them. By that Islam is still commonly perceived as a religion of migrants.
- 17 "Muslimisches Leben in Deutschland - im Auftrag der Deutschen Islam Konferenz," (Berlin: Bundesamt für Migration und Flüchtlinge, 2009).
- 18 Bertelsmann Foundation, *Muslimische Religiosität in Deutschland* (Gütersloh, 2008).
- 19 "Muslim Americans – Middle Class and mostly mainstream," PEW Research Center (2007).
- 20 "Muslim Americans. A national portrait," Gallup (2009).

- 21 A percentage of one's possessions (surplus wealth) has to be given to charity.
- 22 Based on findings from "Muslim Americans. A national portrait," Gallup (2009) and "Muslimisches Leben in Deutschland - im Auftrag der Deutschen Islam Konferenz," Bundesamt für Migration und Flüchtlinge (Berlin, 2009).
- 23 Here meant as a head cover
- 24 "Muslim Americans – Middle Class and mostly mainstream," PEW Research Center (2007); Bertelsmann Foundation, *Muslimische Religiosität in Deutschland* (Gütersloh, 2008).
- 25 More general: "Qualification for University entrance," which is called *Abitur* in Germany.
- 26 "Muslimisches Leben in Deutschland - im Auftrag der Deutschen Islam Konferenz," Bundesamt für Migration und Flüchtlinge (Berlin, 2009), 209; Katrin Brettfeld and Peter Wetzels, *Muslimische in Deutschland* (Hamburg, 2007), 90.
- 27 Recent empirical studies on Muslims in Germany that do not focus on the Turkish group show a so far unknown and more positive educational profile of this population than did previous surveys, which usually took the Turkish minority group as a sample that was often referred to when talking about Muslims.
- 28 "Muslim Americans – Middle Class and mostly mainstream," PEW Research Center (2007), 18. Those findings of the Pew Research Center are confirmed in the study by Gallup, which found that 40 percent of Muslims say their highest level of educational achievement is a college degree or higher, making them the second most highly educated religious group surveyed, after Jews. As a point of comparison, 29 percent of Americans overall say they have a college degree or higher, see "Muslim Americans. A national portrait," Gallup (2009)
- 29 Sources: "Muslimisches Leben in Deutschland - im Auftrag der Deutschen Islam Konferenz," Bundesamt für Migration und Flüchtlinge (Berlin, 2009), 211ff and "Muslim Americans – Middle Class and mostly mainstream," PEW Research Center (2007), 18.
- 30 The German survey does not provide any information on numbers of Muslim university students or on Muslims with university degrees.
- 31 "Muslim Americans. A national portrait," Gallup (2009), 112.
- 32 "Muslimisches Leben in Deutschland - im Auftrag der Deutschen Islam Konferenz," Bundesamt für Migration und Flüchtlinge (Berlin, 2009).
- 33 For Germany: €30,000 or more; €18,000-€29,999; and less than €18,000
- 34 "Muslim Americans – Middle Class and mostly mainstream," PEW Research Center (2007), 19.
- 35 *Ibid.*, 18.
- 36 *Ibid.*, 19.
- 37 Katrin Brettfeld and Peter Wetzels, *Muslimische in Deutschland* (Hamburg, 2007), 89.
- 38 Data from Katrin Brettfeld and Peter Wetzels, *Muslimische in Deutschland* (Hamburg, 2007), 90 and "Muslim Americans – Middle Class and mostly mainstream," PEW Research Center (2007).
- 39 European Forum for Migration Studies (ed.), "Effectiveness of National Integration Strategies Towards Second Generation Migrant Youth in a Comparative European Perspective – EFFNATIS" (Bamberg, 2001), <<http://www.efms.uni-bamberg.de/prineffe.htm>> (01 March 2010).
- 40 In contrast to the findings of the Gallup study (2009) (with only 53% working /job in Germany vs. 70% in the U.S.), the comprehensive German surveys, Katrin Brettfeld and Peter Wetzels, *Muslimische in Deutschland* (Hamburg, 2007) and *Muslimisches Leben in Deutschland* (Berlin, 2009) reveal that about 70% of the Muslim respondents are working or in vocational training.
- 41 "Muslimisches Leben in Deutschland - im Auftrag der Deutschen Islam Konferenz," Bundesamt für Migration und Flüchtlinge (Berlin, 2009), 229.
- 42 "Muslim Americans. A national portrait," Gallup (2009), 40.
- 43 "Muslimisches Leben in Deutschland - im Auftrag der Deutschen Islam Konferenz," Bundesamt für Migration und Flüchtlinge (Berlin, 2009), 226.
- 44 "Muslim Americans. A national portrait," Gallup (2009), 19-20.
- 45 "Muslimisches Leben in Deutschland - im Auftrag der Deutschen Islam Konferenz," Bundesamt für Migration und Flüchtlinge (Berlin, 2009): 222.
- 46 According to the Pew Survey "Muslim Americans – Middle Class and mostly mainstream," PEW Research Center (2007), 19-20.
- 47 According to Katrin Brettfeld and Peter Wetzels, *Muslimische in Deutschland* (Hamburg, 2007), 88; The study *Muslimisches Leben in Deutschland* (Berlin, 2009) show similar results: 51.2% are in work; 21.4% in vocational training.
- 48 The number of those working full-time varies in the Gallup survey where 52% state that they work full-time, see "Muslim Americans. A national portrait," Gallup (2009).
- 49 That is, apprenticeship or paid maternity leave.
- 50 Katrin Brettfeld and Peter Wetzels, *Muslimische in Deutschland* (Hamburg, 2007), 88; "Muslimisches Leben in Deutschland - im Auftrag der Deutschen Islam Konferenz," Bundesamt für Migration und Flüchtlinge (Berlin, 2009), 229.
- 51 E.g., Frank Kalter, "Auf der Suche nach einer Erklärung für die spezifischen Arbeitsmarktnachteile von Jugendlichen türkischer Herkunft," *Zeitschrift für Soziologie*, 35 (2006): 144-160.
- 52 The study of the Center for Studies on Turkey include Muslim and non-Muslim Turkish entrepreneurs, Martina Sauer, *Türkische Unternehmen in Nordrhein Westfalen* (Essen, 2004).
- 53 "Muslim Americans. A national portrait," Gallup (2009), 40.
- 54 Source: Katrin Brettfeld and Peter Wetzels, *Muslimische in Deutschland* (Hamburg, 2007), 89.
- 55 Katrin Brettfeld and Peter Wetzels, *Muslimische in Deutschland* (Hamburg, 2007).
- 56 "Muslim Americans. A national portrait," Gallup (2009), 74.
- 57 See *Ibid.*, Chapter 4.
- 58 *Ibid.*, 12.
- 59 Samuel M. Behloul, "Religion gleich Desintegration? Die Rolle der Religion im Integrationsprozess der Migranten," *WAR-Bulletin 42* (4:2004), 72-80 and in earlier discussions: Andrea Lueg, "Das Feindbild Islam in der westlichen Öffentlichkeit," *Feindbild Islam*, ed. Jochen Hippler and Andrea Lueg (Hamburg, 1993), 14-43.
- 60 See e.g., Faruk Sen and Martina Sauer, *Islam in Deutschland. Einstellungen der türkischstämmigen Muslime* (Essen, 2006); Susanne Worbs and Friedrich Heckmann, "Islam in Deutschland. Aufarbeitung des gegenwärtigen Forschungsstandes und Auswertung eines Datensatzes zur zweiten Migrantengeneration," in *Islamismus*, ed. Bundesministerium des Inneren (Berlin, 2004); "Muslimisches Leben in Deutschland - im Auftrag der Deutschen Islam Konferenz," Bundesamt für Migration und Flüchtlinge (Berlin, 2009).
- 61 Peter Wetzels and Karin Brettfeld, *Auge um Auge, Zahn um Zahn? Migration, Religion und Gewalt junger Menschen* (Münster, 2003); Faruk Sen and Martina Sauer, *Islam in Deutschland. Einstellungen der türkischstämmigen Muslime* (Essen, 2006), 66.
- 62 "Muslimisches Leben in Deutschland - im Auftrag der Deutschen Islam Konferenz," Bundesamt für Migration und Flüchtlinge (Berlin, 2009).

(DIS)INTEGRATION OF U.S. MUSLIM MINORITIES: THE IMPACT OF GEOPOLITICAL FACTORS

ARIANE CHEBEL D'APPOLLONIA

Introduction

The literature on American Muslims has vastly expanded over recent years. Various aspects have been well-researched, such as the role of religiosity in their political affiliation; their beliefs, social values, and group consciousness; and most notably after 9/11, their sense of alienation as potential grounds for radicalization.¹ Yet, little has been written about the role of factors related specifically to U.S. foreign policy in framing key aspects of the integration of Muslims in American society, as well as the perception of Islam by non-Muslims. This essay focuses on the domestic impact of geopolitical factors that are of particular significance for American Muslims, and which are significantly impacted by U.S. policies, such as the Israeli-Palestinian conflict; the situations in Iraq, Syria, and Lebanon; and the continuing military escalation in Afghanistan. Yet, there is evidence that these issue variables do not work in isolation. The current situation of Muslim minorities in the U.S. (as well as their perception by U.S. public opinion) is, indeed, the result of a complex set of interactions between both domestic and geopolitical factors.

These factors include the impact of counterterrorist legislation adopted in the aftermath of 9/11, as well as the long-term effect of ethnic discrimination and suspicion toward Islam—trends both fuelled by the emergence of “home-grown terrorists.” However, the domestic context also involves some more positive aspects as well, including the extensive socioeconomic integration of the majority of U.S. Muslims who today form the most affluent and assimilated Muslim community in the Western world.² American Muslims have also achieved high levels of civic and political integration, as illustrated by the large percentage who

are registered and actually turn out to vote—79 percent and 85 percent, respectively.³ In a similar fashion, Arab Americans (although comprised mostly of non-Muslims⁴ due to waves of predominately Christian Arab immigration to the U.S. during the early 1900s, but overlapping significantly with many Muslims in terms of worldview) were registered to vote in 2000 at a rate of 88.5 percent, surpassing the national average that year of 70 percent.⁵ Since the 1967 Arab-Israeli war, Arab Americans have created a number of organizations and interest groups to achieve and further encourage these comparatively high levels of political participation (such as the Arab American Institute or AAI), while the Civil Rights Movement boosted the political activism of many African-American Muslim groups.

The dynamic interaction between geopolitical events and domestic issues consists of two major dimensions. First, external factors can become motives for grievances (and sometimes for radicalization) among U.S. Muslims while fuelling negative stereotypes about Islam among the U.S. general population. Second, domestic issues—such as the excesses of the “war on terror” police actions during the Bush administration—are conversely exploited by foreign Muslim groups and damage the image of the U.S. abroad, most notably in Arab and Muslim-majority countries. These trends, in turn, affect the shaping of U.S. foreign policy, as well as the perception of America and its policies by U.S. Muslims. Addressing the various facets of this dynamic interaction therefore leads to an analysis of how foreign issues have helped the emergence of a U.S. Muslim group consciousness and how this group identity is either a path toward polarization or constitutes grounds for

rapprochement.

Foreign Issues, Group Consciousness, and Political Mobilization

U.S. Muslims are a diverse community. While over one million persons claimed “Arab first” ancestry on the 2000 U.S. Census, various sources suggest that the number of Arab Americans and Muslims (both categories combined) is higher—close to 3 million people. Other American Muslim organizations believe that there are upward of 6 to 7.5 million Muslims in the U.S., the community consisting of immigrants and second and third-generation Arab, Latino, Asian, European, African, and African-American Muslims.⁶ The three major groups—African-Americans, Arabs, and South Asians—are very different from each other and long-standing differences continue to divide immigrant Muslims from their African-American coreligionists.⁷ Each group is, in itself, quite heterogeneous. Among African-Americans, Islam is fragmented into several religious and political affiliations.⁸ Immigrant Muslims are divided along religious, linguistic, and national-origin lines. Arab Americans are extremely diverse as well in terms of socioeconomic status, length of residence in the U.S., country of origin, and religion/religious practices.

Foreign policy issues have played a significant role in the emergence of commonalities and convergences among this diverse landscape of U.S. Muslims. The process of political participation started with the pioneer Arab immigrants who migrated before 1967, mainly from Syria and Lebanon, and formed interest groups and organizations such as the Arab National League and the National Association of Federations of Syrian and Lebanese American Clubs. Concerns about the fate of Palestinians increased after the 1967 Arab-Israeli war. The pro-Israeli attitude of the U.S. government motivated the creation of the Association of Arab-American University Graduates which, in addition to lobbying for Arab causes (especially Palestine), sought to mobilize the Arab American community to participate more actively in U.S. politics. At that time, the Arab American community was close to the Republican Party, especially on domestic issues.⁹

In the 1980s and early 1990s, Arab Americans and new Muslim immigrants focused on U.S. foreign policy issues affecting the Islamic world such as the Israeli-Palestinian conflict, U.S. sanctions against Iraq, and conflicts in Afghanistan and Chechnya. African-American Muslims, by contrast, tended to focus on domestic issues and largely supported the Democratic Party. Formulating a united political platform between the two groups was not easy, as evidenced by the recurrent tensions between African-American organizations and immigrant Muslim organizations, such as the Islamic Society of North America (ISNA). Despite these tensions, U.S. Muslims increased their political visibility, mainly as the result of the activism of the Muslim Public Affairs Council (MPAC) and the American Muslim Council (AMC). Although these two organizations had good relations with the Clinton administration, U.S. Muslims resented the pro-Israeli orientation of U.S. policy in the Middle East, as well as the discriminatory effects of the 1996 Antiterrorism and Effective Death Penalty Act used mainly against Middle Easterners and Muslims.¹⁰

The 1996 presidential election represented the first major attempt at a Muslim “voting bloc” to address issues promoted by U.S. Muslims, such as immigration and civil rights, as well as foreign policy issues (mainly Palestine, Lebanon, Syria). The drive faltered however, partly as the result of a debate within the community over whether Muslims should even participate in the American democratic process. Major Islamist organizations tried to endorse a single candidate, but actually the AMC and MPAC backed Bill Clinton, while the National Council on Islamic Affairs (NCIA) endorsed Bob Dole, and the American Muslim Alliance (AMA) and the Council on American-Islamic Relations (CAIR) took no position.¹¹ In late 1997, the AMA, AMC, CAIR, MPAC, American Muslim Caucus, and NCIA formed what would become the American Muslim Political Coordination Committee (AMPCC) with the expressed intention of forging a single political forum.¹²

The 2000 presidential election saw U.S. Muslims’ voting patterns take on more importance. The AMPCC endorsed George W. Bush for president without acknowledging African-American Muslim objections to that endorsement. The head of the

AMPCC, Agha Saeed, declared two weeks before the election: "Governor Bush took the initiative to meet with local and national representatives of the Muslim community. He also promised to address Muslim concerns on domestic and foreign policy issues."¹³ The former Congressman Paul Findley estimated that 65 percent of the 3.2 million Muslims who turned out to vote supported G.W. Bush, including 15 percent of African-American Muslims.¹⁴ According to a Zogby poll, Bush support among Muslims was 42 percent, whereas Gore secured 31 percent.¹⁵ Furthermore, about 700 Muslim Americans ran for various local, state, and federal offices in the 2000 elections. At least 152 of them were elected to local and state offices.

Foreign policy concerns largely explained this support for Bush and the Republican Party. As demonstrated by Matt A. Barreto and Dino Bozonelos in their study of Muslim American party identification, "the foreign policy issue of Jerusalem as the 'undivided and undisputed' capital of Israel weighed heavily on Muslim-Americans in 2000. If any one issue has the ability to unite Muslim Americans of all backgrounds, is it the plight of the Palestinian people and the status of the Occupied Territories."¹⁶ The growing resentment toward former President Bill Clinton's support for Israel, the pro-Israeli position of the Democrat candidate Al Gore, as well as the selection of an Orthodox Jew, Joseph Lieberman, as the candidate for vice president explained why U.S. Muslims voted en bloc for George Bush. The outbreak of Palestinian violence against Israel in September 2000 further highlighted a perceived U.S. government bias toward Israel, severely diminishing Clinton's once-lofty popularity rating among Muslims and Arab Americans.¹⁷ The Arab American Institute noted that Gore, as Clinton's vice president, "...has remained an ironclad supporter of Israel and has consistently attended and spoken before pro-Israel audiences in the United States."¹⁸

President Bush, however, quickly departed from the foreign policy pledges made to U.S. Muslims during his campaign. His attitude toward Palestinians in the Occupied Territories was perceived by a majority of Muslim organizations as overwhelmingly favoring Israeli interests. The Muslim American community deeply resented the rationale put forth to explain the disparity, which was simply that the Arab American

lobby was weak and had no impact on foreign policy issues. Moreover, the Bush administration paid little attention to the necessity of engaging and actively reaching out to U.S. Muslims. The State Department's (DOS) office for public diplomacy, for example, did not include a single U.S. Muslim on its staff until 2006. The same year, the State Department had only five Arabic speakers capable of appearing on behalf of the U.S. government on Arabic-language television.¹⁹ Public diplomacy activities designed to counter negative sentiments overseas were highly criticized by U.S.-based Muslim organizations for their lack of regional expertise and professional staff.²⁰ DOS's data showed that as many as 30 percent of public diplomacy positions in countries with significant Muslim populations were filled with officers with insufficient language skills and a low understanding of the culture and history of the local populations.²¹ Therefore, several Muslim organizations felt that they had no say in the U.S. government's foreign policies, precisely while they were perceived as the major root behind anti-American sentiments among Muslim populations abroad.

Furthermore, the post-9/11 policies of the Bush administration perpetuated a feeling of betrayal among Muslims who voted for Bush in 2000.²² Shortly after 9/11, President Bush visited the Islamic Center of Washington to show that Islam was not to blame for the attacks. Yet, this initiative was followed by a series of anti-Muslim statements by policymakers close to the government. Adding to the development of a group consciousness among U.S. Muslims vis-à-vis opposition to the administration's policies and general tone during the "war on terror" was the high level of discrimination and prejudice, which increased after the attacks of September 11.²³ U.S. Muslims felt unfairly targeted by some controversial aspects of the domestic terror war such as racial profiling, detention, deportation, and discrimination. Moreover, U.S. Muslims suspected the Bush administration of doing little to prevent threats and violence directed at Arab and/ or Muslim Americans by private citizens. The Council on American-Islamic Relations (CAIR) received about 141 reports of anti-Muslim hate crimes in 2004, a 52 percent increase from 2003. In 2006, CAIR reported 167 anti-Muslim hate crimes, a 9.2 percent rise from the 153 complaints received in 2005.²⁴ This growth of anti-Muslim hatred created

an increasing sense of alienation. A University of Michigan study of Arab Americans in the Detroit area (one of the largest such communities in the U.S.) found in 2004 that about “15 percent say that, since 9/11, they personally had a bad experience due to their ethnicity. These experiences included verbal insults, workplace discrimination, special targeting by law enforcement or airport security, vandalism, and in rare cases, vehicular and physical assault.”²⁵ According to a survey conducted by the Pew Research Center in 2007, a majority of Muslim Americans (53 percent) said “it has become more difficult to be a Muslim” in the United States since 9/11. Beyond discrimination (19 percent), their main concerns were being viewed as terrorists (15 percent) and stereotyping (12 percent).²⁶ Interestingly, the feeling of being “singled out” overshadowed the common differences between African-Americans and other native born Muslims (with 72 percent and 74 percent, respectively, who expressed such a feeling).

These post-9/11 concerns increased the political mobilization of U.S. Muslims, which is evident in the data on the 2004 presidential election. This election provided, as well, a perfect illustration of the dynamic interaction between domestic concerns and foreign policy issues. “The current administration, despite its verbal posturing has not matched its rhetoric with deeds,” said Muslim American Society Freedom Foundation Executive Director Mahdi Bray. “I think it is quite clear that both in foreign policy and domestic issues, especially in civil rights and liberties, that this administration’s war on terror is poorly focused and has targeted its own citizens.”²⁷ This election strengthened the unity of the Muslim voting bloc. About a dozen of U.S. Muslim organizations and the American-Muslim Taskforce on Civil Rights and Elections (AMT) endorsed the Democratic candidate John Kerry. An exit poll by CAIR indicated that more than 90 percent of Muslim voters cast their ballots for Kerry. Other surveys confirmed this shift in partisan affiliation, as well as the role of both external policy issues and domestic issues related to U.S. foreign policy.²⁸

U.S. Muslim political involvement continued to achieve a higher level of national visibility during the 2006 Congressional elections, which were charac-

terized by a massive turnout of U.S. Muslim voters and the election of the first Muslim member to the U.S. Congress, Minnesota Democrat Keith Ellison. Although divisions remained between African-Americans and immigrant Muslim groups, the negative attention and policies directed toward Muslims since 9/11 led all the diverse sub-groups to speak with a more unified voice. “We came together, all colors, all faiths, all of us,” Ellison said in a victory speech to supporters. When Indiana voters elected a second Muslim Congressman in March 2008, Andre Carson, the satisfaction of the Muslim community overcame the common racial breakdown.²⁹ This trend was confirmed by the 2008 presidential elections when Muslims overlooked differences they have among themselves. Nearly 90 percent of U.S. Muslims supported Democrat Barack Obama and only 3 percent voted for the Republican candidate John McCain. Turnout among Muslim voters reached 95 percent according to the AMT findings.³⁰ Foreign policy issues faded in importance for the general electorate because on the heels of a global financial meltdown, more than 60 percent of the voters cited the economy as the most important issue facing the country.³¹ While these grave economic concerns also dominated U.S. Muslim voters’ agenda, 17 percent of Muslim respondents considered foreign policy as the main issue deciding the choice of president, followed by civil rights issues (15 percent) and the war in Iraq (13 percent).³²

Reasons for Polarization

Due to the multiple identity levels of U.S. Muslims, diverse groups have had various motives—even before 9/11—for voicing strong dissent toward U.S. foreign policy in the Middle East and, more globally, the Muslim world as an entire community of faith. The frustration of Arab Americans, for example, increased over the years with regard to the status of the Occupied Territories, the Lebanese crisis, and the impact of the U.S. embargo on Iraqi civilians (especially children). Other reasons for disagreement—and frustration—were related to the killing of Muslims in various countries (such as Bosnia, Kashmir, Chechnya, and Kosovo) and the increased U.S. military presence in the Gulf, especially in Saudi Arabia, the country with the two holiest sites in Islam, Mecca and Medina. Meanwhile, the U.S. had a segmented

strategy in dealing with Muslim countries. As argued by Muqtedar Khan, “Washington, in the past, has often perceived the Middle East, especially Iran, as the focal point of the Muslim world. Everyone was aware that not all Arabs are Muslims and that not all Muslims live in the Middle East, but this awareness did not permeate policy making.” Therefore, “the fact that Indonesia and Malaysia are predominantly Muslim nations was irrelevant to U.S. policy in the region.”³³ Malaysia was mostly a trading partner, and Indonesia was seen as a potential ally against China. By the same token, Pakistan was a major ally against the Soviet Union, as well as the Taliban regime in Afghanistan.

September 11 changed the U.S. agenda. “Since Washington has noted the presence of al-Qaeda in the Philippines, Indonesia, Malaysia and other parts of the Muslim world,” Khan noted, “policy makers realized the security implication of the global nature of Muslim distribution.”³⁴ Yet, the evolution of U.S. foreign policy in the aftermath of 9/11 created common ground for contention among U.S. Muslims, irrespective of their race, ethnicity, social status, and political or religious affiliation. American Muslims expressed a broad dissatisfaction with the direction of U.S. foreign policy during the Bush administration. Only 15 percent in 2007 said they approved of the way Bush was handling his job as president while 69 percent disapproved of it.³⁵ The main bones of contention were the interrelated issues of Iraq, Afghanistan, and the wider global “war on terror” (GWOT). According to a Pew Research Survey poll conducted in 2007, most Muslim Americans (up to 75 percent) said that the U.S. made the wrong decision in using military force against Iraq (compared to 12 percent who believed that it was the right decision). Native-born and Democratic Muslims were more likely than foreign-born and Republican Muslims to say it was the wrong decision. But even among the small minority of Muslims who described themselves as Republicans (11 percent compared to 63 percent Democrats), 54 percent said it was a wrong decision. While there was greater support for the decision to use force in Afghanistan, more said it was the wrong thing to do (48 percent) than said it was right (35 percent). The negative perception of the use of military force in Iraq and Afghanistan was consistent with the negative opinion about the effectiveness of the

“war on terror.” A majority of Muslims in America (55 percent) said in 2007 that they did not believe that the U.S.-led “war on terror” was a sincere attempt to reduce international terrorism (71 percent of native-born, and 49 percent of foreign-born).³⁶

Several Muslim organizations have pointed out, for instance, that the brand of political terrorism engaged in by groups such as al-Qaeda was largely the product of the first Gulf War (notably the U.S. military presence in Saudi Arabia), as well as the protracted conflicts in Afghanistan, the West Bank, and the Gaza Strip. Just as Muslims in other parts of the world, U.S. Muslims expressed a high level of skepticism about the Bush administration’s motives behind sending troops in Iraq. Many came to believe that the American government was seeking to dominate Muslim countries by force as a way to secure U.S. geopolitical and economic interests, including Middle East oil. Others even held the view that the “war on terror” was actually a deliberate war on Islam itself, with serious consequences for U.S. relations with Muslim countries. When considering the worldwide expansion of the “al-Qaeda franchise,” U.S. Muslims expressed serious concerns about the negative outcomes of the “war on terror.” As Americans, they worried about the degradation of the image and stature of the U.S. in the Muslim world, which, in turn, fuelled the anti-American propaganda of the most extremist organizations and facilitated terrorist recruitment.³⁷ As Muslims, they denounced the violation of human rights and legal protections by authoritarian regimes supported by the U.S. government in its fight against extremist groups. Finally, as both Americans and Muslims, they feared the domestic backlash effect of this U.S.-Muslim divide, in terms of discrimination, the sense of alienation, and potential radicalization.

Numerous studies have illustrated the correlation between a sense of alienation and radicalization.³⁸ In 2006, a Pew Research Survey found that only 7 percent of U.S. Muslims believed that “suicide bombing to defend Islam from its enemies” was “sometimes” justified (5 percent answered “rarely” and 1 percent “often”). Yet, the most troubling finding was that the acceptance of Islamic extremism was wider among African-Americans and young Muslims, the two groups most discriminated against. Both

groups, in turn, expressed a strong sense of alienation that led them to fundamentally question the American dream. About 9 percent of African-American Muslims—who share the double burden of racism and religious intolerance—expressed a favorable attitude toward al-Qaeda.³⁹ In 2007, up to 26 percent of U.S. Muslims under the age of 30 said that suicide bombing was “sometimes” justified.⁴⁰

The evolution of U.S. foreign policy after 9/11 reignited concerns about the actual commitment of the U.S. government to promote democracy in the Muslim world.⁴¹ The dominant perception was that the U.S. supported authoritarian regimes to maintain near-term political stability and security of oil supplies—to the detriment of the rule of law, respect for human rights, and truly democratic reforms. For most of the liberal and moderate U.S. Muslim organizations, this strategy damaged both the credibility and legitimacy of U.S. diplomacy. It also contributed to a widespread sense of frustration among Muslims living in these countries and, thus, facilitated the expansion of radical Islamism. One of the most common examples elucidating this trend was Egypt, which has received more economic aid than any other Muslim country during the past 30 years. President Hosni Mubarak did allow parliamentary and municipal elections in 2005 (after a two year delay) but continued to suppress opposition leaders, notably those from the Muslim Brotherhood. A series of constitutional amendments was passed in 2007 that outlawed all political activity by religious groups. This gave the Egyptian government greater freedom to arrest Brotherhood members. The muted U.S. response to Mubarak’s repeated crackdowns thus spurred higher levels of anti-American sentiment, as well as violent Islamic activism (as illustrated by the bombings of three hotels in the Sinai Peninsula in 2004 and a series of coordinated attacks in the city of Sharm el-Sheikh in 2005). Criticisms of the U.S. record regarding democracy also included little pressure on Saudi Arabia to institute political reforms, as well as U.S. inaction regarding the issue of Gujarat in exchange for India’s cooperation in the “war on terror.” Some Middle Eastern groups focused their criticism on the restrictions imposed by the U.S. State Department on official contacts with Islamist opposition movements, as well as the unwillingness to engage publicly with either Hamas or Hezbollah (both

included on the U.S. list of foreign terrorist organizations).

Grounds for Rapprochement

Despite the multiple disagreements caused by U.S. foreign policy (as well as its domestic effects) over the last decade, U.S. Muslims have reaffirmed their commitment to America, its institutions, and its values. According to Karen Leonard, “the Muslim organizations have now rallied and declare themselves even more fervently to be American, democratic and supportive of civil liberties.”⁴² In 2006 the Council on American-Islamic Relations (CAIR) conducted a survey of American Muslim voters. Results showed that American Muslims were strongly integrated in American society—89 percent said they vote regularly; 86 percent said they celebrate the Fourth of July; 64 percent said they fly the U.S. flag; and 42 percent said they volunteer for institutions serving the public (compared to 29 percent nationwide in 2005).⁴³ The terrorist attacks of 9/11 were followed by an unprecedented mobilization. The AMC, for example, urged Muslims to apply for law enforcement jobs to help with the investigation of terrorism. Other Muslim organizations collaborated with the FBI and developed partnerships with local and state authorities, as illustrated by the Muslim Public Affairs Council’s “National Grassroots Campaign to Fight Terrorism” and the Southern California’s Muslim-American Homeland Security Congress. Muslim religious bodies publicly condemned terrorism while the Fiqh Council of North America issued an opinion stating that it was religiously permissible for enlisted American Muslims to take part in the fight against terrorism.⁴⁴ U.S. Muslims also strongly rejected the use of suicide bombings (up to 78 percent) and viewed al-Qaeda very unfavorably (up to 58 percent) or somewhat unfavorably (10 percent). Most U.S. Muslims also expressed optimism that a balanced solution to the Israeli-Palestinian conflict can be found (61 percent).⁴⁵

The American Muslim community emphasized the role it could play in improving the relationship between the U.S. and the Muslim world. The U.S.-Muslim Engagement Project, for example, listed a series of guiding principles designed to reshape American relations with Muslim leaders and people in ways that

would improve U.S. and international security. The final report recommended elevating diplomacy as the primary tool for resolving conflicts involving Muslim countries; to work intensively for immediate de-escalation of the Israeli-Palestinian conflict and a viable path to a two-state solution; to support more effective governance and promote civic participation in Muslim countries; to support job-creating growth in Muslim countries; and to improve mutual respect and understanding between Americans and Muslims around the world.⁴⁶

The importance of U.S. Muslims to an effective U.S. foreign policy toward the Muslim world was emphasized after 9/11 when Americans realized that foreign actions had domestic consequences and that there was a critical nexus between exogenous and endogenous security considerations. Since then, officials and policy experts have increasingly come to believe that the deficiency of democracy in many Muslim countries actually helps breed Islamic extremism.⁴⁷ A consensus also emerged about the necessity to restore the credibility of America by building mutual respect and to address the sensitive issues of the human rights abuses perpetrated by members of the U.S. military against captives in the Abu Ghraib and Guantanamo Bay prisons. Solutions for winning the “war of ideas” were suggested, such as establishing American Centers in Muslim countries, bolstering cultural exchange programs, and creating an America’s Voice Corps.⁴⁸

During the 2008 U.S. presidential campaign, Muslims the world over grappled with several pressing questions: “What would be the newly-elected president’s foreign policy toward the Muslim world? Would he keep his campaign promise to shut down Guantanamo Bay prison and withdraw American troops from Iraq? Would Obama change Bush’s Afghanistan and Pakistan policy? What would Obama do with the so-called ‘war on terror’? Would he change its conduct by adopting other means?”⁴⁹ On behalf of the American Muslim Task Force, Ambassador Syed A. Ahsani declared shortly after President Barack Obama’s historic election that “we are very encouraged by your commitment to shut down the Guantanamo Prison [...] Your pledge to ‘try to facilitate a better understanding between Pakistan and India and try to resolve the Kashmir crisis’ has

won the hearts of millions in South Asia [...] We believe it would be beneficial to our nation if, in consultation with the Muslim community, you appoint a new envoy to the Organization of the Islamic Conference and an Ambassador-at-large to improve U.S.-Muslim world relations.”⁵⁰

The recent change in American leadership has, no doubt, raised hopes. President Obama has introduced significant changes in style, tone, and strategy. “To the Muslim world, we seek a new way forward, based on mutual interest and mutual respect.” This statement made by President Obama in his inaugural address was highly welcomed, as were the remarks he made at the landmark speech in Cairo (June 2009), and his remarks to the Turkish Parliament (April 2009). In addition to repeatedly pointing out the contribution of Muslims to America (“Islam has always been part of America’s history,” and “the United States has been enriched by Muslim Americans”), President Obama has tried to address the most urgent concerns expressed by Muslims both in the U.S. and abroad.

The new administration has demonstrated its will to engage the American Muslim community in particular, as illustrated by the appointment of Farah Anwar Pandith as the State Department’s Special Representative to Muslim Communities⁵¹ (a newly created position) as well as Rashad Hussain as U.S. Ambassador to the Organization of the Islamic Conference.⁵² Muslim and Arab American advocates have participated in policy discussions with senior White House Advisor Valerie Jarret, Homeland Security Secretary Janet Napolitano, and Attorney General Eric H. Holder, Jr. to discuss civil liberties concerns and counterterrorism strategy. “For the first time in eight years, we have the opportunity to meet, engage, discuss, disagree, but have an impact on policy,” said James Zogby, President of the Arab American Institute.⁵³ The new administration has appointed special envoys for the Middle East, Afghanistan and Pakistan, Southwest Asia, the Gulf, and Sudan. President Obama has also condemned the excesses of the “war on terror,” such as racial profiling and discrimination against Muslims. Closing the Guantanamo Bay camp was part of the first set of Executive Orders in January 2009—a decision largely approved by Muslims in the U.S. and abroad.⁵⁴

The Obama administration has embarked on comparatively innovative initiatives aimed at the Muslim world. The first interview Obama granted from the White House was to the Arab television station Al-Arabiya. Furthermore, in March 2009, the President surprised many observers by broadcasting a recorded message that directly addressed the Iranian people. He also built upon his inaugural message, saying in his Ramadan message that his key objective was to "...engage Muslims and Muslim-majority nations on the basis of mutual interest and mutual respect. And at this time of renewal, I want to reiterate my commitment to a new beginning between America and Muslims around the world. As I said in Cairo, this new beginning must be borne out in a sustained effort to listen to each other, to learn from each other, to respect one another, and to seek common ground."⁵⁵ Secretary of State Hillary Clinton has echoed these sentiments, emphasizing "three core pillars: relations based on mutual respect, mutual interest, and mutual responsibility; a shared commitment to universal values; and broad engagement with governments and citizens alike."⁵⁶ Dr. Tarik Yousef, Dean of the Dubai School of Government and researcher at the Brookings Institution wrote that "this tone is clear and fresh and gives the impression that there will be a change in the main principles adopted by the new U.S. administration."⁵⁷ Moreover, President Obama as well as Secretary of State Clinton have logged record travel to Muslim-majority and many other nations.⁵⁸ During its first few months, the new administration focused on efforts to bring peace and stability to Afghanistan, Pakistan, and Iraq, chart a way forward on Middle East peace, and address the nuclear ambitions of Iran. In addition, there have been broad-based efforts to expand programs aimed at Muslim youth and women, as well as other initiatives to promote cultural and business exchange (such as the White House Summit on Entrepreneurship and the Science Envoy Program).

However, the new administration is still facing a set of crucial, urgent, and seemingly intractable challenges. On Iran, the policy of "carrots and sticks"—in which the Islamic Republic would be offered real economic and political incentives to cease its nuclear program, or face international sanctions—has not been successful so far. As noted by Ibrahim Khalin, "the Iranian nuclear file is getting more complicated. A

possible decision to apply sanctions against Iran will further deteriorate U.S.-Iranian relations, which in turn contradicts Obama's promise to turn a new page with most Muslim countries."⁵⁹ In regard to Iraq, President Obama announced in February 2009 a 19 month drawdown plan that would see U.S. forces reduced to about 50,000 by August 2010 and the end of American combat operations. "Under the U.S.-Iraq Security Agreement, which President Obama has said would be followed, all U.S. forces are to be out of Iraq by the end of 2011. Senior U.S. military leaders said in January 2010 that the U.S. draw-down plans are 'on track' and have not been altered by the violence or the election delay. Nor have the recent attacks reignited large-scale sectarian violence that could cause a U.S. re-evaluation of its plans. Still, nervous that U.S. gains could be jeopardized if sectarian tensions flare into major new violence, recent U.S. official visits to Iraq and contacts with Iraqi leaders have stressed the need for political compromises on outstanding issues."⁶⁰ Regarding Afghanistan, Pakistan, and the FATA (Federally-Administered Tribal Areas) spanning the two nations, President Obama has reaffirmed his commitment to pursue al-Qaeda and the Taliban with the support of an international coalition of 46 countries. President Obama has also planned to invest \$1.5 billion each year (over the next five years) to partner with Pakistanis to build schools and hospitals. However, the substantial increase in the use of unmanned aerial vehicles (UAVs) or "attack drones," and the collateral damage that inevitably results from their deployment, has been perhaps the central point of outrage over the Obama approach to prosecuting the war against the Taliban, al-Qaeda, and its extremist allies in the region.

Nonetheless, achieving a breakthrough to comprehensive Arab-Israeli peace has been described as the cornerstone of the Obama administration's strategy in the Middle East. Yet, the failure so far to achieve progress on this issue, combined with the troop surge in Afghanistan and the delay in closing Guantanamo Bay, have raised frustration among the Muslim community. Abdulbari Atwan, editor of al-Quds al-Arabi, has harbored skepticism of President Obama's true ability and desire to transform relations with the Muslim world, warning that "the U.S. legacy, which is hated in the Muslim world, cannot be

redressed with rhetorical words and phrases [...] The Arabs are fed up with false promises that were made by former administrations. We have a feeling that the Muslims' honeymoon with Obama will not be long and that his rhetorical language will not produce an effective result."⁶¹ Global perceptions of U.S. leadership have improved in 2009, except in many Muslim countries, where favorable dispositions toward America remain extremely sparse. Pakistan expressed the most dismal approval (9 percent), followed by Iraq (14 percent), Syria (15 percent), Egypt (37 percent), Tunisia (37 percent), and Morocco (38 percent).⁶²

Finally, various attempted terrorist attacks in the Arabian Peninsula and in the U.S. (such as the rampage at Fort Hood in November 2009, the failed Christmas Day bombing of an American plane by a Nigerian man, and the narrowly-avoided bombing of Times Square in May 2010) have renewed the attention paid to the problem of failed states (Yemen, and potentially Somalia) becoming bases for al-Qaeda operations. This security-related issue provides a dramatic illustration of the lasting domestic impact of foreign issues. U.S. Muslim organizations still complain about attacks against mosques and other anti-Muslim incidents. Meanwhile, about 43 percent of Americans still admit to feeling at least a "little" prejudice toward Muslims—more than twice the number who say the same about Christians (18%), Jews (15%), and Buddhists (14%). Islam is the most negatively viewed religion in the U.S. with 53 percent of Americans admitting that their opinion of Islam is either "not too favorable" or "not favorable at all."⁶³

In his Cairo address, President Obama laid out his vision for a "new relationship" with Muslims: while America would continue to fight terrorism, terrorism would no longer define America's approach to Muslims. While it is premature to evaluate the potential outcomes of this "new relationship," there is strong evidence that the key factors determining the integration of U.S. Muslims are partly located in the American power center of Washington, D.C., but also in far distant places such as Islamabad, Kabul, Sana'a, or Bali.

Notes

1 See for example, Matt A. Barreto and Dino Bozonelos, "Democrat, Republican, or None of the Above? The Role of Religiosity in Muslim American Party Identification," *Politics and Religion* (2009), 1-31; Ilyas Ba-Yunus and Kassim Kone, *Muslims in the United States* (Westport, CT: Greenwood Press, 2006); Steven Emerson, *Jihad Incorporated: A Guide to Militant Islam in the US* (Amherst, NY: Prometheus Books, 2006); Amamey Jamal, "The Political Participation and Engagement of Muslim Americans: Mosque Involvement and Group Consciousness," *American Politics Research*, Vol. 33, No. 4 (2005); Qamar ul-Huda, *The Diversity of Muslims in the United States* [ed. S.R. 159] (Washington, D.C.: United States Institute of Peace, 2006); Yvonne Yazbeck Haddad, "Not Quite American? The Shaping of Arab and Muslim Identities in the United States," *Edmondson Lecture Series* (Waco, TX: Baylor University Press, 2004); Erik C. Nisbet and James Shanahan, "Restrictions on Civil Liberties, Views of Islam, and Muslim Americans," An MSRSG Special Report (Ithaca, NY: Media and Society Research Group, Cornell University, 2004); Ihsan Bagby, "The American Mosque in Transition: Assimilation, Acculturation and Isolation," *Journal of Ethnic and Migration Studies*, Vol. 35, No. 3 (March 2009), 473-490.

2 Family income among American Muslims is comparable to that of the population as a whole. Among Americans, in 2007 44 percent reported household incomes of \$50,000 or more annually, as did 41 percent of Muslim Americans. Compared to the general population, fewer Muslims have finished high school, but just as many have earned college degrees and attended graduate school. About 22 percent are currently enrolled in college classes, with similar rates among foreign-born (22 percent) and native-born (20 percent). See a 2007 Pew survey on "Muslim Americans: Middle Class and Mostly Mainstream," <<http://pewresearch.org/assets/pdf/muslim-americans.pdf>>

3 These estimates are based on a 2001 Georgetown University poll. See Abdus Sattar Ghazali, "American Muslims in Politics – Elections 1996-2006," *American Muslim Perspective*, <<http://ampolitics.ghazali.net/index.html>>. It is notable that Muslim turnout in the 2008 U.S. presidential election was even higher, reaching an unprecedented 95 percent according to a poll conducted by the American Muslim Taskforce on Civil Rights and Elections (AMT). See Kevin Mooney, "Almost 90 Percent of Muslims Voted for Obama Despite Differences on Abortion, Marriage," *CNS News*, 10 November 2008, <<http://www.cnsnews.com/news/article/39031>>.

4 See "Arab Americans: Demographics," Arab American Institute, 2002 <<http://www.aaiusa.org/arab-americans/22/demographics>>, as well as Shibley Telhami, "Arab and Muslim America: A Snapshot," The Brookings Institution, Winter 2002. <http://www.brookings.edu/articles/2002/winter_middleeast_telhami.aspx>.

5 See page 3 of introduction in Philippa Strum (ed.), *American Arabs and Political Participation* (Washington, D.C.: Woodrow Wilson International Center for Scholars, 2006).

6 See Ihsan Bagby, Paul M. Perl, and Bryan T. Froehle, "The Mosque in America: A National Portrait," in *Mosque Study Project 2000* (Washington, D.C.: Council on American-Islamic Relations, 2001); Tom W. Smith, "Review: The Muslim Population of the United States: The Methodology of Estimates," *Public Opinion Quarterly*, Vol. 66 (2002), 404-417.

7 Karen Leonard, "American Muslim Politics: Discourses and Practices," *Ethnicities*, Vol. 3, No. 2 (2003), 147-181.

8 Peter Skerry, "America's Other Muslims," *Wilson Quarterly*, Vol. 16 (Autumn 2005), 16-27.

9 See Michael W. Suleiman, "A History of Arab American Political Participation," in Philippa Strum (ed.), *American Arabs and Political Participation* (op.cit, footnote #5), 11.

10 Ali. A. Mazrui, "Between the Crescent and the Star-Spangled Banner: US Muslims and US Foreign Policy," *International Affairs*, Vol. 72, No. 3 (1996), 493-506.

11 Khalid Durán, "Muslims and the U.S. Election of '96," *Middle East Quarterly* (June 1997), 4-5.

12 Agha Saeed, "Seven Muslim Organizations Establish National

Coordination Council," in *The Washington Report on Middle East Affairs* (March 1998), 56; CAIR news release, "American Muslim PAC Endorses George W. Bush for President," 23 October 2000, <http://www.ghazali.net/ampolitics/html/ampcc_endorses.html>

13 See Alexander Rose, "How Did Muslims Vote in 2000?" *Middle East Quarterly*, Vol. 8, No. 3 (Summer 2001), <<http://www.meforum.org/13/how-did-muslims-vote-in-2000>>.

14 Paul Findley, *Silent No More: Confronting America's False Images of Islam* (Beltsville, MD: Amama Publications, 2001).

15 See Farida Jalalzai, "The Politics of Muslims in America," *Politics and Religion*, Vol. 2 (2009), 163-199.

16 Ibid., 5.

17 *The Washington Times*, 24 January 2001.

18 A summary of Gore's positions on various issues can be viewed at <<http://www.aaiusa.org/campaign2000/>>

19 United States Government Accountability Office (GAO), "US Public Diplomacy: State Department Efforts to Engage Muslim Audiences Lack Certain Communication Elements and Face Significant Challenges," Washington D.C., Government Accountability Office, May 2006, <<http://www.gao.gov/news.items/d06535.pdf>>.

20 The inadequacy of U.S. diplomatic efforts was the main theme of the forum titled "The Role of American Muslims in Bridging the U.S.-Muslim Divide," held in Washington, D.C. in January 2005, and sponsored by the Muslim World Initiative of the United States of Peace (USIP).

21 GAO, 2006, op.cit., 5.

22 Mohamed Nimer, "American Muslim Organizations: Before and After 9/11," in Philippa Strum (ed.), *Muslims in the United States: Identity, Influence, Innovation* (Washington, D.C.: Woodrow Wilson International Center for Scholars, 2005).

23 The rise of anti-Muslim sentiment in the U.S. has been confirmed by various studies. The Pew Forum on Religion and Public Life Poll found, for example, that almost 4 in 10 Americans had a negative view of Islam in 2004. A plurality of Americans (46 percent) believed that Islam was more likely than other religions to encourage violence among its believers. See <<http://pewforum.org/publications/surveys/islam.pdf>>. In 2006, a Gallup survey found that 58 percent of Americans believed that Muslims did not care about improving relations between Islam and the West. Furthermore, 63 percent of the respondents believed that Muslim leaders did not condemn terrorism, although American Muslim leaders and major Islamic centers signed on to an anti-terror fatwa (religious edict or opinion) issued by major Muslim jurists. See <<http://www.cair-net.org/includes/Anti-TerrorList.pdf>>.

24 See Council on American-Islamic Relations (CAIR), "The Statute of Muslims Rights in the United States: Presumption of Guilt," 2007; "The Statute of Muslims Rights in the United States: The Struggle for Equality," 2006; "American Public Opinion about Islam and Muslims," 2006; "The Statute of Muslims Rights in the United States: Unequal Protection," 2005; "The Statute of Muslims Rights in the United States," 2004; "The Statute of Muslims Rights in the United States: Guilt by Association," 2003; "The Statute of Muslims Rights in the United States: Stereotypes and Civil Liberties," 2002, <<http://www.cair-net.org/>>.

25 Wayne Baker, (et. al.), "Preliminary Findings from the Detroit Arab American Study," *University of Michigan News Source*, Vol. 2 (29 July 2004), <<http://www.umich.edu/news/index.html?Releases/2004/Jul04/r072904>>. See also John Tirman, forthcoming edited volume.

26 Pew Research Center, "Muslim Americans: Middle Class and Mostly Mainstream," 22 May 2007, 1.

27 "American Muslim PAC Offers Qualified Kerry Endorsement," 21 October 2004, <<http://www.masnet.org/news.asp?id=1794>> (4 May 2010).

28 The Zogby 2004 Survey found 76 percent in support of Kerry and only 7 percent in support of Bush. The Pew 2007 survey found that 71 percent voted for Kerry, 14 percent voted for Bush, and 15 percent voted for another candidate or refused to answer.

29 On Muslimmatters.org, one comment about both Ellison and Carson

was "both Muslim Congressmen are black and to be honest it wouldn't make a difference to me what their race or color was. I am JUST happy they are MUSLIMS." See <<http://muslimmatters.org.2008:03/12/anoter-muslim-congressma,-as-salam-alaikum-br-andre-carson/>> (25 April 2010).

30 These findings are similar to those of the survey results published by Muslim Voters USA (94 percent for Obama and 3 percent for McCain). See <<http://www.muslimvotersusa.com/UsefulLinks/surveyresults.aspx>>.

31 Pew Research Center for the People and the Press, "Inside Obama's Sweeping Victory," 5 November 2008, <<http://pewresearch.org/pubs/1023:exit-poll-analysis-2008>> (28 April 2010).

32 Muslim Voters USA, "Survey Result: American Muslim Voters and the 2008 Presidential Election," 7 November 2008, <<http://MuslimDemocrat.net>> (2 May 2010).

33 M. A. Muqtedar Khan, "Nice But Tough: A Framework for U.S. Foreign Policy in the Muslim World," *The Brown Journal of Foreign Affairs*, Vol. 9, No. 1 (Spring 2002), 356.

34 Ibid.

35 Pew (2007), 8.

36 Pew, "Muslim Americans: Middle Class and Mostly Mainstream," (22 May 2007).

37 Publics in Muslim countries were inclined to see the U.S. as the greatest threat to their countries. Such a belief was expressed in 2007 by 72 percent of respondents in Bangladesh (compared to 47 percent who cited India as a major threat), 64 percent in Turkey (compared to 13 percent who feared Iraq), 64 percent in Pakistan, and 63 percent in Indonesia. In addition, large majorities, in the range of 34 and 40 percent, cited U.S. policies as the most important cause of Islamic extremism. See Pew Survey, 24 July 2007, 46.

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MUSLIM INTEGRATION AND THE MEDIA: A UNITED STATES PERSPECTIVE

TARA BAHRAMPOUR

The topic of Muslim integration is one that is not only of global significance but also is particularly relevant for the American media. A recent example of the potential for miscommunication and problems between journalists and the Muslim communities we cover occurred when I received a late-night phone call from a Muslim woman I had written about in an article that would be running in the following day's paper (she had just read the online version, which is generally posted the night before). She liked the article overall, but had grievances regarding a phrase she had approved in advance. The reader comments about the story were so virulent that she had changed her mind about the phrase and wanted it replaced with something else. (Reader comments are a feature that allows readers to be able to immediately express their views. Typically stories about Muslims or immigrants provoke unusually vicious comments. Often the writers of the comments comprise a very small minority, but they seem to air their views more frequently and vehemently than other readers, which can give a skewed impression of reader viewpoints.)

I was on the phone for two and a half hours, going back and forth between this woman and her husband and my editor; trying to mediate between the point of view of Muslims who were saying we trusted you, we reached out and opened up to you, and we feel betrayed; and the newspaper, whose viewpoint was we don't let our subjects decide what we put in the paper.

Both were valid points of view, and the incident illustrates some of the problems that exist between Muslims and the U.S. media—issues of trust and sensitivity, and how careful one has to be with

wording, photos, and the context of quotes. Even when there is goodwill on all sides, a small matter can set off a storm.

Here are some things to keep in mind when thinking about Muslims and the U.S. media:

The Muslim Community in the U.S. is Relatively New

African-Americans began converting to Islam in significant numbers starting in the early part of the twentieth century. But Muslim immigrants did not start coming to the United States in large numbers until the 1960s and 70s. The leaders of these immigrant communities have for the most part been immigrants themselves, and they come from countries with different media traditions from the U.S. Typically they do not have an ingrained understanding of the way the press works in the U.S., or the ideas of objectivity, neutrality, or balance in reporting. Most come from a much more black-and-white perspective where the media either applauds or excoriates the subject.

For their part, members of the U.S. media are also inexperienced with Muslims. From the point of view of the American press, when Muslim immigrants began arriving, they were largely an unknown factor. They kept to themselves and did not present much of a public face. Americans heard about Muslims in the news in the context of stories such as the Israel-Palestine conflict or the Iran hostage crisis. It was negative publicity but it was mostly overseas.

In the 1990s, with stories such as the Gulf war in Iraq, the first World Trade Center bombing, and the attacks

on U.S. marine barracks and U.S.S. Cole, the news, still negative, started to hit closer to home.

Then came September 11, 2001. And suddenly the news was about Muslims all the time.

But they were still largely unknown, and at this delicate time for Muslims, in the midst of death threats and hate crimes, thousands of journalists realized they had to familiarize themselves with the Muslim communities around them.

Both Sides Started Working on Forging Relations

After the September 11 attacks, journalists around the country descended on mosques, Islamic schools, bagel vendors, and taxi drivers. Spokesmen for the “Muslim community” were not necessarily the most knowledgeable representatives—Afghan coffee vendors who had carts near the *New York Times* building became overnight experts on Afghan politics—while many of those who were more knowledgeable were avoiding the media.

It was a fast learning curve, but along with stories on terrorism, the media also started turning to more non-terrorism-related stories about Muslims, writing stories about Islamic schools, Ramadan, hejab, etc.

While journalists became more educated, some Muslims became more media-savvy.

In the past decade a crop of new civic and national organizations have started—organizations such as the Council on American-Islamic Relations (CAIR) and the Muslim Public Affairs Council (MPAC), which began offering outreach and education to the media and to Hollywood, provided easy-to-reach spokespeople to give facts and perspective, and held training workshops that trained Muslim activists in how to work with media.

Many mosques, too, started doing outreach, announcing interfaith programs and inviting reporters in to cover their events. (Some, however, became more closed, refusing to return calls or talk to the media.)

Muslim experts began appearing on talk shows, and more Muslims began to appear in media as journalists. Even conservative talk shows regularly have Muslims on now. More “normal” Muslims began to appear in the media, in stories on non-terror-related topics such as the economy, sports, etc.

Editors became much more encouraging of stories on Muslims, and much more interested in hiring Muslims and seeking their point of view.

The convergence of these trends toward seeking better understanding, on both sides, has led to some positive developments for the relationship between Muslims and the media.

Work Remains to be Done

Among many Muslims, a deep distrust of the media persists. When CAIR holds classes for Muslim activists and asks who feels the media is against them, most participants raise their hands. The automatic response among many Muslims is that the media is the enemy (one mosque leader I talked to compared the Muslim perspective on that front to that of the U.S. religious right). There is also high sensitivity among many Muslims to anything negative being reported on, even if the Muslim subject of a story has committed a negative act.

There persists a sense among many Muslims that they should not air the community’s dirty laundry or criticize other Muslims—either when talking to the media or talking to each other. So there is still work to be done in terms of lowering suspicion from the Muslim side.

On the media side, the direction of U.S. news has been toward less print consumption and more television, which skews more and more toward 24-hour news cycles and shortened stories. So if an event occurs that involves Muslims, the news of it is shown over and over again, but generally in repeated 2-minute TV segments without much depth or context. This setup can help reinforce viewers’ negative stereotypes of Muslims and Muslims’ negative views of the media.

Language is still an issue. While the media has gotten better at labels—not using as many terms now such as “Islamofascism”—it still uses words that worry Muslims. Take the word “terrorism,” for example, for which, as Muslim organizations pointed out, an interesting pair of cases occurred in late 2009 and early 2010.

In Fort Hood, Texas, a man with a grievance against a U.S. institution shot and killed several people at the army base where he worked. He was Muslim, and the act was labeled “terrorism.” Several months later, in Austin, Texas, a man crashed a plane into a building. When it was reported that the man was a non-Muslim with grievances against the Internal Revenue Service, the mayor of Austin and others quickly announced that it was “not terrorism.” It was just a single man committing a crime.

In another example, all over the United States there is domestic violence that ends in fatalities, but as one mosque leader pointed out to me, if it’s done by a Muslim it’s called an “honor killing,” a term that casts both perpetrator and victim in a shroud of “otherness.”

To many Muslims, the language chosen to describe acts by Muslims denotes a double-standard in how Muslims are viewed, and conveys a persistent need for much of U.S. media coverage to be refined and improved upon.

A Word on Youth

In any discussion about media consumption, the importance of youth and the Internet cannot be overlooked. Most imams in the U.S. preach against violence and extremism. But they are also increasingly worried about the difficulty of monitoring the information young people have access to.

Like all young people, Muslim youth receive a lot of information from blogs, YouTube, websites, forums, etc. Like the comments section that so upset my source, blogs and websites can be written by anyone, with no regulation, editing, or oversight. Under the guise of Islamic authority, extremists can preach violent jihad via the Internet. They can encourage viewers to take action in solidarity with less fortunate

Muslims abroad, an exhortation that can seem appealing to young Muslims in search of a meaningful path in life.

In the United States, only a small minority of Muslim youth listens to this, but each instance is nevertheless shocking, in part because it makes clear that violent ideologies are slipping past the filters that community leaders have set up. In late 2009, when young men in Virginia traveled to Pakistan allegedly to help jihadists there, they were apparently recruited via the Internet. Their actions unsettled their community, including mosque leaders, in part because they had seemed well-integrated into the American society they had grown up in.

In the wake of this, Muslim leaders began to talk more about building their own online presence through actions such as making their meetings available to watch on YouTube, holding Q & A sessions online, or establishing an international interfaith peace corps that might attract youth seeking to take action to help other Muslims. Muslim organizations such as MPAC send strong messages to youth, warning them against believing they must choose between the “false dichotomy of either Muslim or American.”

At the same time, youth are also seen as key to better integration for Muslim immigrant communities, especially vis-à-vis the media. It is the younger generation, growing up in U.S., who really understands the media, knows how to interact with it and even work within mainstream media.

This is part of a natural evolution—going from a first generation of immigrants seeking degrees as doctors or engineers to later generations with better English skills and familiarity with U.S. society who branch out to careers in law, journalism, the arts, or politics.

Such youth are widely recognized as key to forging bridges between the more isolated stance of the new immigrant and integration into the mainstream U.S. economy and society.

MUSLIMS IN GERMANY: RELIGIOUS AND POLITICAL CHALLENGES AND PERSPECTIVES IN THE DIASPORA

RAUF CEYLAN*

Introduction

The Federal Republic of Germany is among the most significant immigration countries in the world. In comparison to the traditional immigration destinations, Germany's migration is much more important in impacting demographic developments—the population increase in recent years can be attributed to the positive migration balance. With the negative imbalance of births, zero migration in the Federal Republic would yield a decline in population. The results of migration and the surplus of births have therefore resulted in an increase in the number of migrants living in Germany since the ban on labor recruitment to almost 7.4 million in 2001. When the migration backgrounds of Germans are also considered, the number increases to 15.3 million, approximately 19 percent of the entire population.

In the context of this immigration process, the number of Muslims in Germany has also steadily increased. Since the 1960s, the number of Muslims in Germany has grown constantly and now forms a very dynamic group. One example: In the 1997 census there were just 1.7 million Muslims; today there are about 4 million Muslims. One characteristic of Islam in Germany is that it is colored red and white: 2.7 million Muslims are of Turkish descent. The largest contingent is constituted of Sunni Muslims. This diversity is mirrored by the organizational landscape. In Germany there are over 2,500 Islamic cultural facilities. The large quantity of mosques and the numerous members—especially of the three largest Turkish-Islamic umbrella organizations—are an indication that Islam has arrived in Germany. After the two biggest Christian churches, the third largest religious pillar in this country is Islam. As a result, Islam is becoming

more socially visible in Germany. The economic, political, cultural, and social participation of Muslims is accelerating and increasing mosque construction, making the Muslim community more visible. As a result, the question of Islamic integration into local society is growing in public discourse as well.

The Integration of Islam in Germany: A Reciprocal Process

In the last fifty years a very complex network of relationships between the non-Muslim majority and the Muslim minority has developed. Both sides find themselves in a learning process that does not proceed conflict-free: For Muslims it is the experience of the Diaspora, and for the non-Muslim public it is the debate about Islam that is no longer in front of their door but, instead, in their own house. As with the subject of integration in general, the topic of Islam in Germany has been ignored for decades. Since a paradigm shift of integration politics at the end of the 1990s, this phenomenon is coming more and more into focus in debates and research, in politics, and in the sciences. Above all, after September 11, an intensive debate on Islam occurred. The criticism of this debate is that it took very complex and multi-faceted questions concerning the integration of Islam in Germany and conducted them in an emotional, subjective, and polarizing manner. The exotic, culturalist, and racist picture against Islam was reignited from the European past, particularly through the reconstruction of the "Islam-myth."¹ It is therefore not surprising that Muslims especially are victims of "group-based hostility" in Germany. In addition, a survey from the Institute for Public Opinion Allensbach showed that a majority (two-thirds) of

Germans do not believe in a friendly coexistence with the Islamic world and an equal percentage declared that they expect conflicts in the future. Forty-two percent of the respondents approved the following statement: “There are so many Muslims living here in Germany. Sometimes I personally feel scared that there are also many terrorists living among them.” Approximately as many respondents endorsed restricting the exercise of Islamic beliefs in Germany in order to suppress the radicalization and inclination toward violence.²

Anti-Islamic resentment in German society does not emanate primarily from subjective experiences in one’s immediate surroundings or experiences directly with Islam or, accordingly, with Muslims. Rather, they are constructed and gathered through secondary experiences, mostly through the media. Stereotypes about Muslims are constructed and strengthened through the “Framing Problem,”³ which creates “facts” that are not based in reality. These prejudice-laden clichés about a collective Muslim culture are further perpetuated on the basis of the defining power of the majority.⁴ The fact that Islam, as a world religion, does not have a monolithic size and has changed itself in many currents and directions (like Christianity) is—consciously or unconsciously—ignored in the Islam debate.⁵ Also forgotten is that integration politics is reciprocal, meaning that Muslims as well as non-Muslims are involved in this process. In light of this background, the numerous relevant factors to both sides of this process must be considered in order to find adequate measures. Because the theme is very multi-faceted, a few important points in the context of Islam in Germany are discussed below. In addition, central questions and problems from the Muslim community in their integration process will be addressed.

The Muslim Community in Germany: Obstacles on the Way to a Diaspora-Islam

For Muslims, the Diaspora in Europe after World War II has grown into an entirely new experience. Muslims have not lived outside of their countries of origin in this number before. Because of this combination, numerous questions concerning the transformation process of Islam in Europe have emerged: The secular legal states in countries like Germany

construct the political-institutional regulatory framework in which Muslims live and practice their beliefs. This situation poses important questions: How does Islamic life in Europe shape itself? What possibilities does the secularization of the political order offer? What opportunities exist for new interpretations of Muslim sources? Muslims arrived in the 1960s from states like Turkey that are profoundly secular, but at the social level are very religious. Many state-controlled reforms toward societal secularization in these countries were only received by a few elites, while the majority of the population, especially the rural population, remained untouched by them. This process can be seen in many Islamic countries since the 1930s.

The first Muslim migrant generation to Germany came from such rural populations where Islam continues to play a fundamental role as a social and cultural frame of reference. In the 1970s, immigration through family reunification began to take place in the entire Federal Republic. Thousands of Muslim children and youths moved to Germany. In the 1970s, interest in Islam grew further, in combination with family reunification, during which time one worried above all about the religious education for children. Various quantitative and qualitative studies show that Islam in Germany is also a shaping power in the everyday lives of these people, regardless of what form their religiosity takes.

In Germany, Islamic religious needs are served in over 2,500 Muslim organizations. Religion plays an especially central role in everyday life for Muslim children and youth as well as for Muslims in general. With respect to the religiosity of young Muslims, many studies have shown that Islam has an identity-strengthening character and opens various dimensions for subjective development and social participation. For a portion of Turkish-origin second and third generation immigrants, religiosity comprises a strong component of their environment. The most recent study from the Bertelsmann Stiftung on the religiosity of Muslims documents this connection: strength of faith-related beliefs is developed even more strongly in young Muslims than in seniors (80 percent versus 66 percent).⁶ Given existing tendencies toward individualism in our so-called “Risk Society,” Muslim community life has an increasingly strong relevance for youth. Especially because

“Social control is to a large extent omitted and the feeling of isolation takes hold broadly, forms of gratified community life again become interesting. Many Islamic communities currently offer those elements youths miss in their everyday lives, but are most relevant for their personal development. This can allow youths either to flee a narrowly perceived feeling of security or instead to search for this sense of security, in which youths find a group of like-minded people with whom they have the same problems to solve.”⁷ For the young mosque visitors, they can experience this sense of security in the mosque community. In the future, the young Muslim generation will codetermine the orientation and content of Islam in Germany. Their religious understanding and their personal degree of community integration will determine the successful integration of Islam. In the process, shortfalls that are essential to compensate for also exist within the Muslim community. These will be discussed below.

EDUCATIONAL DEPRIVATION: THE ABSENCE OF A MUSLIM EDUCATIONAL-ELITE IN GERMANY

Muslims first traveled to Germany as guest workers. Many were uneducated. This educational deprivation was passed down to the third and fourth generations. The German educational system is also responsible for propagating this pattern that did not allow for social mobility. As the 11th Child and Youth Report of the Family Ministry demonstrates, educational success and equal educational opportunities for children and youths are dependent on various factors. The social, ethnic-cultural, and language origins of children and youths continues to have an impact on school success, learning motivation, and the intellectual development of children.⁸ If a child is from a working class family, then the possibilities for an academic career are very low. According to the PISA study, the socioeconomic background of schools in Germany plays an especially important role in determining educational opportunity. Accordingly, educational opportunities decrease for children and youths who attend a school in a disadvantaged area of the city. In contrast, the educational chances for students rise when they attend schools in well-off areas.⁹

In countries like the U.S., most Muslim migrants enter as students or academics, so that the Muslim popu-

lation possesses a better socioeconomic status. “In America to be a Muslim means to be an academic.”¹⁰ That is the advantage of American Islam. Especially apparent in the U.S. is the financial power of Muslims. One perceives this when Muslims are together at a fundraising dinner. In contrast, Muslims in Germany continue to be associated with the working class, because these people most often arrived as work migrants and presently continue to hold primarily the same status. A Muslim educational elite has not yet developed.

THE ABSENCE OF PROFESSIONALISM AMONG MUSLIM ORGANIZATIONS

Educational deprivation and the social and intellectual gap are further reflected in Muslim organizations, which are not professional and in many respects are not able to cope with their duties and responsibilities. Only a small number undertake public relations. Moreover, most workers in Muslim organizations are employed as volunteers and are not compensated for their work. These present organizational structures were established in the 1970s by the first worker generation. Because the Muslim countries of origin have considered the employment and stay of their citizens in Germany as temporary, no measures of prevention or mitigation regarding the developing social, cultural, economic, and societal problems of their citizens were taken. Muslims filled this gap themselves, particularly through non-state Islamic organizations functioning under the context of a common origin. They established organizational structures, undertook the religious supervision of Muslims, and attempted to win over Muslims for their ideas. Of the more than 2,500 Islamic societies, most are supported by the Islamic associations. Compared to German associations and church-associated structures, there is an extensive demand for continuing education and professionalization in the Islamic organizations. For example, since financial and personnel resources are lacking, no full-time workers can be employed there. However, full-time staff is essential to mobilize members for voluntary commitment. This deficit is further reflected in the communications process with the non-Muslim majority and their organizations. The process therefore runs asymmetrically and not on par with each other.

HIGH PERSISTENCE OF ORIENTATION TOWARD ORIGINS

The accomplishments of the Islamic associations are difficult to assess. On the one hand, they have ensured the religious-cultural support of Muslims in Germany for over forty years. On the other hand, they divert the attention of their members to the developments in the context of their country of origin. Another cause of this is the fact that the majority of Muslim associations and organizations have their roots in Islamic countries. All organizations have—depending on the country of origin—their own specific development history, often as opposition movements. From this perspective some saw the activities of organizations in Germany also as a possibility to find new resources for their opposition politics. To use Turkey as an illustrative case, the leading organizations such as the Milli Görüş movement and its connection to the former Refah Party under Necmettin Erbakan were strengthened through Turkey's foreign offices in Europe. Only in the past few years has there been an emancipating process from the country of origin. Using the example of Milli Görüş—the most controversial Turkish-Islamic organization in Germany—the younger generation's attempt to redefine the relationship between religion and politics and frame them as compatible with the fundamental value of democracy becomes clear.¹¹

The traditional orientation of Muslim organizations toward the home country can also be attributed to German integration politics that for a long time treated Islam as a foreign religion and did not make any adequate integration proposals. The more closed the politics of the assimilating country are against immigrants, the higher the focus will be on the political and social development of the home country. From the beginning of guest worker migration, the government policy toward foreigners in Germany has not followed an integration standpoint and has sustained very high barriers to assimilation. In this sense, the Muslim organizations and their members have, for decades, concentrated on political developments in their countries of origin: "The more opportunities to assimilate for migrants in the admitting system are available, the fewer barriers there are to assimilation in the admitting system, and the fewer alternative opportunities to act in a possibly non-assimilatory manner, then it is

more likely that the migrant—*ceteris paribus*—will undertake assimilating acts."¹²

The fact that Islam came to Germany in the context of guest worker migration has reduced the political and societal view of this religion and its followers exclusively to the immigrant and integration discourse and considered it only as a social problem. Even though the number of naturalized Muslims (around 800,000) and the number of those who have spent many years in residence in Germany are climbing, Islam is still, through the process of its "Orientalization,"¹³ regarded as a foreign religion in which one participates in a "Turkish homeland association." The establishment of Islam as an everyday religion is mostly ignored in restrictive and pejorative public and political discourses. Through the conflation of the Islam discourse with the immigration discourse there continued to be a "denial that Islam is a religion that is present today and part of everyday life, and a religious orientation that is anchored in an urban community."¹⁴ Through the reconstruction of an "Islam Myth," the Muslim religion in Germany is perceived as an integration barrier.

Religious pluralism and its consequences in Europe are contingent on migration mainly from Islamic states and accompany the public and political discussion. As Michael Bommers correctly states, in Europe Islam has been and is "reduced in the functional analysis to the question of the meaning to social integration of migrants. This reduction of religion and integration in Europe is also due to the fact that in countries like France and Germany the biggest immigrant groups are Muslims and, on the other hand, most Muslims are immigrants: their strangers are Muslims and their Muslims are also strangers. In this measure, in which the integration of the next generation fails, Islamic affiliation will become a synonym for failed integration."¹⁵ According to Bommers this reductionist perception has contributed to the fact that Europe has failed to recognize that Islam has developed into the most important religion in Europe after Christianity.¹⁶

MUSLIMS: NOT LEGALLY RECOGNIZED AS A RELIGIOUS COMMUNITY

An obstacle in the exposure as well as integration

process of Muslims in Germany is demonstrated by the continuously denied recognition of Muslims in Germany as a religious group and as a corporation under public law. “While the practice of Islam in Germany is not an illegal activity, the organizational form to which religious communities are forced to revert is one of a private church community without legal capacity. In comparison to recognized churches, this actually provides some freedom. However, this does not lead toward the desired societal integration that the status of a public body would allow.”¹⁷ In order to reach the status of a religious community in Germany, the following criteria must be fulfilled according to the Federal Administrative Court of Germany in Leipzig:

- General fulfillment of religious tasks;
- Durability and inner consolidation;
- Transparency of the membership structure; and
- Constitutional adherence.¹⁸

According to the opinion of the German states, none of the umbrella Islamic organizations fulfills these criteria. The legal action of some main Muslim organizations has achieved no success in the process of recognition. Even the newly formed Coordination Council of Muslims—an umbrella organization to which the biggest Muslim associations belong—has not led to legal recognition. In this connection Heiner Bielefeldt points out that this missing legal equality for the Muslim section of the population is in contradiction to the principle of freedom of religion. Therefore, he postulates, “It is the time to set a mark. With all the undeniable hardships and even more unclear questions, there is no principled alternative to giving Muslims a chance to becoming members of this society on the basis of equal freedom. Those who would see a danger to the secular order do not understand what the meaning of secular government is.”¹⁹

BRAIN-DRAIN PROCESS FROM THE MOSQUE ASSOCIATIONS

The change of Turkish-Islamic umbrella organizations from a “guest worker Islam” to a German organization, which is indicated by the gradual emancipation

process from the country of origin, is already underway. The Muslim associations must define themselves anew in this process and strengthen their integrative function in Germany.²⁰ Above all, it is the young leaders in these organizations who lead this transformation and force the emancipation process from the homeland: “This mind-changing process in the associations, that is moving away from the foreign connections and more strongly institutionalizing itself in society, is carried out by a younger generation of Muslims who know the local structures and decision mechanisms.”²¹ Most are European-born academics who, through their dedication, have brought about profound changes in attitude. They see themselves as Europeans and attempt to bring their rights to bear.²² “As a result there is a break between the generations, because the youth openly attempts, in opposition to the first immigrants, to occupy the intellectual and social terrain.”²³ However, a portion of young Muslims feels that this process is not fast enough and the few highly educated leave the organizations and build new structures. This brain-drain process is not wholly unproblematic: in situations where elites leave their organizations, they also lose contact to the Muslim base. That is a problem insofar as the elites typically do not organize mosque associations, but cultural organizations. Their work concentrates primarily on the dialogue with the majority of society or on the publication of books (recently such a group did a great job in publishing a very timely Koran interpretation in Germany). They lead important work, but academics in particular could be the motor for the positive transformation process inside the Muslim organizations. When they fall away, then the opening process is delayed. The Muslim organizations have not yet recognized this problem. This is a serious problem, because the number of highly educated Muslims in the organizations is already low to begin with.

BACKYARD MOSQUES

In Germany around 2,500 Islamic structures exist, most of which are so-called “Backyard Mosques.” Only around 160 are actually representative mosques, meaning they are intelligibly visible with a cupola and minaret. The symbolic dimension did not play a role in the first phase of migration. One did not want to attract attention or make any demands

because the residence of immigrants in Germany was seen as temporary. The first guest workers had primarily economic goals, so that they were content with the provisional prayer space in the accommodation camps. After the deferral of return plans, they rented spaces like warehouses or factory buildings and converted them into mosques. But, the longer the stay in Germany lasted, the more pronounced the desire became to buy these structures, which finally occurred. Today, the situation has changed. Muslims want to demonstrate their presence with the help of recognizable structures. The goal of developing representative structures that become part of the urban landscape only mirrors the societal process further. The material visibility of the community is only an expression of the inner changing attitudes to the immigrant society. It is not to be interpreted as a withdrawal or an indication of a strengthened "fundamentalism." For societal acceptance and the mutual understanding of cohabitation, the development is beneficial because the migrants signal with this construction that they understand themselves as an integral component of society.²⁴ Following this process, the self-understanding of the mosques also changes: They are not solely sacred structures anymore; they are multifunctional. Most of the newer representative mosques are complexes, meaning churches in which prayer spaces are next to seminar rooms and bookstores, etc. In Islamic history, mosques were always oriented in a multifunctional manner. These functions were lost in the course of nation-building and state secularization. Interestingly, this lost multifunctional purpose was reestablished in the Diaspora.

IMPORT IMAMS IN GERMANY

In an interview, a local politician with a Turkish-Muslim background put it in a nutshell: "In Islam we believe that paradise lies at the feet of the mothers. And I think that integration lies at the feet of the imams. When we are able to integrate the imams, we will also be able to integrate the millions of Muslims in Germany."²⁵ From this quotation it is evident that the imams are key integration figures in the Muslim community. They are important societal and political multipliers. Above all, they are a theological reference. In many Islamic countries, imams enjoy more authority and trust than state institutions; this is true also in Germany. In

recent years we have seldom broached the significance of the imam. Imams continue to come from abroad to lead the Muslim community in Germany.

In Germany, the occupational category of imam does not officially exist and is therefore not registered. We also know that approximately 2,500 Islamic institutions exist in Germany, of which at least 2,000 are mosque associations. By means of mosque associations one can discern the number of imams; with relative assurance we can therefore say that there are approximately 2,000 active imams in Germany. When one assumes that approximately 150 to 250 Muslims attend Friday prayers per mosque (the number can be larger, particularly when the Friday aligns with a school break or a holiday in Germany), then it can be estimated that the 2,000 imams reach 300,000 to 500,000 Muslims solely on one day per week. We can then estimate that approximately 70 percent of the imams are of Turkish origin. A large number of the remaining 30 percent are distributed among the former Yugoslavians and North Africans. More than 90 percent of the imams in Germany still come from a foreign country. Very few are socialized in Germany. As a result, many conflicts are preprogrammed: imams do not know the socio-political/cultural conditions of the country of destination, do not speak the national language, and therefore they cannot participate in official discussions about Islam. This was particularly noticeable following September 11, 2001. Since then, different themes, such as Islam and terrorism, the role of women, honor killings, and arranged marriages, have defined the debates in Germany's public discussion. Seldom has a theologian been included in these debates; instead, the Muslim functionary is predominantly a natural scientist, not someone with a theological background.

Furthermore, there are massive communication problems between young community members and the imams, because young Muslims now no longer have a strong connection to the language of their country of origin. Some of these imams feel called to instill the national and cultural identity of their home country in the Muslim children and youth. An additional problem in Germany is that young Muslims facing important theological questions turn to Muslim authorities in Islamic countries (i.e., over the internet) rather than those in European countries. This is problematic,

because these authorities lack an understanding of life in a European country.

NO RELIGIOUS INSTRUCTION FOR MUSLIMS IN GERMAN SCHOOLS

For many decades there has been a systematic debate on the phenomenon of religion in the denominational-oriented, Christian religious instruction in German schools. As members of the second largest religious community in Germany, the 900,000 Muslim students, in contrast, do not have this opportunity with (Islamic) religious pedagogy in schools. Only recognized religious communities are allowed the benefits of issuing religious instruction. Concerning Muslims, the state points to the lack of a church hierarchy and an official contact person, thus the political and jurisdictional requirements intended for constitutional provision of issuing religious instruction are considered unfulfilled by the state and jurisdictions. Due to secularity and neutrality, the state itself cannot speak as a representative for a specific faith community or designate the content of religious instruction classes; thus, the state is dependent on the cooperation with the religious communities. For many Muslim students, this is a clear example of their discrimination.

Since the 1970s, the religious pedagogy excluded from the schools has taken place only in the mosques. However, with demographic changes and the political challenge of integration, selective experiments have recently begun to implement Islamic instruction in individual schools as test cases. Only 3 percent of students are reached with these individual test cases. Thus the development and expansion of Islamic religious pedagogy in the schools is only at its beginning and must be intensified in the future.

Conclusion

The solution to the above listed central challenges of the Muslim community in Germany is a medium- and long-term process. They must be considered in addressing the question of provisions and concepts of recognition and incorporation of Islam in Germany. Certainly, progressive development can only be successfully initiated on the basis of a recognition of Muslims as constitutional components of German

society. Accordingly, "Islam is a part of Germany and a part of Europe; it is a part of our present and a part of our future. Muslims are welcome in Germany. They should display their talents and promote our country together."²⁶ These historic words spoken by the former Federal Minister of the Interior, Wolfgang Schäuble, in the context of the first German Islam Conference reveal a sufficiently known phenomenon: Muslims are a permanent component of German society. In this sense the reality of Muslim immigration and migration as a constitutive attribute of German society must be acknowledged first, without lapsing into ideological debates and scandal. Only from such a foundation will it be possible for additional progressive development to occur in the Muslim community. The stronger the recognition and inclusion of Muslims in German and European society, the quicker this group will fulfill the emancipation process from their Islamic countries of origin. Only then will German Muslims be able to create their own independent identity.

** Translated from German by Michelle Dromgold and Jessica Lewis.*

Notes

- 1 Wilhelm Heitmeyer (Hrsg.), *Deutsche Zustände*. Folge 4, Frankfurt am Main, 2006.
- 2 Allensbacher Archiv, IfD-Umfrage 7089 (April/Mai 2006)
- 3 In the framework of communication studies, the framing-phenomenon describes the normative and thus selective—and in the context of Islam—negative depiction of political, cultural, or religious topics. This subjective range of interpretation of the journalist, who depicts and structures accordingly only a certain segment of a topic, attains over time its own dynamic and gets distributed unknowingly by the media.
- 4 Sabine Schiffer, "Der Islam in deutschen Medien," *Aus Politik und Zeitgeschichte* 20 (2005).
- 5 Dieter Oberndörfer, "Leitkultur und Berliner Republik, Die Hausordnung der multikulturellen Gesellschaft ist das Grundgesetz," *Aus Politik und Zeitgeschichte* B 1-2 (2001), 7.
- 6 Bertelsmann-Stiftung, *Der Religionsmonitor 2008 – Muslimische Religiosität in Deutschland. Überblick über religiöse Einstellungen und Praktiken* (Gütersloh: Bertelsmann-Stiftung, 2008), 7.
- 7 Hermann Giesecke, *Einführung in die Pädagogik* (München: Neuausg, 1999), 136.
- 8 Bundesministerium für Familie, Senioren, Frauen und Jugend (Hrsg.), *Elfter Kinder- und Jugendbericht. Bericht über die Lebenssituation junger Menschen und Leistungen der Kinder- und Jugendhilfe in Deutschland* (Berlin: Bundesministerium, 2002), 156ff.
- 9 Deutsches PISA-Konsortium (Hrsg.), *PISA 2000. Basiskompetenzen von Schülerinnen und Schülern im internationalen Vergleich* (Opladen, 2001), 323ff.
- 10 Murad W. Hofmann, *Der Islam im 3. Jahrtausend. Eine Religion im Aufbruch* (München: H. Hugendubel, 2000), 239.
- 11 Werner Schiffauer, *Nach dem Islamismus. Eine Ethnographie der Islamischen Gemeinschaft Milli Görüs* (Frankfurt am Main: Suhrkamp Verlag, 2010).
- 12 Hartmut Esser, *Aspekte der Wanderungssoziologie. Assimilation und Integration von Wanderern, ethnischen Gruppen und Minderheiten. Eine handlungstheoretische Analyse* (Darmstadt: Luchterhand, 1980), 211.
- 13 Alexander Häusler, *Rechtspopulismus als Bürgerbewegung. Kampagnen gegen Islam und Moscheebau und kommunale Gegenstrategie* (Wiesbaden: VS Verlag, 2008).
- 14 Wolf-Dietrich Bukow, "Islam – ein bildungspolitisches Thema," in *Islam und Bildung*, ed. Wolf-Dietrich Bukow and Erol Yildiz (Opladen: Leske and Budrich, 2003), 59ff.
- 15 Michael Bommers, "Migration und die Veränderung der Gesellschaft," *Aus Politik und Zeitgeschichte* 35-36 (2008), 24.
- 16 Ibid.
- 17 Gerdien Jonker, "Die islamischen Gemeinden in Berlin," in *Zuwanderung und Stadtentwicklung*, ed. Stephan Beetz, Hartmut Häußermann and Ingrid Oswald (Opladen: Westdeutscher Verlag, 1997), 349.
- 18 Bülent Ucar, "Der Islamische Religionsunterricht in Nordrhein-Westfalen", in *Kontexte*, ed. Bistum Essen, Januar 2008, 14-17
- 19 Heiner Bielefeldt, "Muslimische Minderheiten im säkularen Rechtsstaat," in *Islam und Bildung*, ed. Wolf-Dietrich Bukow and Erol Yildiz (Opladen: Leske and Budrich 2003), 35.
- 20 Udo Steinbach, "Die Akzeptanz des Islam in Deutschland," in *Islam im Schulbuch. Dokumentation zur Fachtagung: "Das Bild des Islam in Deutschen Schulbüchern"*, ed. Islamrat für die Bundesrepublik Deutschland (Kandern im Schwarzwald: Spohr, 2001), 77f; also (Presented by Islamrat für die Bundesrepublik Deutschland, Bonn, Germany, 3-5 April 2001).
- 21 Ibid, 78
- 22 Tariq Ramadan, "Die europäischen Muslime – Wandlungen und Herausforderungen," in *Muslimen im säkularen Rechtsstaat. Neue Akteure in Kultur und Politik*, edited by Thomas Harmann and Margret Krannich (Berlin: Das Arabische Buch, 2001), 92.
- 23 Ibid.
- 24 Barbara John, *Fremde – Baumeister des neuen Berlin* (Opladen: 2000), 268, in Klaus M. Schmals, *Migration und Stadt. Entwicklungen, Defizite, Potenziale* (Opladen, 2000).
- 25 Interview with the author.
- 26 Wolfgang Schäuble. "Deutsche Islam Konferenz – Perspektiven für eine gemeinsame Zukunft." (Government Declaration to the 54th Session of the German Parliament, Berlin, Germany, 28 September 2006).

MUSLIM IMMIGRATION AND INTEGRATION: A GERMAN LEGAL PERSPECTIVE

MATHIAS ROHE

Introduction

The presence of significant numbers of Muslims in Germany is a relatively new phenomenon. Most of these Muslims have an immigration background,¹ although many were born in the country. At present it is estimated that there are around 3.8 to 4.3 million Muslims (4.6-5.2 percent of a total population of 82 million), with nearly 2 million possessing German citizenship.² Thus, Germany has one of the largest Muslim populations in the European Union. Given the widespread immigration background, specific migration-related topics will be addressed in this essay. These are, however, secular in nature; they do not concern Muslims' religious beliefs or their religious needs as such.

The major problems that many—though not all—Muslims face in trying to integrate into European societies, as in Germany, are language difficulties, a lack of higher education, and a comparatively high degree of unemployment. There is an enormous gap between Muslims, for example between Muslims of Iranian origin, who are usually very well educated and do not face any significant problem of access to the labor market, and those of Turkish or Lebanese origin, raised in families with a very low average level of education. While 27.5 percent of Muslims with a Turkish background have obtained higher school degrees, 50 percent have only lower degrees or none at all, whereas among those of Iranian descent 81.4 percent acquired higher degrees and only 12 percent lower ones or none.³ These figures are significant, since around two-thirds of the Muslims in the country have a Turkish background. Therefore, the debate on immigration and problems related to it, on the one hand, and the practice of Islam in Europe, on the

other, should be seen as two partly related but nonetheless distinct issues.

Particularly since September 11, 2001, Muslims in Europe and other Western societies have faced what has come to be known as "Islamophobia."⁴ Obviously there is a mixture of real threats by a small but dangerous number of Muslim extremists and larger tendencies toward anti-Western attitudes that may lead to self-segregation⁵ and irrational generalizations driven by anti-Muslim propaganda not only from right-wing populists or extremists, but also from poorly informed extreme feminists or former leftist self-appointed defenders of "western values."⁶ According to a poll taken in 2006, a large majority of Germans associates Islam with backwardness, oppression of women, intolerance, and fanaticism.⁷ Interestingly such perceptions are mostly based on abstract perceptions of "Islam as such" rather than on concrete experiences. "Fear of Islam" is most widespread in eastern Germany, where Muslims are only marginal in number, causing German chancellor Angela Merkel to warn that "Islamophobia [...] must not be imposed on Germany."⁸ Among Muslims, there is a widespread attitude of self-victimization exaggerating the existing tensions; sometimes criticism based on existing problems is simply turned down by calling it "Islamophobia," thus trying to immunize one against critical questions.⁹ Nevertheless, these problems should not be overestimated; in sum, an open and respectful dialogue and mutual acceptance is predominant in politics and daily life.

Regarding religious issues, many Muslims in Europe still tend to seek practical solutions for reconciling their own religious beliefs and practices with legal

and other codes of secular European societies. Within the last few years European Muslims have also tried to formulate theoretical statements to clarify their positions on these issues, identify possible conflicts between legal and religious norms, and find adequate solutions for such conflicts.¹⁰ Furthermore, a considerable number of Muslims is not particularly interested in performing religious practices, while not denying their Muslim identity as such. Others are attached to Sufi (mystic) beliefs and practices, while considering the rules of Islamic jurisprudence to be of little importance in everyday life.

At the same time, European legal orders must find ways to address the Islamic identities and practices of the Muslims in their midst. Legislation on Islamic norms concerning clothing, ritual slaughtering of animals, and family law practices has either been recently passed or is under consideration; courts apply foreign laws (including those based on Islamic norms) in civil matters, including the provisions of Private International Law (PIL) on a daily basis. As to dealing with religious and cultural diversity, the German legal and social order has chosen a middle path between the British approach of communitarism and the French system of far-reaching uniformity (“*unite de la République*”). Nevertheless, the legal order has not yet reacted to the fact that Germany has again become an immigration country (see below concerning Private International Law).

Islamic Norms and German Law

INTRODUCTION: THE LEGAL FRAMEWORK

The application of Islamic norms must differentiate between religious and legal issues. The former are regulated by constitutional and other rules regulating freedom of religion. The scope of these laws is not limited to private worship but also grants an adequate (though not unlimited) protection of religious needs in various aspects of public law (from building mosques to social-security issues) and private labor law.¹¹ Traditionally freedom of religion is divided into individual and collective aspects. In both fields the German system grants far-reaching rights to practice one’s religion (examples will be given in the section below). Other than in France, where a system of relatively strict laicism was established in 1901/1905 to

restrict the influence of the Catholic Church, Germany has chosen a system of “positive” neutrality of the state toward religions. It is based on the conviction that religion in general has a major potential to grant humanity and stabilize a peaceful life in society beyond the value in itself. Thus, there is broad space for the visibility of religion in public space.

INDIVIDUAL RELIGIOUS FREEDOM

General Framework

In Germany, the most important provisions that regulate individual religious affairs are Sections 1 and 2 of Article 4 of the German Basic Law (“Freedom of faith and conscience, and freedom to profess a religious or philosophical creed, shall be inviolable. The undisturbed practice of religion shall be guaranteed.”). This essay is mainly aimed at the relations between individuals and the state, but also has an impact on private legal relations (see the examples on labor law below). It is not limited to freedom of private religious conviction, but also grants freedom of public manifestation of belief. The state is obliged to ensure that this right is not unduly limited. Of course there are legal limits for all rights, including religious ones. For example, no one can threaten others on religious grounds. Nevertheless, the German legal system provides far-reaching freedom of religion. This freedom is, according to the unanimous opinion among legal experts and the German government and administration, not restricted to Christianity and Judaism, but also applies to Islam and other religions. Furthermore, Article 3, Section 3 of the German Basic Law prescribes that no one may be discriminated against, or given preferential treatment, for reasons of his/her religious belief. German courts have proven in a huge number of cases to efficiently promote and grant Muslims’ equal rights.

State – Individual Relations: The Example of Mosques

One of the major topics actually at stake with regard to Muslims in Germany is the establishment of a religious infrastructure, namely mosques with or without minarets. About 2,600 mosques exist in Germany. Most of them are installed within former industrial buildings, which were available for reasonable prices

and situated near to the living quarters of many of the believers working in the area of factories. But there are also examples of very representative-looking mosques in several cities, with prayer rooms giving space to more than 1,000 persons. Some of them have minarets and in some cities the *adhaan* (call to prayer) by using loud speakers is allowed for certain prayers, e.g., the prayer at noon on Friday.¹²

The construction of places of worship is privileged under German law of construction due to the constitutional guarantees of religious freedom. In rare cases there were judicial procedures initiated on the question of whether minarets were allowed to be built, and what would be their acceptable height. It is not too surprising that the highly-visible erection of minarets could cause some irritation due to the local circumstances. Some people consider the erection of minarets a symbolic attack on the predominant Christian culture. Such suspicions are very often formulated not by practicing Christians, but mostly by right-wing to extremist rightist people who maintain rather loose ties to religion in general, but in some cases also by small Christian fundamentalist and anti-Islamic sects.

According to German law of planning and construction, the shape of places of worship has to fit into the given surroundings, despite the generally privileged status of erecting such buildings. Nevertheless, the Administrative Court of Appeal of Koblenz decided in a case concerning the erection of a minaret that there is no kind of “protection of the cultural status quo” according to the law.¹³ Times are changing, and as Muslims now are an important part of inhabitants, society as a whole has to accept this fact. But still there is a widespread lack of information in the general public on the scope of religious freedom for minorities. Thus, there is urgent need to clarify the relationship between democracy and the rule of law in case of conflicts: The majority is not entitled to deprive the minority of its rights granted by the constitution of a secular, religiously neutral state.

In Cologne the plans of DITIB (Diyanet İşleri Türk İslam Birliği, Turkish-Islamic Union of the Institution for Religious Affairs) a major Muslim Turkish organization, to build a mosque with 55-meter minarets triggered protests not only by extreme right-wing

nationalists but also among some otherwise renowned personalities like Ralph Giordano not previously known to advocate extremist views. The mosque opponents have protested the “visible claim of power” that such mosques represent, also implying obvious distrust of those who wish to build them. At the same time, a broad political majority in Cologne supports the mosque-building plans, arguing that Muslim members of German society have a right to the visibility that comes with the mosques. German law would certainly support this view, provided the relevant building and environmental codes regarding construction projects for religious purposes¹⁴ are met. Obviously, visible symbols of Islam are still broadly perceived as foreign—even by people living a considerable distance from Christian churches. Christian institutions seemingly have the function of “vicarious religion,”¹⁵ as British sociologist Grace Davie puts it: Even people very loosely affiliated with established churches feel comfortable with the activities of the practicing minority and the dominant public presence of their institutions.

Notwithstanding the favorable legal position in general, Muslims would be well advised not to enforce their rights by the aid of the judiciary before having presented themselves and their goals to the local public; transparency on all sides is the key to viable solutions. Having been a judge at the Court of Appeal of Nuremberg for a couple of years, my experience shows that a judgment in application of the law has to decide a given case in favor of one of the parties, at least in part. But often it will not lead to a true and stable “peace” between the parties involved. The party whose claim was dismissed would often search to find a new reason for continuing the battle, which would be not a very convenient basis for running a house of prayer or a cultural center. In this kind of case settlements are the much more preferable solution; such settlements could be found in preliminary discussions with the administration involved as well as with the public in general. Fortunately this has become the usual way of handling matters in Germany.

Relations Among Individuals: The Example of Labor Law

The second formal level on which freedom of religion

is granted is related to constitutional norms that may have an impact on relations governed by civil law, specifically (but not exclusively) employment law. In this field, possible conflicting interests of employers and employees have to be weighed with respect to the employee's religious needs on one hand and the employer's needs on the other,¹⁶ since other than in state-individual relations both parties may claim constitutional rights for their purposes. In general, most Muslims do not face legal problems concerning their employment. For those who need to pray during working hours, acceptable solutions can be found in most cases. Many either pray during regular breaks or concentrate their prayers in the morning and evening. In Britain, a bus driver claiming the right to interrupt his work five times a day for prayer lost his case for obvious reasons.¹⁷ On Fridays employers often allow breaks for Muslim employees to participate in communal prayer at mosques or allow employees to finish working earlier in the day. Muslim workers are also generally allowed to use vacation days during the feasts of Eid ul-Fitr at the end of Ramadan and the Eid al-Adha (Festival of Sacrifice) in the month of pilgrimage. If the need to be present for prayer or celebration of feast days conflicts with employment requirements, Muslims generally rely on the Islamic principle of necessity (*darura*) which allows them to choose a minor evil over a major one. In this case, the major evil would be the loss of the necessary source of income. The last reported case in Germany concerning a conflict between employment law and the requirements of Muslim prayer or Eid feasts was in 1964,¹⁸ indicating that mutually acceptable solutions to such potential conflicts are readily found. A new case in 2009¹⁹ was decided in favor of a Muslim employee who wanted to perform the ritual pilgrimage to Mecca. Her interests²⁰ were taken to be of superior importance in comparison to the needs of her employer.

However, the wearing of headscarves by Muslim female employees remains problematic. In many cases in which such employees deal with the public (e.g., in warehouses, offices, etc.), employers do not allow them to wear headscarves at work. In the state of Hesse, the employment of a Muslim clerk working in a rural warehouse was terminated when she refused to work unveiled. The company had a rule that employees would dress so as not to offend

customers. The employer testified that he was not personally bothered by the headscarf, but that there was evidence that the clientele would not accept being served by a veiled clerk and would take their business elsewhere. The employee lost her case in the original trial and in the Labor Court of Appeal of Hesse on the same grounds.²¹ Nevertheless, the Federal Labor Court finally accepted the claim of the appellant who wore her headscarf to work at the Hessian warehouse.²² Stressing the great importance of religious freedom, the court ruled that this freedom cannot be abrogated by mere suppositions of possible economic detriment to the employer. Even in cases of proven economic detriment, the employer would first have to consider whether the employee could work in a less sensitive capacity before being entitled to terminate her contract. The new rules of anti-discrimination laws would further strengthen Muslims' positions in such cases.

Finally, religious norms can be applied in a widespread fashion on an informal level, merely by practicing them. It is mainly in the sphere of religious rules—concerning the relations between God and human beings (*ibadat*) and the non-legal aspects of the relations between human beings (*mu'amalat*)—where a European Sharia (in this context: Islamic “theology”) is possibly developing.²³ In such cases, the opinions contained in religious rulings, or fatwas, would distinguish between legal validity of the transactions at stake and their religious acceptability. This is not a new development in Islam, but it may rely on the traditional distinction between the religious and the legal dimensions of human behavior (e.g., the distinction between the categories of what is considered to be forbidden (*haram*), and what is considered to be “invalid” (*bati*).²⁴

COLLECTIVE RELIGIOUS FREEDOM

Collective religious freedom is regulated by different legal provisions. First of all it should be mentioned that German law does not contain a system of legal “recognition” of religious communities in general. They have the right to choose the forms of organization they like, be it informal or legally formal like associations under the legal provisions on civil associations.²⁵ On this basis they become capable to hold and exercise legal rights.²⁶ The same is true for

establishing foundations under private law.²⁷

Article 140 of the Basic Law regulates the conditions for religious societies (communities) to apply for the status of a corporation under public law (*“Körperschaft des öffentlichen Rechts”*). Those communities holding this status when the Basic Law came into force kept their status. Others may apply for it and shall be granted the same rights, if their bylaws and the number of their members give assurance of permanency. The responsible state administrations would usually affirm permanency in cases when an organization has already existed for 30 years and represents at least 0.1 percent of the state’s population (membership has to be clearly regulated), but accepts less from case to case.

This status grants far-reaching rights and privileges, e.g., tax exemptions and access to state institutions for collecting taxes (against payment), rights to have members appointed to broadcast advisory boards and to cooperate in matters of youth social care, the right of refusing testimony in court for those carrying out pastoral care, and rights to regulate labor relations and the relations to members including internal jurisdiction, etc. No Muslim organization has obtained this status so far.

Logically such far-reaching rights require clear structures of organization including transparent procedures for decision-making and a reliable body or bodies which authentically decide about doctrine and order.²⁸ Until now, most of the Muslim organizations in Germany are far from fulfilling all these prerequisites. Nevertheless, in recent years there is a development of formal association and unification, now partly crossing the ethnic borders especially between Turks and others. Current attempts of religious unification in “German” organizations are obviously counter-acted by the exercise of political influence of several countries of origin.

Of course there are general legal limits for the activities of organizations, including religious ones. In recent times two extremist Muslim organizations were forbidden by the Federal Ministry of Interior for the allegations of having committed serious crimes or of having worked illegally against peaceful relations between peoples (Khilafet Devleti and Hizb al Tahrir,

respectively). Other organizations are under the supervision of the intelligence services.

Some laws do differentiate between legally recognized/registered religious communities, others do not. In many cases it is sufficient to be registered as an association under private law, which is easily achieved and thus the case for most of the Muslim organizations, in particular those running mosques and Islamic cultural centers. The prerequisites for being recognized as a religious community according to the laws regulating the cooperation between the state and such communities vary heavily. They are linked to the respective importance of the issue at stake for the state.

On a federal level, in 2006 the Ministry of the Interior has established the first *Deutsche Islamkonferenz* (DIK, German Islam Conference) to bring forward a more structured dialogue between Muslims and the state on crucial issues.²⁹ There was a plenum consisting of 15 representatives of the state (federal, state, and local level) and of 15 Muslim representatives. The latter were chosen by the Ministry; five of them represented the major Muslim organizations, who proposed their candidates themselves, the rest were prominent individuals covering different sectors of society. Since the beginning, this choice was (naturally) disputed; while the organized Sunni Muslims complained of their “minority” position compared to the “secular” majority, others rejected the participation of conservative Muslims and especially those under supervision of the security services. Of course, everybody who was not invited has challenged the authority of the plenum to speak for Muslims. This was equally true for the state side: No parliamentarians were members of the plenum, which has led to criticism of a “lack of transparency” of the DIK. Obviously the Ministry has decided to start early in a more informal manner, rather than to enter into a broad political process from the beginning.

Most of the practical work took place in three working groups and one “dialogue circle” covering security issues. The three groups deal with “German social order and consensus of values,” “Religious issues under the German constitutional order,”³⁰ and “Economics and media as a bridge.” They consisted of 25 members, all nominated by the Ministry (the

organizations send their representatives by their choice in principle); besides the organizations and the state, representatives of “independent” Muslims and scholars were chosen to participate. Their propositions were discussed in the plenum and are usually accepted by it. There have been few immediate results, but the working group on constitutional issues has produced papers on the regular establishment of Islamic instruction in public schools, on building mosques and establishing Muslim cemeteries, etc., which are now being discussed in the states competent for the implementation and administration of these issues. In general, the very fact of establishing and maintaining this institution has a very positive impact on the public debate: Islam clearly has become a part of Germany, as Minister Schaüble underlined time and again.

The work of this first conference ended in late 2009. The newly appointed Minister of the Interior Thomas de Maizière has set up a follow-up conference which shall continue the work of the first one, but in a different shape.³¹ There were changes in the plenum—the federal and local levels are more intensely represented now, the number of participants was enlarged (17 from both sides), and on the Muslim side one of the organizations involved was removed because a number of key figures are currently facing investigations for serious criminal offenses and did not agree on simply suspending their participation until the end of the investigations. Another organization refused the invitation due to an alleged lack of readiness to debate Islamophobia intensely and to formulate concrete goals; this refusal was broadly criticized by other Muslims and politicians. Individual participants were replaced by others. The invitation to a Turkish non-religious organization was broadly criticized by Muslim representatives. On the operational level, the working groups were replaced by a joint (state-Muslim) preparation committee which will establish punctual task forces for work on specific topics to be defined, such as the establishment of an Islamic educational system in universities.

On the level of the states, “round tables” have been established to promote concrete projects, in particular regarding pilot projects of Islamic instruction in public schools. In most of the states only some of the existing major organizations are involved; in some

cases, local Muslim initiatives are accepted as preliminary partners for cooperation.

The Application of Islamic Legal Norms

GENERAL RULES

In the sphere of applying foreign legal provisions, the possible conflict between rules of the law of the land and rules of the law of religious/cultural origin has to be solved. In the field of law, most of the existing legal orders have a territorial basis: everyone within the territory of a specific state has to abide by the same laws. Only the state can decide whether and to what extent foreign law can be applied and enforced on its territory; the legal system is not “multi-cultural” as far as it concerns the decisive exercise of legal power. Therefore, the application of foreign legal provisions—including Islamic ones—is an exceptional case. This does not mean that foreign legal principles and cultural influences are kept out. In the end, certain constitutional principles are basic and cannot be dispensed with: the inviolability of human dignity; democracy; the rule of law with the binding force of all state power; separation of powers; majority rule, minority protection; and the essential elements of constitutional civil rights, such as the equality of the sexes, freedom of opinion, religious freedom, and protection of marriage and family. Within this framework, foreign legal provisions can be formally applied on different legal levels. Moreover, the state has no control on informal ways of application as long as its bodies are not called upon by one of the parties involved.

Private International Law

Private International Law (which regulates conflicting laws pertaining to civil matters)³² is one level on which Islamic legal rules can be directly applied. Today, there is no legal system known to refuse the general application of foreign legal norms. Civil law essentially regulates the legal relations between private individuals, whose welfare is of prime importance. This includes the continuity of existing legal relationships (such as marriage) when crossing “legal borders” (so-called “theory of vested rights” developed by the eminent British and American lawyers Dicey and Beale).³³ Nevertheless, the legal commu-

nity in a particular country may decide that in certain matters the same substantial law should be applicable to everyone resident there. This would be the case particularly in matters touching the roots of legal and societal common sense such as those regulated by family law. The question as to whether foreign or domestic law should be applied must therefore be determined, and this is done according to the provisions of Private International Law, which tries to balance the relevant interests.

Concerning the areas of family law and the law of succession, the application of legal norms in Germany and many other European countries is often determined on the basis of nationality of the persons involved rather than by their domicile or residence.³⁴ Unlike in Canada or the U.S.,³⁵ European courts are therefore often obliged to apply Islamic legal rules. In this respect it may generally be stated that Islamic law until today has a strong position especially within these areas. This can be explained by the fact that Islamic law in this area has a multiplicity of regulations derived from authoritative sources (Qur'an and sunna). Furthermore, a powerful lobby obviously tries to preserve this area as a stronghold due to religious convictions as well as for reasons of income and the exercise of power (which was very similar in Europe in former times). The Tunisian lawyer Ali Mezghani states that "[i]n Islamic countries, it is difficult to deny that family law is the site of conservation."³⁶ This is true despite the fact that in several Islamic countries, namely in Morocco, reforms have taken place and still are in progress. In others, there is even a remarkable backlash to traditional standards.³⁷

However, the application of such provisions must comply with the rules of public policy. If the application of legislation influenced by Islamic law would lead to a result that is obviously incompatible with the basic principles of German law, including constitutional civil rights, the provisions in question cannot be applied. There are many provisions in Islamic law that do not contradict European laws (in the area of contract law, for example) and therefore may be applied within the framework of existing laws. The main conflicts between Islamic and European laws concerning family matters and inheritance arise over constitutional (and human) rights such as gender equality and freedom of religion, including the right

not to believe. Provisions reflecting classical Islamic law preserve strict separation between the sexes with respect to their social roles as well as far-reaching segregation of religions under the supremacy of Islam.

For example, according to German Private International Law, the application of the Islamic legal norm of unilateral divorce by the husband (*ta'laq*) would contradict secular state law in cases where the wife was not able to claim her legitimate interests or was not even informed about the divorce. In other cases, where the prerequisites for divorce according to the law of the land would be fulfilled in a comparable way, the legality of such a divorce according to Islamic tenets would be accepted by the controlling legal authority. On its face, a husband's unilateral right to divorce contradicts gender equality as well as the norm of the sole authority of the state to adjudicate divorce cases. Nevertheless, in Germany the norms protecting the public order are not intended to prohibit the application of foreign norms as such.³⁸ In Austria, however, policy is different: The Supreme Court³⁹ refuses to accept any kind of *ta'laq* whatsoever. Here again, the crucial question is whether legislative bodies and the courts compare foreign legal norms categorically as with their normative domestic "counterpart" in a general way, or whether the results of the application of foreign norms only must be controlled in specific cases.

Furthermore, German spousal maintenance, inheritance, and social security laws treat polygamous marriages as legally valid, provided that the marriage contracts are valid under laws applicable to them at the place of their formation.⁴⁰ (Of course, polygamy fundamentally contradicts German and other European legal standard; therefore it cannot be contracted legally in Europe.) The legal reasoning is not to deprive women in polygamous marriages of their marital rights, including maintenance. Thus, according to German social security law⁴¹ widow pensions are divided among widows who were living in polygamous marriages. However, German law differentiates between mainly private aspects of marriage and predominantly public ones, especially those relating to immigration law. Law governing the latter aspects provides only the first wife in polygamous marriages with marital privileges within its scope of application, for example residence

permits.⁴² Treatment of polygamous marriages in Germany differs from that in other European countries. In England, courts have rejected the claim to a widow's pension by a woman who was engaged in a polygamous marriage, resulting in none of the wives in the marriage receiving a payment.⁴³

From a legislative perspective, two types of goals must be considered. One goal would be to establish clear-cut legal norms in absolute accordance with prevailing social mores: in this context, the sole validity of monogamous marriages. This would lead to rejection of polygamous marriages that are legal in other parts of the world and would leave the weaker parties without legal protection, which could encourage the creation of a parallel system of social norms among the parties involved. The other goal would be to render justice for individuals who legally entered such marriages in other jurisdictions and who now have claims in a jurisdiction that rejects such marriages. In such a case, it has to be made clear that accommodation for individuals does not mean acceptance or approval of polygamy, even though it may be interpreted as such. Thus, either solution has its problematic aspects.

In a singular case in Frankfurt am Main, Germany, dating from 2007 a judge refused to grant legal aid to a woman of Moroccan origin who wanted to obtain an immediate divorce according to the legal hardship clause because her Moroccan husband had severely beaten her. The judge ruled that because according to the Qur'an, *surah* 4:34, the beating of wives was common in the parties' culture of origin, a hardship case was denied. This ruling errs gravely on several counts: It ignores not only Moroccan law, which does not allow domestic violence (see Art. 98 Sec. 2, 99 of the family law code), but also the German law of conflicts, which on grounds of German public policy, rejects application of foreign provisions that "allow" domestic violence. Further, the judge ignored recent interpretations of the Qur'anic verse in question, which say that the term "daraba" should be interpreted as "to separate" instead of "to beat."⁴⁴ The ruling, which was reversed shortly after it was made public, spurred a debate in Germany over alleged "Islamization" of the German judiciary that echoed concerns raised over the British archbishop's remarks on the possibility of introducing aspects of Sharia law

in economic and family-related issues into the British legal system.⁴⁵

This case was certainly exceptional for several reasons, one of them being that no Muslim—whether party to the case or observer—insisted on the application of such an alleged "Sharia norm."⁴⁶ Some anti-Muslim fanatics confused the Frankfurt ruling with the legitimate exercise of rights accorded in European and German constitutional provisions that grant freedom of religion. Thus, such fanatics obviously ignore the very constitutional order that they pretend to defend.⁴⁷

The question remains of whether the concentration on nationality in a number of the rules relating to international family law still is the appropriate solution for determining the most significant relationship between the persons involved and the respective legal order.⁴⁸ This is especially true in cases where large groups of persons keep a foreign nationality (for whatever reasons) despite a long-lasting residence in Germany. In such cases, in my opinion, we should consider applying the law of the state of residence instead of a mere "historical" foreign law, which might have found adequate solutions for the grandparents' problems. Also, we could prevent people constantly living under foreign rules—despite spending some time abroad—from being subject to a legal regime more and more unfamiliar to them. However, it is up to the legislature to change the law in this respect. We should add that problems resulting from a long-lasting status of being "foreigners" may diminish in the future, because German law of citizenship, after a substantial reform in 2000, now regularly leads to the acquisition of German citizenship by children born in the country.

Optional Civil Law

A second area for (indirect) application of foreign legal norms exists within the framework of so-called "optional" civil law. For example, there are various methods of investment that do not violate the Islamic prohibition against usury (*riba*, which according to traditional interpretations means not accepting or paying interest).⁴⁹ To enable business financing, Islamic law permits the formation of types of companies (*murabaha* and *mudaraba*) for this specific

purpose. In the UK a special vehicle for “Islamic mortgages” has been developed, enabling Muslims to purchase real estate while avoiding conflicts over *riba*. The German state of Sachsen-Anhalt has offered “Islamic” bonds replacing interest payments by broadly accepted instruments of financial participation to attract Muslim capital.

In the field of matrimonial law, the introduction of Islamic norms into marriage contracts has also been accepted within the framework of optional German civil law. Thus, contractual conditions regulating the payment of doweries (*mahr* or *sadaq*) in Muslim marriages are possible and generally accepted by the courts.⁵⁰

Informal Application

Besides these formal ways in which Islamic legal norms can be applied, people are in principle free to agree on the methods and results of non-judicial, alternative dispute resolution (ADR) and to seek private solutions to social problems that are compatible with state legal codes and fall within the boundaries of public policy. Recent research indicates that many European Muslim immigrant communities maintain the structures of family life from their countries of origin⁵¹ and can be reluctant to use legal remedies available in the countries where they live because they believe that they are bound to different legal orders. This is also true for some Muslims who were born and grew up in Europe or who converted to Islam, insofar as they consider Islamic legal norms to be an integral part of their religious belief.⁵² Others are simply unaware of the fact that regarding certain matters of family law (e.g., marriage and divorce), the secular law of the land must be observed; otherwise the intentions and actions of the parties involved are not legally valid. In Germany some refugees from Iraq and other war-torn countries lacking functioning legal systems were not able to obtain the necessary documents for marriages considered valid by the state, so instead they “married” according to Islamic custom, with the participation of an Imam and witnesses. But in general, other than in the UK, there are very few Muslims challenging the existing legal order in family matters or trying to establish ADR institutions based on Islamic provisions for various reasons. Indeed, the disadvantages of officially establishing parallel ADR

systems in the sensitive field of family law would contradict basic needs of protection by the state in cases of disproportional bargaining power within the family.⁵³

It is remarkable that many European examples of harmony between Muslim and secular sensitivities abound. In 2002 the Central Council of Muslims in Germany declared in its charter on Muslim life in German society (“Islamic Charta”⁵⁴) that Muslims are content with the harmonic system of secularity and religious freedom provided by the Constitution. According to Article 13 of the charter, “The command of Islamic law to observe the local legal order includes the acceptance of the German statutes governing marriage and inheritance, and civil as well as criminal procedure.”

Perspectives

In sum, the secular legal order in Germany does not reject religion, and it is not at all anti-religious (*la-dini*), as some Muslims allege.⁵⁵ On the contrary, it opens broad spaces for religious life and beliefs, including the establishment of religious organizations, places of worship, and private schools, not to mention religious instruction in public schools (in the German educational system) and social security payments for religious burials and other rites for those in need.⁵⁶ It is only that the states themselves must be neutral and not interfere in religious affairs. The most important result of this legal secularism is the equivalence of religions, including the freedom not to adhere to a religion or the freedom to change one’s religion.⁵⁷ Across the European continent, there is broad consensus that such neutrality is a necessary prerequisite for true religious freedom. Accordingly, a prominent French Muslim has called this a system of “positive neutrality” (i.e., toward religion).⁵⁸

Most of the existing problems of Muslims in German society are not rooted in religion, but in education, language skills, a certain degree of xenophobia and Islamophobia among groups of society, and tendencies of self-segregation. During the times of immigration for the first generation, hardly anybody cared about the beliefs of the immigrants, nor did anybody fear tensions on religious grounds. The remarkable quarrels which broke out in later times seem to be

quite a normal phenomenon which should not be exaggerated: When sharing claims among members of society in a new way, everybody tries to get the best part of it. The legal and social integration of Muslims in a mainly non-Muslim society is not exempt from this observation. The legal system is well prepared for adequately granting and distributing rights and duties in a religiously neutral way. It is society where the debate on unity in diversity—including Islam—has to continue on a hopefully more and more fact-orientated and differentiated basis.

Notes

1 In Germany this is the usual term for people born in the country having at least one immigrant parent. It tries to avoid the poorly fitting term "foreigner."

2 Bundesamt für Migration und Flüchtlinge, ed., *Muslimisches Leben in Deutschland* (Nürnberg, 2009): 78, 80.

3 See the figures in Bundesamt für Migration und Flüchtlinge, ed., *Muslimisches Leben in Deutschland* (Nürnberg, 2009): 215 and table 55.

4 Konrad-Adenauer-Stiftung, ed., *Arbeitspapier/Dokumentation, Was halten die Deutschen vom Islam* (St. Augustin, May 2003). The main results of this representative poll are the facts that Islamophobia is mainly found among people living in eastern Germany, among people of a low educational degree, among workers, and among retired and elder persons (more than 60 years old) (p. 13); nevertheless, the great majority is ready to accept Muslim life in the country to a remarkable degree (summary, p. 15), especially those having personal contact with Muslims.

5 For the contributions in Berlin, see: Senatsverwaltung für Inneres, ed., *Islamismus* (Berlin, 2005).

6 For representatives, see the volume Schneiders, ed., *Islamfeindlichkeit. Wenn die Grenzen der Kritik verschwimmen* (Wiesbaden, 2009); Rohe, *Schwarzers Kanal*, available at <www.zr2.jura.uni-erlangen.de/aktuelles/kanal.shtml>.

7 Elisabeth Noelle and Thomas Petersen, "Eine fremde, bedrohliche Welt," *FAZ*, available at <<http://www.faz.net/IN/INtemplates/faznet/default.asp?tpl=common/zwischenstasse.asp&dox={6E996DC7-5D2B-3660-75DE-A06AB6A51BC2}&rub={594835B6-7271-4A1D-B1A1-21534F010EE1}>>> (figures range between 60 and 91%).

8 "Angela Merkel über Antisemitismus," *Süddeutsche Zeitung* 8 May 2010, V2/B ("Wir sollten uns keine Islamophobie aufdrängen lassen").

9 For such tendencies, see the collective volume Schneiders ed., *Islamverherrlichung. Wenn die Kritik zum Tabu wird* (Wiesbaden, 2010).

10 Excellent studies of present developments are presented by Wasif Shadid and Sjoerd van Koningsveld, "Religious Authorities of Muslims in the West: Their Views on Political Participation," in *Intercultural Relations and Religious Authorities: Muslims in the European Union*, (Leuven a.o., 2003): 149, and by Jacques Waardenburg, *Muslims and Others: Relations in Context* (Berlin a.o., 2003): 241, 308, and 336.

11 See Rohe, *Muslim Minorities and the Law in Europe – Chances and Challenges*: 79, 82-88.

12 See Kraft, *Islamische Sakralarchitektur in Deutschland* (Münster, 2002) (LIT); Leggewie et al., *Der Weg zur Moschee. Eine Handreichung für die Praxis* (Bad Homburg v.d.Höhe, 2002); Schmitt, *Moscheen in Deutschland. Konflikte um ihre Errichtung und Nutzung* (Flensburg, 2003); Beinbauer-Köhler and Leggewie, *Moscheen in Deutschland* (München, 2009).

13 OVG Koblenz NVwZ 2001, 933.

14 These are privileged in German law; see Rohe, *Muslim Minorities and the Law in Europe* (New Delhi, 2007): 83."

15 Grace Davie, Vicarious religion: A methodological challenge," in *Everyday Religion: Observing Religion in Modern Lives*, ed. N. Ammerman (New York et al, 200): 21-37.

16 For details see Rohe, "Schutz vor Diskriminierung aus religiösen Gründen im Europäischen Arbeitsrecht - Segen oder Fluch?" in *Gedaechtnisschrift fuer Wolfgang Blomeyer*, ed. Krause/Veelken/Vieweg (Berlin, 2004): 217.

17 Reported in Shadid/Van Koningsveld, *Religious Freedom and the Position of Islam in Western Europe* (Kampen, 1995): 102.

18 LAG Duesseldorf JZ 1964, 258.

19 ArbG Koeln (Az. 17 Ca 51/08), not yet published.

20 The 53 year old woman was employed in the school administration. The next period of holidays coinciding with the time of the pilgrimage

- would have been 13 years later, she would then have reached the age of 64. Additionally, she feared that her mother, who is taking care for her disabled child, would not be able to continue this at that time.
- 21 LAG Hessen NJW 2001, 3650.
- 22 BAG NJW 2003, 1685.
- 23 See Rohe, "The Formation of a European Shari'a," in *Muslims in Europe*, ed. Malik (Münster, 2004): 161; excellent studies of present developments are presented by Shadid and van Koningsveld, "Religious Authorities of Muslims in the West," in *Intercultural Relations and Religious Authorities: Muslims in the European Union* (Leuven, Paris, Dudley, 2003): 149, and by Waardenburg, *Muslims and Others* (Berlin, New York, 2003): 241, 308, and 336.
- 24 See Rohe, *Islamisches Recht: Vergangenheit und Gegenwart*, 2. ed. (München, 2009): 9.
- 25 See paras. 21 ss. German Civil Code
- 26 For details see Rohe, "Islam und deutsche Rechtsordnung - Möglichkeiten und Grenzen der Bildung islamischer Religionsgemeinschaften in Deutschland," in *Islam in Deutschland, Der Bürger im Staat* Jg. 51 Heft 4/2001, ed. Landeszentrale für politische Bildung Baden-Württemberg: 233 ff; see also Fetzer/Soper, *Muslims and the State in Britain, France, and Germany* (Cambridge, 2005).
- 27 See paras. 80 ss. Civil Code
- 28 See Vöcking, "Organisations as attempts at integration of Muslims in Germany," in *Muslims and Christians in Europe, Essays in honour of Jan Slomp*, ed. Speelman et al. (Kampen, 1993): 100, 103; BVerwG23.02.2005 (6 C 2.04), BVerwGE 123, 49; for recent developments see Bodenstein, "Organisational Developments toward Legal and Political Recognition of Muslims in Germany," in *Muslim Organisations and the State – European Perspectives*, ed. Bundesamt für Migration und Flüchtlinge (Nürnberg, 2010): 55-68
- 29 For a brief, but concise outline see Kerber, "Furthering Muslim Self-Organisation: The Task of the German Islam Conference," in *Muslim Organisations and the State – European Perspectives*, ed. Bundesamt für Migration und Flüchtlinge (Nürnberg, 2010): 69-72. Further information (only in German language) is available on the DIK-website at <www.deutsche-islam-konferenz.de>.
- 30 The author has been a member of this working group.
- 31 See the information available at <www.deutsche-islam-konferenz.de/cdn_117/nn_1319566/SubSites/DIK/DE/DieDIK/NeueStruktur/neue-struktur-node.html?__nnn=true>.
- 32 Of course, in the sphere of public law and especially of penal law, foreign law is not applicable. Public law regulates the activities of the sovereign himself; and penal law has to define rules which are necessary to grant a minimum consensus of common behaviour in the relevant society.
- 33 See. Kegel/Schurig, *Internationales Privatrecht*, 9th ed. (München, 2004): 192.
- 34 For further details see Rohe, "Islamic Law in German Courts," *Hawwa* 1 (2003), pp. 46
- 35 See Foblets/Overbeeke, "Islam in Belgium," in *Islam and the European Union*, ed. Potz/Wieshaider (Leuven/Paris/Dudley, 2004): 1, 25; Rude-Antoine, "La coexistence des systèmes juridiques différents en France : l'exemple du droit familial," in *L'étranger et le droit de la famille*, ed. Kahn (Paris, 2001): 147, 161.
- 36 Mezghani, Le juge français et les institutions du droit musulman, J.D.I. 2003: 721, 722.
- 37 See Rohe, *Das islamische Recht: Geschichte und Gegenwart*, 2nd ed. (München, 2009): 206 ss.
- 38 See Rohe, "Islamic law in German courts," *Hawwa* 1 (2003): 46, 50.
- 39 OGH decision of 31.08.2006 (6Ob189/06), *Zeitschrift für Rechtsvergleichung* 2007, 35; OGH decision of 28.06.2007 (3Ob130/07z); both decisions available at <<http://ris.bka.gv.at>>.
- 40 See LG Frankfurt a.M. FamRZ 1976, p. 217; LG Osnabrück NJW-RR 1998, p. 582; AG Bremen StAZ 1991, pp. 232, 233; Staatsanwaltschaft bei dem LG München I IPRspr. 1996 No. 62; VGH Kassel NVwZ-RR 1999, pp. 274, 275.
- 41 See para 34 sect. 2 Social Code I.
- 42 See OVG Koblenz 12.03.2004 (10 A 11717/03), not yet published.
- 43 Court of Appeal in Bibi v. Chief Adjudication Officer [1998] 1 FLR 375: None of the widows is accepted to be one legally; see the critical remarks of David S. Pearl, Islamic Family Law and Its Reception by the Courts in England, Harvard Law School Islamic Legal Studies program, *Occasional Publications* May 2000: 14 and n. 14.
- 44 See Zentrum für Islamische Frauenforschung und Frauenförderung, ed., *Ein einziges Wort und seine grosse Wirkung. Eine hermeneutische Betrachtungsweise zum Qur'an, Sure 4 Vers 43, mit Blick auf das Geschlechterverhältnis im Islam* (Köln, 2005).
- 45 See the references available at <www.archbishopofcanterbury.org/1581>.
- 46 The same was true earlier in 2006 when a Berlin opera decided to cancel the performance of Mozart's opera "Idomeneo" for obscure security reasons, where the beheading of gods and prophets including Muhammad was added by the "artistic" director.
- 47 Some time earlier a certain Hans-Peter Raddatz went so far to publicly declare that "a Christian using violence abuses his religion; a Muslim not using violence abuses his religion, too (vereinfacht laesst sich sagen, ein Christ missbraucht seine Religion, wenn er Gewalt anwendet, und ein Muslim missbraucht seine Religion ebenso, wenn er nicht Gewalt anwendet)," *weltwoche.ch*, Ausgabe 16/04, Weltwochegespräch (Thomas Widmer), <www.weltwoche.ch/artikel/print.asp?AssetID=7478&CategoryID=62> (14 March 2007). For critical voices with regard to this "expert" see also Troll, "Islamdialog: Ausverkauf des Christlichen? Anmerkungen zum Buch von Hans Peter Raddatz," *Stimmen der Zeit* 2/2002, 1, 7, <<http://www.st-georgen.uni-frankfurt.de/bibliogr/troll5.htm>> (4 September 2002); Hoebisch, Werner, "Diffamierter Dialog. Hans-Peter Raddatz und das christlich-islamische Gespräch," *Die neue Ordnung* Nr. 6/2005, <<http://www.die-neue-ordnung.de/Nr62005/WH.html>> (17 March 2006).
- 48 See M. Rohe, "Staatsangehörigkeit oder Lebensmittelpunkt? (nationality or domicile?)," in *Festschrift fuer Dietrich Rothoefl*, ed. C. Engel and H. Weber (Muenchen, Jehle-Rehm, 1994): 1-39.
- 49 See Baelz, "Scharia Jet Set: Islamic Banking," *inamo Berichte und Analysen* 57 (spring 2009), 14-17 with rich factual background.
- 50 See BGH NJW 1999, p. 574; OLG Celle FamRZ 1998, p. 374; OLG Saarbruecken NJW-RR 2005, p. 1306
- 51 See Badawi, n. 90; Simonet, "L'étranger entre deux droits : les facteurs d'adhésion des populations étrangères aux systèmes judiciaires et juridique français," in *L'étranger et le droit de la famille*, ed. Kahn (Paris, 2001): 118, 139 ss.; Rude-Antoine, "La coexistence des systèmes juridiques différents en France : l'exemple du droit familial," in *L'étranger et le droit de la famille*, ed. Kahn (Paris, 2001): 161.
- 52 I have personal knowledge of such a case dealing in Bavaria in 2007, where a woman tried to get divorced after having entered solely into an "Islamic" marriage in Germany, which is not considered to be valid under German law and therefore cannot be dissolved by state courts. Other cases were reported to me in Canada concerning Somali women and in the UK.
- 53 For details see Rohe, "Islamic norms in Germany and Europe," in *Islam and Muslims in Germany*, ed. Al-Hamarneth/Thielmann (Leiden et al., 2008): 68.
- 54 An English version can be found at <<http://www.islam.de/3037.php>> (27 June 2008).
- 55 See Heiner Bielefeldt, *Muslime im säkularen Rechtsstaat* (Bielefeld, 2003): 60 for critical Muslim voices.
- 56 For details concerning several European states see Aluffi/Zincone, eds., *The Legal Treatment of Islamic Minorities in Europe* (Leuven, 2004).
- 57 For the intrinsic connection between full religious freedom and secularism see Bielefeldt, n.24, pp. 15.
- 58 Soheib Bencheikh, *Marianne et le Prophète – L'Islam dans la France laïque* (Paris, 1998): 57.

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