Incorporating Muslim Migrants in Western Nation States—A Comparison of the United Kingdom, France, and Germany

Matthias Koenig

1 Introduction[1]

Only recently has the religious dimension of international migration and integration moved up on the agenda of academic research and public policy. For a long time, and by following mainstream theories of secularization, both researchers and policy-makers tended to assume that traditional and religious attitudes of immigrants would successively dissolve in the process of acculturation and assimilation to industrial societies (for exceptions see Abramson 1979; Mol 1979). Similar assumptions were shared by theorists of multiculturalism who stressed that migration processes were accompanied by new claims for recognition of particularistic cultural or ethnic identities, but ignored the specifically religious dimensions of such identities (Modood 2000). More recently, however, scholars have started to acknowledge that religious practices play a crucial role in the construction of immigrants' identities, of immigrant communities or diasporas, and of transnational migrant networks (Baumann 1999; Ebaugh and Chafetz 2000; Werbner 2002). In a similar vein, policy-makers increasingly perceive integration problems in terms of the governance of religious diversity. For example, the German Federal Commissioner for Migration, Refugees, and Integration has coined the slogan "integration with R" to highlight the religious dimension of integration. (*Vom Dialog zur Kooperation* 2002, p. 77). In view of this new attention to religion in immigration and

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M. Koenig (✉)
Department of Sociology, University of Göttingen, 37073 Göttingen, Germany
e-mail: matthias.koenig@sowi.uni-goettingen.de

integration policies, one may ask how nation states respond to religious diversity. In other words, what factors explain varying policy reactions to the public claims of recognition based on the religious identities of migrants? And how does immigration contribute to institutional transformations of the nation state in the religious field?

In this article I address these questions from a comparative macro-sociological perspective by focusing on the public incorporation of Muslim immigrants in Western Europe. Sociological research on the approximately seven million Muslims who have settled in Western Europe as a result of large-scale labour migration and political refuge from a variety of Islamic countries in the post-war period has largely adopted and often reproduced the above-mentioned schemata of perception and interpretation. Thus research in the 1970s and 1980s often focused on problems of assimilation, acculturation, or integration of Muslims in "secular" modern European societies, with Islam being perceived as an essentially traditional, if not fundamentalist, religion or being trivialized as an aspect of ethnicity (for a review, see Tietze 2001). In the 1990s, when religion became a publicly more visible dimension of immigrants' claims for recognition, more complex analyses emerged from the various modes of believing and belonging among Muslims in Europe. Borrowing their conceptual categories from post-colonial studies and the sociology of religion, these analyses highlighted the individuality, hybridity, and indeed the modernity of Islamic identifications in Europe, as well as the emergence of new Islamic networks and organizations, particularly among the so-called second and third generation of immigrants (Césari 1997; Pace 1995; Saint-Blancat 1995; Tietze 2001; Vertovec and Peach 1997). But despite its incontestable value, this line of research privileged the analysis of individual-level or group-level properties of Muslim minorities in various European countries. Meanwhile, deliberate policy initiatives, political opportunity structures, and institutional repertoires of European nation states and their respective effect on the incorporation of Muslim migrants in Europe have remained largely unexplored. As Rath, Penninx, Groenendijk, and Meyer (2001) recently observed, "Relatively little is known about the precise reactions of society, what obstacles to the advance of Muslim institutions it throws up or removes, or how these reactions can be explained" (p. 259). In their comparative research project on the institutionalization of Islam in the Netherlands, Belgium and the UK, Rath et al. moved in this direction by exploring a variety of external and internal factors of the institutionalization of Islam, which they find are "to a far greater degree determined by the societies in which Muslims settle than by the Muslims themselves" (p. 287; see also Zolberg and Woon 1999). Similarly, Fetzer and Soper (2004) tried to show that church-state relations—that is separation, concordatarian, and establishment models—are the crucial factors for explaining

differences in the accommodation of Muslim religious practices in the UK, France, and Germany. However, although these comparative studies have produced some important empirical findings, there is need for further theoretical analysis of the divergences and, as shown below, the convergences in public policy responses to the Islamic presence in Western Europe. In this respect, developments in the sociology of citizenship provide some additional theoretical leverage. These not only provide well-established theoretical tools for analysing the various institutional logics of incorporating migrants in the symbolic and organizational spheres of Western European nation states. They also highlight the structural transformation of the classical model of the nation state epitomized by the uncoupling of political organization and collective identity and the corresponding development of post-national forms of citizenship.

In my comparative analysis of the public incorporation of Muslim migrants in the UK, France, and Germany (Koenig 2003), I elaborate on these various strands of research. I argue that divergences in public policy responses to Muslim claims for recognition can be explained by varying institutional arrangements of political organization, collective identity, and religion that result from distinctive historical paths of state-formation and nation-building. Moreover, I contend that to the degree that immigration challenges nation states and contributes to the development of post-national forms of citizenship, it also induces isomorphic transformations of institutional arrangements of politics and religion, most notably the inclusion of religion as a legitimate category of identity in the public sphere. I present my argument in three steps. First, I sketch the institutional logic of religious politics and some of its historical variations in modern nation states. Second, I show how these variations shape the policy responses to public claims of recognition of Muslim migrants. Finally I sketch those aspects of the emergence of post-national or transnational forms of citizenship that directly affect the institutional logic of religious politics and explain some recent convergences in the public incorporation of Muslim immigrants in Western Europe.

2   Varieties of Secularism in European Nation-States

Post-war immigration has been a major social process that has led to a thorough re-examination of previously implicit assumptions in the social sciences. It became increasingly clear that conventional methodologies, theories, and research questions in the social sciences, including the concept of *society*, were based on a "methodological nationalism" that presumes that societies were nationally bounded

(Glick-Schiller and Wimmer 2003). The burgeoning literature on transnational migration and citizenship thus forms part of a larger movement that reexamined the nation state as the institutional centre of modern social formations. This institutional form can be characterized by the coupling of a specific type of political organization, the sovereign territorial state, with a specific type of collective identity, the "imagined community" of the nation. Similarly, the classical institution of national citizenship understood as a set of institutionalized relations between the state and the individual comprises two elements. These are the rules of formal membership and individual rights through which individuals are incorporated organizationally into the state, and the forms of identification with the nation through which individuals are incorporated symbolically. That organizational and symbolic incorporation are intimately linked in the classical model of the nation state and that symbols of national identity have left their imprint on nationality laws, naturalization laws, immigration and integration policy are a major result of the recent sociology of citizenship (Brubaker 1992; Joppke 1999; Münch 2001; Soysal 1994; Wimmer 2002).

Against this background it is pertinent to reflect on the implications of the classical model of the nation state and of national citizenship for religious institutions and practices, and indeed for the very concepts of religion and secularity (Asad 2003; van der Veer and Lehmann 1999). In fact the place of religion in modern times has been strongly affected by the rise of the nation state as organizational center for projects of societal rationalization and symbolic focus for constructions of collective identity. On the one hand, the state gained organizational control over practices and institutions that were formerly under religious authority such as private and civil law, education, and science. On the other hand, religious symbols could be drawn on to construct national identities. Hence contrary to conventional theories of secularization (Casanova 1994), the separation of secular and spiritual authorities resulted in complex institutional arrangements of political organization, collective identity and religion, of which church-state relations are but one dimension.

To capture the institutional varieties of secularism in European nation states, one therefore needs to go beyond the classical distinction of models of separation, cooperation, and state or national church. A theoretically more consistent analysis can be developed by drawing on the well-established typology of polity models elaborated in neo-institutionalist research on citizenship regimes and other fields of public policy (Jepperson 2002; Soysal 1994). This typology is based on a cross-tabulation of two institutional dimensions: the degree to which the modern project of rationalization is carried out by a centralized state; and the degree to which the individual has substituted former feudal units as an autonomous actor. Four ideal

types of modern polities can thus be distinguished: statist-republican, liberal, state corporatist, and social corporatist polities. Each polity model provides a distinctive institutional environment for public policies, modes of incorporation, patterns of organization, and social protest movements. In addition, these models display elective affinities to varying constructions of national identity, which can be coded more in universalistic or more in particularistic terms (Eisenstadt and Giesen 1995). Although this is not the place to develop this typology in more detail, I sketch the implications of these models for institutional arrangements of religion and political organization by focusing on the cases of the UK, France, and Germany. (Space limitations do not permit me to consider all four models. Social corporatist polity models can be found in Scandinavian countries, Jepperson 2002.)

In liberal polities, no corporative units but only individuals are recognized as legitimate actors in the public sphere. However, the liberal polity refrains from incorporating individual actors into a centralized project of rationalization and only provides the legal guarantees and political conditions for the individual's rational pursuit of interest in civil society. This implies recognition of a pluralism of individual religious orientations in the public sphere while privileging an associational and voluntary mode of religious organization. Due to the weak degree of "stateness", conflicts between state and ecclesiastical authorities display only low profiles. Public religious policy is regarded less as a state affair and more as a decentralized process of negotiation in civil society. Despite the establishment of the Anglican Church since the Reformation, institutional arrangements of religion and politics have followed the liberal polity model in the UK. In a tradition of legal exemptions for individuals belonging to religious minorities, which started with the Toleration Act (1689) and continued until the Religious Exemption Act (1976), which exempted Sikhs from having to wear motor cycle helmets, the UK like other Anglo-Saxon countries has seen the development of relatively pluralistic modes of incorporation accompanied by a continual reconstruction of the symbolic boundaries of the British nation.

In contrast to the UK case, the French development of institutional arrangements of political organization, collective identity, and religion has taken another course. The political conflict between the Republic and the Catholic Church in the 19th century resulted in the separation of church and state (1905), which is still today reflected in the concept of laïcité. The historic path of relations between religion and politics thus follows the institutional characteristics of statist or republican polity models. Here the cultural program of modernity is institutionalized in a central state, and individuals are incorporated into the collective project of rationalization without taking into account their respective position in civil society. The public sphere is regarded as homogeneous and composed of formally equal individuals, whereas the representation of particularistic identities, especially those

that are categorized as religious, are excluded and restricted to the private sphere. Conflict characterizes the relations between the state and ecclesiastical authorities, and public religious policies focus on controlling the symbolic boundaries of the state and on projecting relatively homogeneous national identities in various social fields, notably in the educational system.

In state corporatist polity models, which are characteristic of the bi-confessional German-speaking space, individuals are incorporated into centralized projects of rationalization via corporative intermediate units. Religion is regarded as a component of the public sphere, and religious organizations are even invested with public or state functions. It is in their capacity as members of a corporative religious organization that individuals are perceived as religious actors. Hence, the state's public policy of religion is mainly concerned with regulating the public functions of corporative religious communities. The legal dimension of this model is the Staatskirchenrecht as it emerged in the Weimar Republic and was elaborated in the Federal Republic of Germany; where the rules of a selective cooperation between the state and the churches and not least the conditions for granting religious communities the status of "corporations of public law" are laid out. Its political dimension is the strong influence of the two Christian churches in the public arena, notably in the field of public policies vis-à-vis religious minorities.

Needless to say, the above-mentioned polity models are ideal types, and the three cases correspond to these types only to some extent. However, as I argue in the following section, they provide important conceptual tools for analysing the responses of various nation states to the public claims of recognition of Muslim immigrants in Western Europe.

3   National Policy Responses to Religious Claims of Recognition

As a starting point for a comparative macro-sociological analysis of the public incorporation of Muslim immigrants, it is useful to analyse more systematically the claims for recognition articulated by this religious minority. Here I distinguish various types of claims that focus on varying aspects of the political project of modernity. Due to the centrality of the political arena in the cultural program of modernity, the content of claims for recognition can be aimed either at redefining the symbolic boundaries between the public and the private, the *secular* and the *religious*, or at gaining access to the political center. Furthermore, given the structural connection between political organization and collective identity in the classical model of the nation state, claims for recognition can address either the organizational structure

of the state or the prevalent symbols of national identity. Combining these two analytical distinctions yields four types of claims.

First, Muslim immigrants can contest the legitimacy of politicized symbols of national identity and request liberties for the articulation of different identities. Claims for the toleration of religious dress codes in the public sphere, of ritual slaughter, of the muezzin call, and so forth are examples of this type. Second, Muslim immigrants can call for their own autonomy in organizational spheres of society, for example, by asking for the establishment of subsidized private schools or the guarantee of religiously motivated exemptions from obligations in the state educational system. Third, more demanding are claims for tolerance. These are claims for recognition that call for a recombination of the central symbols of national identity, for example, by introducing new religious holidays in the national calendar or by extending the existing blasphemy laws. And finally, Muslim immigrants can call for an equal participation in the organizational centre of the state, which would allow them to influence the processes of societal construction without religious identities being excluded a priori.

Taking into account that public responses to such claims of recognition can be either rejection or approval yields a highly differentiated conceptual framework for analysing modes of public incorporation. It goes beyond Castles' (1995) classical distinction of differential exclusion, assimilation, and multiculturalism by distinguishing more clearly between organizational and symbolic incorporation. It also specifies some elements of Alexander's (2001) recent useful attempt to systematize modes of incorporation by distinguishing between the inclusion of individuals and that of their attributes. What he describes as multicultural incorporation–the inclusion of outsiders not only as individuals, but also the recognition of their particularistic attributes or qualities–is a positive reaction, albeit after struggles and negotiations, to claims of recognition aimed at tolerance and participation.

Before using this conceptual framework to analyse the incorporation of Muslim immigrants, it is necessary to point out that the extent to which claims of recognition have been articulated by this group depends at least to some degree on their formal citizenship status and typical patterns of migration. Thus in Western Europe claims for the recognition of Muslim religious identities began only in the 1970s when European industrial states adopted more restrictive policies of immigration accompanied by programs of family reunification and integration policies including naturalization. Whereas the politics of Muslim recognition focused first on claims of toleration and autonomy, claims of tolerance and participation appeared later. As the carrier groups of more demanding claims, the so-called second and third generation, had started to acquire formal citizenship and electoral rights, this sequence is not surprising even if the timing varies from country to country.

In the UK, where even the first generation of Muslim immigrants had easy access to formal membership by virtue of their status as Commonwealth subjects, Muslim claims for recognition entered the public sphere about a decade earlier than in France, with Germany following only in the 1990s when ius sanguinis (right of blood) elements of nationality became increasingly supplemented by ius soli ("right of soil") elements.[2]

In the UK the incorporation of Muslim immigrants generally followed a pattern of continual negotiations of rights between actors of civil society and the government. Because of decentralized government, negotiations often took place at a local level. Claims for the toleration of religious symbols and for autonomous organizational spheres, including the building and registration of mosques, establishment of Muslim cemeteries, permission of ritual slaughter, exemption from religious instruction and school worship were granted as early as the 1980s. Even Muslims' claims for political participation at the local level did not go unnoticed at this time; for example, Muslims participated in the drafting curricula for multi-religious instruction in public schools (Dwyer and Meyer 1995; Nielsen 1999). However, resistance was encountered in the sense of recognition of religious difference in the set of national symbols. To be sure the government had already institutionalized the idea of a multicultural society in the anti-discrimination laws of the Race Relations Act (1976), but religious discrimination was explicitly excluded from these laws. The Education Act (1988), contrary to local practice, even strengthened the Christian character of school worship and confirmed the privileged status of confessional private schools. The Rushdie affair, in which British Muslims demanded the extension of blasphemy laws protecting the Anglican faith, highlighted the symbolic boundaries between Islam and the British nation and functioned as a catalyst for the organizational mobilization of Muslims in the national public sphere. Hence in the 1990s Muslim claims for recognition focused predominantly on the granting of equal public subsidies for Islamic private schools and on a law against religious discrimination. In the liberal polity model, pluralistic modes of incorporation seem to have developed in a rather bottom-up process without much conflict. Conflict arises only to the extent that claims focus on the modification of symbols of British identity. Yet even with respect to Protestant or other Christian elements in the set

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[2] Due to differing citizenship regimes and policies of naturalization, the number of Muslim immigrants with formal citizenship status still varies today. In the UK 80–90 % of the Muslim population, mostly from Pakistan, India and Bangladesh are British citizens; in France, about 50 % of the Muslim population, mostly of Maghrebian origin, hold a French passport; in Germany only 10 % have become German citizens; for details on these demographic data see Koenig (2003).

of British national symbols can be seen the potential for pluralistic modes of incorporation. Thus it is no accident that many Muslims have expressed themselves in favour of the establishment of the Anglican Church, arguing that, unlike secularist multiculturalism, it recognizes the positive role of religion in the public sphere (Modood 1994, 2000).

In sharp contrast to the British experience, all four types of Muslim claims for recognition have encountered strong resistance in France. This is basically due to the high degree of the state's centralization of public functions together with the national symbol of laïcité. Religious claims for recognition are thus easily perceived as transgressing the symbolic boundary between the public and the private, or as polluting the sacred core of the nation. Particularistic, "religious" identities are relegated to the private sphere while the public sphere is defined in expansive terms, as shown by the notorious controversy about female students wearing the veil in public schools. Furthermore, perhaps paradoxically, the state intervenes vigorously in the politics of Muslim recognition. Since the 1990s the government has attempted to create a central representative organization of French Muslims. After the failure of the Conseil de Réflexion sur l'Islam en France (CORIF) created by Pierre Joxe in 1990 and a similar initiative of Charles Pasqua, Pierre Chévènement initiated consultation with Muslim associations, which had to declare their compliance with the core values of the French Republic in order to participate. These attempts of controlled organizational incorporation, which resulted in the creation of the Conseil Français du Culte Musulman (CFCM) in 2003 (Sevaistre 2004), would be inconceivable in the UK. Hence to the degree that pluralistic modes of incorporation developed at all, they were highly controlled by the state.

In the state-corporatist polity, which is characteristic of the German case, incorporation has similarly been controlled by the organizational centre of the state. However, it took a different form than in France, centring on legal questions of including Islamic organizations in the system of privileged relation between the state and religious communities. Since the 1970s Muslim groups have applied for the status of a corporation of public law (Körperschaft des öffentlichen Rechts). For a long time these attempts were without success, as were similar claims to have Islamic religious instruction established in public schools. Although policy-makers began to remove some obstacles in the 1990s, notably in the field of education, such claims have met continual resistance by the administration and the courts (Jonker 2002). The major obstacles to the development of more pluralistic modes of incorporation were particularistic or ethnic codes of national symbols in Germany, which reinforced the public perception of Islam as an essentially foreign religion.

Although these institutional arrangements of political organizations, national identity, and religion characteristic of each case and its underlying polity model

explain divergent patterns of organizational and symbolic incorporation of Muslim immigrants, a further step may be to ask how they shape the forms of collective organization and identification among Muslims themselves. For example, corporatist polities can be expected to lead to the development of hierarchically structured religious organizations and recent attempts of Muslim organizations to form corporations of public law in Germany point in that direction (Jonker 2002). Furthermore, one may hypothesize that Muslim collective identifications crystallize around the dominant national symbols of each polity, as exemplified by Bencheikh's (1998) attempt to formulate a French Islam compatible with a strong concept of laïcité. Preliminary evidence suggests that the institutional environment of incorporation does indeed affect claims for recognition articulated by this particular group.

4   Human Rights and the Politics of Religious Recognition

The successive emergence of more pluralistic modes of incorporation in all three cases has been accompanied by noticeable institutional changes. Increasing awareness of the religious dimension of integration policies has led to contestations and debates about the future of the Anglican establishment (Modood 1994), of the French *laïcité* (Willaime 1991), and of the German *Staatskirchenrecht*. These debates, which are triggered by religious claims for recognition of immigrants, have been increasingly framed in the cognitive and normative categories of a human rights discourse that focus on the individual's right to religious freedom and on the collective rights of minorities.

Following neo-institutionalist theories of citizenship (Soysal 1994; Shanahan 1999), these convergences can be explained by far-reaching changes in the institutional or cultural environment of modern nation states. In fact the classical model of the nation state has been de-institutionalized in the post-war period by two transformations that directly affect the institution of citizenship: the uncoupling of membership and rights, and the uncoupling of membership and identity. First, the transnational diffusion of ideas about human rights and their institutionalization in international organizations both governmental and non-governmental has established a status of universal personhood, to which rights are, at least in principle, attached independently from formal state membership or nationality. Although a strong version of this thesis is controversial (Joppke 1999), it still seems to hold at least in a weaker version, emphasizing that human rights discourses provide new repertoires of contestation and justification to both individuals and states and hence

change domestic political dynamics (Gurowitz 1999). Second, in the transnational human rights discourse, new rights have proliferated that clearly go beyond the classical European political tradition. Of particular importance in this respect is the further specification of rights of equality and non-discrimination in articles on individual rights to cultural identity and minority rights, as they oblige states to adopt a proactive approach to promote the identity of ethnic or national, linguistic, and religious minorities in their territory (Koenig 1999, 2005). Since the 1990s in particular, the concept of a right to cultural identity has taken hold in transnational human rights discourses, as demonstrated by the UN Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990), the UN Declaration of the Rights of Persons Belonging to Minorities (1992), or a variety of activities of the Council of Europe and the Organization for Security and Co-operation in Europe.[3] Therefore, as political organization and collective identity have become increasingly differentiated, new categories of identity have been legitimated and sanctioned in the public sphere, including religion.

As a consequence of the emergence of new institutional bases of rights and the transnational diffusion of a multicultural citizenship model, we may expect institutional changes in a variety of policy fields including immigration, integration and, as I argue, the management of religious diversity. Despite the historical path dependencies of institutional arrangements between political organization, collective identity, and religion, there are several points of convergence that accumulated in the 1990s. Thus in all three cases the emergence of more pluralistic modes of organizational incorporation can be discerned that largely correspond to the globally diffused model of multicultural citizenship. In the wake of the selective adaptation of this citizenship model, European states have started to develop new routine relations with religious minorities. Without officially privileging a particular religious organization, governments increasingly cooperate with organized religious bodies in many institutional fields including education, welfare provision, legislation, and jurisdiction. An important factor that explains this convergent development is the above-mentioned uncoupling of formal membership and national identity in transnational discourses of human rights, according to which states are obliged to recognize and even promote ethnic, cultural, and religious difference. The Council of Europe, for example, increasingly monitors state policies vis-à-vis Muslim minorities in Europe and exercises normative pressure on governments to

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[3] The Migrant Workers Convention (UN Doc. A/Res/45/158) came into force in 2003, although no Western state has yet ratified it. The Convention affirms the rights to religious liberty (Article 12) and demands "respect for the cultural identity of migrant workers and members of their families" (Article 31).

adopt legislation prohibiting religious discrimination. The European Commission
Against Racism and Intolerance (ECRI), which has formulated a Policy Recommen-
dation "Combating Intolerance and Discrimination against Muslims" (Council of
Europe, Doc CRI [2000] 21, p. 5), has particularly criticized the French repub-
lican model of relegating religious diversity to the private sphere, but also the
ethnic definition of German nationhood and the British blasphemy laws (Council
of Europe, Doc CRI (98)47; Doc CRI (2001)36; Doc CRI (99)). States respond
to these expectancy structures with legislative changes and administrative policies.
For example, debates about potential legislation on religious discrimination in the
UK—one of the recurrent Muslim demands in the 1990s—have explicitly referred
to European legal standards of human rights (Hepple and Choudhury 2001).

    In this context it is important to highlight that the effect of world polity fac-
tors does not necessarily consist of processes of legal standardization and does not
necessarily lead to full institutional isomorphism. Rather, it should be conceived
in terms of processes of normative pressure and imitation amounting to a suc-
cessive diffusion of cognitive and normative schemata such as the cultural idiom
of human rights, processes that interact with historical path dependencies of na-
tion states' institutional arrangements. An important carrier group of such globally
institutionalized, locally readapted cognitive and normative schemata is the legal
profession; legal professionals often function as institutional entrepreneurs who
translate global expectancy structures into public policy projects. Thus the French
Conseil d'État interpreted its decision about the wearing of headscarves in public
schools, which emphasized the pluralism of religious convictions, by referring to
provisions for religious freedom made by the UN and Council of Europe (William
1991). Even the more recent legal prohibition of visible religious signs in public
schools, which reaffirmed a strict interpretation of French laïcité, was framed by
references to global and European norms of religious liberty.[4] Yet perhaps even
more significantly, the Muslim minorities themselves are carrier groups of hu-
man rights ideas in that they draw on the repertoires of contention legitimated
in transnational discourses to justify and to give weight to their claims for public
recognition (Soysal 1997; Koopmans and Statham 1999). The Action Committee
on Islamic Affairs and other bodies in the UK regularly framed their demands for
revision of the blasphemy law, introduction of anti-discrimination legislation, and
state support for Muslim private schools in the cultural idiom of religious rights.

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[4] The Report to the Président *Laïcité et République* written by a Commission of political and
intellectual leaders under Bernard Stasi to prepare new legislation explicitly places the French
tradition in a broader international perspective; see Commission de réflexion sur l'application
du principe de laïcité dans la République (2003).

Similarly, the Islamic Charta formulated by the Zentralrat der Muslime in Deutschland, one of the major umbrella organizations of Muslims in Germany, has declared compliance with human rights standards. In the French case, however, it was the state that formulated the Principes et fondements juridiques régissant les rapports entre les pouvoirs publics et le culte musulman, in which French Muslims had to declare their respect of human rights. To what extent the reference to transnational repertoires of contestation also affects the internal dynamics of communication and conflict in the Muslim population, for example in the field of gender relations, remains to be seen.

5 Conclusions

In sum the analysis of the incorporation of Muslim immigrants in Western Europe shows that how nation states respond to religious diversity is, on the one hand, shaped by the institutional arrangements of political organization, collective identity, and religion characteristic of the historical trajectories of modern nation states. On the other hand, it also shows convergent trends that correspond to the development of cognitive and normative expectancy structures at the transnational level and amount to a uncoupling of political organization and national identity. Hand in hand with the emergence of multicultural modes of incorporation, we thus witness new politics of religious recognition that are characterized by the inclusion of *religion* as a legitimate category of identity in the public sphere and by successive symbolic boundary shifts between the religious and the secular (Zolberg and Woon 1999). Retrospectively, this analysis suggests that the classical nation state is considerably less secular and certainly less neutral than is often assumed (for a normative discussion, see Bader 1999; Carens and Williams 1996).

Finally, the analysis of incorporation patterns also shows tentatively that the varying institutional arrangements of European nation states and the dynamics of their transformation shape the reconstruction of collective identities and the establishment of transnational networks among Muslim immigrants themselves.

With increased concerns about security in the field of immigration and integration policies and increased public sensitivity to the religious underpinnings of terrorism, it may be hoped that further research on the multifaceted interplay of statehood, national identity, and religion in the process of migration will contribute to a more nuanced perception of religious claims for recognition in public debate.

References

Abramson, H. J. (1979). Migrants and cultural diversity: On ethnicity and religion in society. *Social Compass, 26*(1), 5–29.

Alexander, J.C. (2001). Theorizing "modes of Incorporation": Assimilation, hyphenation, and multiculturalism as varieties of civil participation. *Sociological Theory, 19*(3), 238–249.

Asad, T. (2003). *Formations of the secular. Christianity, Islam, modernity*. Stanford: Stanford University Press.

Bader, V. (1999). Religions, pluralism, secularism or priority for democracy. *Political Theory, 27*(5), 597–633.

Baumann, G. (1999). *The multicultural riddle: Rethinking national, ethnic, and religious identities*. New York: Routledge.

Bencheikh, S. (1998). *Marianne et le prophète. L'Islam dans la France laïque*. Paris: Bernard Grasset.

Brubaker, R. (1992). *Citizenship and nationhood in France and Germany*. Cambridge: Harvard University Press.

Casanova, J. (1994). *Public religions in the modern world*. Chicago: Chicago University Press.

Carens, J., & Williams, M. (1996). Muslim minorities in liberal democracies: The politics of misrecognition. In R. Baubӧck, A. Heller, & A. R. Zolberg (Eds.), *The challenge of diversity: Integration and pluralism and societies of immigration* (pp. 157–186). Aldershot: Avebury.

Castles, S. (1995). How nation states respond to immigration and ethnic diversity. *New Community, 21*(3), 293–308.

Césari, J. (1997). *Être musulman en France aujourd'hui*. Paris: Hachette.

Dwyer, C., & Meyer, A. (1995). The institutionalization of Islam in the Netherlands and in the UK: The case of Islamic schools. *New Community, 21*(1), 37–54.

Ebaugh, H. R., & Chafetz, J. 2000. *Religion across border: Transnational religious networks*. Walnut Creek: Altamira.

Eisenstadt, S. N., & Giesen, B. (1995). The construction of collective identity. *Archives européennes de sociologie, 36,* 72–102.

Fetzer, J., & Soper, C.J. 2004. *Muslims and the state in Britain, France and Germany*. Cambridge: Cambridge University Press.

Glick-Schiller, N., & Wimmer, A. (2003). Methodological nationalism, the social sciences, and the study of migration. An essay in historical epistemology. *International Migration Review, 37*(3), 576–610.

Gurowitz, A. (1999). Mobilizing international norms. Domestic actors, immigrants, and the Japanese state. *World Politics, 51,* 413–445.

Hepple, B., & Choudhury, T. (2001). Tackling religious discrimination: Practical implications for policy-makers and legislators (Home Office Research Study 21). London.

Jepperson, R. L. (2002). Political modernities: Disentangling two underlying dimensions of institutional differentiation. *Sociological Theory, 20*(1), 61–85.

Jonker, G. (2002). Muslim emancipation? Germany's struggle over religious pluralism. In S. Koningsveld & W. Shadid (Eds.), *Religious freedom and the neutrality of the state: The position of Islam in the European Union* (pp. 36–51). Leuven: Peters.

Joppke, C. (1999). *Immigration and the nation-state. The United States, Germany and Great Britain*. Oxford: Oxford University Press.

Koenig, M. (1999). Cultural diversity and language policy. *International Social Science Journal, 161,* 401–408.

Koenig, M. (2003). Staatsbürgerschaft und religiöse Pluralität in post-nationalen Konstellationen. Philipps-Universität Marburg: Dissertation Thesis.

Koenig, M. (2005). Weltgesellschaft, Menschenrechte und der Formwandel des Nationalstaats. *Zeitschrift für Soziologie, Sonderheft Weltgesellschaft,* 374–393.

Koopmans, R., & Statham, P. (1999). Challenging the liberal nation-state? Postnationalism, multiculturalism, and the collective claims making of migrants and ethnic minorities in Britain and Germany. *American Journal of Sociology, 105*(3), 652–696.

Laïcité et république – Rapport de la Commission de Réflexion sur l'Application du Principe de Laïcité dans la République remis au Président de la République le 11 Décembre 2003. Paris: La documentation française.

Modood, T. (1994). Establishment, multiculturalism and British citizenship. *Political Quaterly, 65*(1), 53–73.

Modood, T. (2000). Anti-essentialism, multiculturalism, and the 'recognition' of religious groups. In W. Kymlicka & W. Norman (Eds.), *Citizenship in diverse societies* (pp. 175–195). Oxford: Oxford University Press.

Mol, H. (1979). Theory and data on the religious behaviour of migrants. *Social Compass, 26*(1), 31–39.

Münch, R. (2001). *Nation and citizenship in the global age. From national to transnational ties and identities*. Basingstoke: Palgrave.

Nielsen, J. (1999). Muslims and European education systems. In G. Martín *Muñoz* (Ed.), *Islam, modernism and the West. Cultural and political relations at the end of the millennium* (pp. 224–236). London: I.B.Tauris Publishers.

Pace, E. (1995). *Islam e Occidente*. Roma: Edizione Lavoro.

Rath, J., Penninx, R., Groenendijk, K., & Meyer, A. (2001). *Western Europe and its Islam*. Leiden: Brill.

Saint-Blancat, C. (1995). *L'islam della diaspora*. Roma: Edizione Lavoro.

Sevaistre, V. (2004). L'islam dans la République: le CFCM. *Regards sur l'actualité, 298,* 33–48.

Shanahan, S. (1999). Scripted debates: Twentieth-century immigration and citizenship policy in Great Britain, Ireland, and the United States. In M. Hanagan and C. Tilly (Eds.), *Extending citizenship, reconfiguring states* (pp. 67–96). Lanham: Rowman & Littlefield.

Soysal, Y. N. (1994). *Limits of citizenship. Migrants and postnational membership in Europe*. Chicago: Chicago University Press.

Soysal, Y. N. (1997). Changing patterns of citizenship and claims-making: Organized Islam in European public spheres. *Theory and Society, 26,* 509–527.

Tietze, N. (2001). *Islamische Identitäten: Formen muslimischer Religiosität junger Männer in Deutschland und Frankreich*. Hamburg: Hamburger Edition.

van der Veer, P., & Lehmann, H. (Eds.). (1999). *Nation and religion. Perspectives on Europe and Asia*. Princeton: Princeton University Press.

Vertovec, S., & Peach, C. (Eds.). 1997. *Islam in Europe: The politics of religion and community*. Basingstoke: Macmillan.

Vom Dialog zur Kooperation. Die Integration von Muslimen in der Kommune. (2002) (Dokumentation eines Fachgespräches, Nummer 12). Berlin: Federal Commissioner for Foreigners's Affairs.

Werbner, P. (2002). The place which is diaspora: Citizenship, religion and gender in the making of chaordic transnationalism. *Journal for Ethnic and Migration Studies, 28*(1), 119–133.

Willaime, J.-P. (1991). État, pluralisme et religion en France. Du monopole Ā la gestion des différences. In J. Baubérot (Ed.), *Pluralisme et minorités religieuses* (pp. 33–42). Louvain: Peeters.

William, J.-C. (1991). Le Conseil d'État et la laïcité. Propos sur l'avis du 27 novembre 1989. *Revue française de Science Politique, 41,* 128–158.

Wimmer, A. (2002). *Nationalist exclusion and ethnic conflicts. Shadows of modernity*. Cambridge: Cambridge University Press.

Zolberg, A. R., & Woon, L. W. (1999). Why Islam is like Spanish: Cultural incorporation in Europe and the United States. *Politics & Society, 27*(1), 5–38.