Southern Europe

SWITZERLAND

As in many other European countries, it was the Ahmadiyya movement which first brought a Muslim presence to Switzerland. Based in Zürich since the end of the nineteenth century, it built up its work on a Europe-wide scale, though with only minimal impact in Switzerland itself. It was only when a mosque was constructed in Zürich in 1963 that the Swiss public paid attention, with fears being expressed that the intention was to make Switzerland Muslim. Reactions were more muted when another mosque was built in Geneva, funded by Muslim governments, especially that of Saudi Arabia, intended to serve the Muslim community attached to the various international organisations based there.

Both of these ventures remained generally isolated from Swiss society. The period of labour migration which led to the creation of a larger Muslim community came significantly later than elsewhere. Only in the late 1960s did Switzerland begin to experience a major immigration of workers from Muslim countries, primarily from Turkey and southern Yugoslavia into the northern, German-speaking areas, and from North Africa mainly into the French-speaking areas. In the late 1970s, Switzerland allowed family reunification, paving the way for a second wave of immigration. With this growth in the Muslim community has come a greatly increased activity of organisations and mosques, which have made themselves noticed in native Swiss society to a degree that was not the case with the older centres in Zürich and Geneva.

Starting in 1850, Switzerland has a long tradition of carrying out national censuses every ten year. Since 2000, this has been done annually through estimations using local government registries. The census of 1980 recorded 56,625 Muslims living in Switzerland. In between censuses, one has to rely on regular publication of numbers of foreign residents. If 95 per cent of Turks are Muslim, then there were 54,000 Turkish Muslims in the country at the end of 1988. Possibly around 20,000 Yugoslav Muslims, representing 20 per cent of all Yugoslavs, 12,000 North Africans and about 5,000 Swiss citizens should also be added. Swiss labour law makes room for large numbers of seasonal workers, who particularly tend to come from ex-Yugoslavia. One intelligent estimate of the total number of Muslims in the country at the end of 1988 suggests about 100,000, since there were also smaller numbers from the East Mediterranean

Arab countries, from Iran, the Indian subcontinent and Indonesia, as well as a notable number of Muslims with French and German nationality. By the time of the 1990 census, the number of Muslims had risen to over 152,000. The census of 2000 included a question regarding religious belief for the first time: 310,807 persons were recorded as Muslim residents, a doubling since the last census. Due to changed statistical methods, the quality of data has somewhat declined. For 2010, statistics estimated a total of 295,798 Muslims, a lower figure than for 2000! Researchers tend to estimate the figure to be 400,000 instead, and 450,000 for 2013.

A major part of the growth can be attributed to immigrants and asylum seekers from former Yugoslavia and other hot spots, to the extent that they today make up over half of the total Muslim population of the country. The second largest group is people originating from Turkey. Naturalisation is possible in Switzerland, the general rule being a requirement to having spent twelve years in the country. In 2014, about 35 per cent of Muslims had Swiss citizenship, mostly due to naturalisation rather than conversion. As elsewhere, the Muslim communities are concentrated in the major cities: Zürich, Bern, Basel, Lausanne and Geneva. The ethnic national distribution is uneven around the country with Turks and people from former Yugoslavia showing a preference for the German-speaking parts of the country. The French-speaking cantons have attracted a higher proportion of North Africans, who tend to include a relatively high number of professional and better-off families.

It follows from the national origins indicated that most of the Muslims are of a Hanafi background, but that there are also a significant number of Malikis. The other Sunni *madhahib* (law schools) are represented in smaller numbers, as are *Ithna 'ashari* (Twelver) Shi'ites and Alevis. Most political-religious movements of the countries of origin are to be found, with the more 'fundamentalist' movements having developed a good deal of support among workers in the larger urban areas. While many organisations concentrate on advice and cultural work, there appears to be little explicit contact between activities in Switzerland and the political events of the country of origin.

There are still only four purpose-built mosques, one in Winterthur run by Albanians, opened in 2005, one in Wangen run by Turks, opened in 2009, and the two mentioned above. Since the formal adoption during the 1970s by the major international Islamic organisations and governments of the view that the Ahmadis are not Muslims, the Ahmadi mosque is used exclusively by followers of that movement. Funded primarily by the Saudi government, the large mosque in the Petit-Saconnex district particularly serves the international community attached to the major UN-related and other organisations based in Geneva. The vast majority of the approximately 240 smaller mosques and prayer rooms are to be found in apartments or converted houses and usually owe their existence to private initiatives. In a national referendum of 29 November 2009,

unprecedented in Europe, the building of minarets was prohibited. However, the building of minarets has been discussed in several places in Europe and in, for example, two Austrian states, complicated planning regulations have in effect banned minarets.

In recent years, there has been a very lively organisational activity, with many new associations being formed for a variety of purposes. Most are wanting to found and build Islamic centres, and others seek to support the cultural traditions in the form of leisure and free-time activities.

Swiss law has made very few concessions to the presence of Muslims. Slaughter of animals for food according to Islamic rite remains forbidden without prior anaesthetisation, and if this is not accepted halal meat has to be imported from outside the country. Only recently has a movement begun which, supported in some Swiss quarters, is calling for halal food to be made available in public institutions, especially in hospitals and prisons, and for employers to take account of the religious requirements of their Muslim employees. However, some cantons and local governments have agreed arrangements for Muslim burial plots in their local cemeteries and days off school for the main festivals.

Many, mostly German-speaking, Swiss cantons have legislation by which certain religious communities can achieve a status of public recognition. In such cases, the main Christian churches are usually recognised. In some cantons, demands have been made for recognition also of Islam. Such recognition would bring with it the right to give Islamic instruction during school hours instead of, as at present, in free time. As of 2014, only two Alevi organisations have been officially recognised by the canton of Basel-Stadt. In other cantons, such as Geneva and Neuchâtel, there is a complete separation of religion and state on the French model.

There are no Muslim schools in Switzerland; all Muslim children follow whatever form of public education system is laid down in each individual canton. So-called integration courses are offered to Turkish and Yugoslav children with the purpose of teaching mother tongue and culture, but, as both the states in question are secular in ideology, there is seldom a religious element in these courses. On the other hand, the Department of Religious Affairs (*Diyanet*) of Turkey, through its religious attaché in Zürich, has been seeking support for a programme of religious instruction on the authorised Turkish model to be introduced for Turkish children in Swiss schools. Since 2002, some Islamic religious education has been given to Muslim pupils in public schools in four municipalities, approved only locally. The optional classes are in German and do not distinguish between different Islamic groups.

In the meantime, Muslims continue to rely on Qur'an schools independent of official control and frequented out of school hours. Many parents prefer these courses to the official integration courses with their secular bias. Especially in

the Turkish case, one consequence is the contradictory messages which children will receive, with the official Kemalist view of Turkey in the integration course being contrasted with the traditional Islamic view given in the Qur'an school. The bulk of the teaching in the latter consists of learning the Qur'an in Arabic, which also attracts children from non-Turkish Muslim families. The nature of these schools differs widely due to the lack of any strong central organisations in Switzerland, and there are parents' groups trying to organise Qur'anic teaching in Turkish and with a more 'modern' approach. The fact that all this activity takes place in languages foreign to the Swiss means that there is a good deal of freedom and flexibility, which the efforts of the Turkish authorities have only to a certain extent succeeded in limiting.

Outside the economic and narrow political sphere, there is little contact between the Muslim communities and the wider Swiss society. In a few places, it has been possible to form meetings of Christians and Muslims, with particular success in Geneva. But at local level, contact tends to take place when there are problems, a fact which strengthens the reservations of local officials or Christian clergy, who probably already have congregations which are hesitant about anything Muslim. The Swiss Catholic bishops' conference has given its support to a working group set up to study the issues arising out of the Muslim presence in Switzerland and to offer concrete suggestions to solve particular problems of a pastoral nature.

Two such recurring issues are conversion and mixed marriage. In fact these are related, because despite the existence of a number of both Muslim and Christian groups with conversion as their purpose, the vast majority of conversions result from mixed marriages. In 1984, official statistics showed a total of 3,500 nationals of Muslim countries married to Swiss women, a figure which may have doubled in the following five years and which is bound to increase yet further as young Muslims who have grown up in Switzerland reach marriageable age. What is not known is how many of those who marry convert sooner or later to the religion of their spouse, although an estimate made in 1982 suggested that about 500 French-speaking Swiss had become Muslim.

AUSTRIA

Islam in Austria has become dominated by Turks, since labour immigration started during the 1960s, reaching its peak during the following decade. The census in 1981 showed a total of 77,000 resident Muslims. Of these, 53,000 were Turks, 11,000 Yugoslavs and 5,000 of various other nationalities. A further 7,000 had Austrian nationality, some through naturalisation and the rest from old Muslim families settled during the Habsburg period, predominantly from Bosnia. By 1987, the total was estimated to have passed 100,000, and a decade later the figure had risen to 300,000, of which the largest groups by current

nationality were about 140,000 Turks and 35,000 Bosnians. Estimates suggest that there were around 500,000 Muslims in Austria in 2009.

There has been a comparatively high rate of acquisition of Austrian citizenship, especially among the almost 90,000 Bosnians who were given asylum in the years after 1992. About half of the Muslim population were Austrian citizens in 2009. About half of this Muslim population is concentrated in the area of Vienna, followed by the industrial provinces of Vorarlberg and Lower Austria in the west.

As elsewhere, the vast majority are employed in manufacturing and service industries, although there are a significant number of diplomats and business-men in and around Vienna in connection with the various United Nations, OPEC and other international agencies headquartered in the city.

Austria inherited from the empire a system of legal recognition for religious communities. In the mid-1960s, the first attempt was made to persuade the Austrian state that laws of 1874 and 1912 recognising Islam were still in force and could be reactivated to cover the new situation. In 1964, the goal of gaining recognition was written into the by-laws of the *Moslemischer Sozialdienst* (Muslim Social Service). From 1968, a series of negotiations with the Ministry for Education and Art started, firstly to seek clarification as to whether the old laws were still valid or whether a new legal basis had to be found. Formal applications were submitted in 1971. When it became clear that the government had decided to take the view that the existing laws were satisfactory as a legal foundation, a new application was submitted in April 1979 by the Islamic Religious Community of Austria (IGGiÖ, *Islamische Glaubensgemeinschaft in Österrich*). Recognition was granted two weeks later, at the beginning of May.

The main advantages to flow from recognition were access to Islamic religious instruction within the school system, regulated access to the public broadcast media, and certain tax advantages. But recognition also required a formal structure for the Islamic community in the country. According to the decree of 1979, there was to be a national council, a smaller executive and a chief mufti. Local congregations were to be organised in a similar manner. Elections held in 1980 to constitute the community were marred by rivalries among various ethnic and political-religious groups, leading to fights at the scene of the election. No elections were held for a number of years after that, and in May 1987 five major Muslim associations requested the Austrian authorities to ensure that a more representative council be elected. This led to a new organisation of the Muslim community, based on local government regions. Each local community had its own elected executive body and elected the sixteen or more members of the national Shura Council. This was the highest official organ of the community and appointed the local imams. The Council in turn selected from among their own the ten members of the Council of Elders, at least five of whom had to be religious scholars. The chair of the Elders was the formal representative

of Islam to the outside world and president of the community. The Council of Elders provided religious guidance and advice and also selected the chief mufti. Muslims of other denominations protested against the monopoly given to the Sunni dominated IGGiÖ, and in December 2010 a court decision ruled that it was violating religious freedom not to open up for other Muslim groups to apply to be recognised. Since then two Alevi organisations and one Shi'ite have been registered as religious denominational communities.

By 1987, there were about thirty registered Muslim associations in Austria, mostly Turkish with a few Arab and Persian ones. The oldest still-active association is the *Moslemischer Sozialdienst*, or Muslim Social Service (MSS), founded in 1962 by Austrian Muslims of Bosnian origin. Having achieved recognition in 1979, it continued for a time to act as executive committee for the national council elected in 1980.

By 2014, the situation has totally changed. IGGiÖ is still an important organisation but several others have risen to prominence; some cooperate, some do not. There are hundreds of Muslim associations. Most Turkish associations, although formally falling under the umbrella of the national council, act independently and sometimes have a tense relationship with both it and the MSS. The two main groupings represented among the Turks are the *Süleymançı*s, with the title of 'Union of Austrian Islamic Cultural Centres', coordinating thirty-four associations and forty-three prayer rooms, and the *Milli Görüş*, running the Austrian Islamic Federation with forty-four associations and some sixty mosques. A large number of mosques are controlled by the *Diyanet*, which organise sixty-five associations and their prayer rooms. The Gülen movement is also present, even if a formal organisation is not set up. There is also a Bosnian federation, and an Albanian one, two Alevi and one Shi'ite. Ahmadiyya, *Hizb al-Tahrir* and different Salafis are also active, even if on a minor scale.

After lengthy consideration and argument, a new *Islamgesetz* (law on Islam) was passed by parliament in early 2015. It was controversial in that it forbids foreign funding of Islamic organisations and seeks to control which versions of Qur'an translations may be used. Legal challenges are expected.

Recognition has had its main effect in making Islamic education available as part of the state school curriculum. From the school year 1982/83, the state funded Islamic religious education during school hours. In 2013, according to IGGiÖ, there were 430 teachers in Islamic education catering for about 57,000 pupils in 2,000 schools. In 1987, the number of pupils had been about 15,000. Teachers are paid by the state but must have the approval of the national Muslim council, which is also responsible for providing the curriculum and approving textbooks and examinations. Since 1998, IGGiÖ has run the Private Academy for Islamic Education providing training for teachers. In 2006, a Master's degree in Islamic Religious Pedagogy was launched at the University of Vienna. Since 2013, the main Alevi organisation has had the right to organise

its own religious education. Presently, there are six private Islamic schools, all of them in Vienna. Two of them are run by the Islamic Centre in Vienna serving the diplomatic and business communities. One of these operates in Arabic and is funded by Saudi Arabia. The other works in German and the teachers are provided by the Austrian state.

ITALY

For the last century or more, Italy has been a country of emigration. Its people have migrated to North America, across the Mediterranean, and more recently to South America and Australasia. Both during the great depression in the early 1930s and then again after 1945, Italians emigrated to the industrial north of Europe. In France and Germany, Italians were among the main sources of labour migration during the 1950s and early 1960s.

However, by the end of the 1970s there were the beginnings of an awareness that Italy was also becoming a country of immigration. On the one hand, this was a continuation of the phenomenon of North Europeans and North Americans making a degree of permanent home for themselves, as well as due to the fact that Rome joined the ranks of cities such as Geneva and Vienna, becoming the home of international agencies such as the UN Food and Agricultural Organisation. Of itself, this attracted a disproportionate number of diplomats and businessmen of Muslim origin. Additionally, the presence of the Vatican invited international Muslim organisations to look to Rome as one, if not the only, seat of Christian leadership.

On the other hand, one saw the beginnings of an economic immigration across the Mediterranean. The difficulty in taking the account on from this point is the lack of any even slightly reliable statistics, official or otherwise. In 1977, a survey was conducted at the behest of the Interministerial Committee on Migrations, which suggested a total of 300,000 to 400,000 foreign workers originating from North Africa, Eritrea and Somalia, Greece, Yugoslavia, Spain, Portugal and the then EC countries. Of these, North Africans were estimated to total between 70,000 and 100,000.

The underlying problem here has been the lack of any effective control and administrative apparatus. Thus, in 1981, official data for Moroccans with registered residence indicated fewer than 2,000, while the trade unions claimed that the true figure was closer to 30,000. The SOPEMI (*Système d'observation permanente des migrations*) report of the Organisation for Economic Cooperation and Development (OECD) for the same year estimated a total of 1 million foreigners in Italy, while another report for the following year gave a range of between 300,000 and 700,000!

In the mid-1980s, studies indicated that a large proportion of the immigrants from North Africa and other developing areas of the world were working in the

southern half of the country without official status. They appear to have been employed in domestic service, shipbuilding and fisheries, but an increasing proportion was also finding work as unskilled labour in manufacturing industry further north.

By this time, the issue of immigration had arrived at the point where the Italian parliament felt it necessary to start investigating the situation, with a view to updating the legal situation regarding immigration and foreigners' status from the antiquated laws of the early Mussolini years of the 1920s. This period of review came to a head during 1989 and 1990, by which time pressure had grown from other member countries of the European Community for Italy to bring its immigration laws into some degree of harmonisation with the rest of the Community.

At this time, the first serious attempts to estimate the Muslim population of the country were made. While Muslim institutions were quoting totals of between 0.5 and 1 million, more disinterested observers were preferring figures in the range of 200,000 to 300,000. The main reason for this discrepancy may very well have been a high rate of 'irregular', and therefore unrecorded, immigrants, as a more serious statistical study published in 1991 indicated. This study was based primarily on the 1991 statistics on resident foreign nationals published by the Ministry of the Interior, on the strength of which, data on religious origin were extrapolated. This suggested a total of almost 300,000 legal residents of Muslim national background, mostly of various Arab origins and a substantial group of 24,000 Senegalese. The inevitably unreliable data for irregular residents would suggest that, for example, the true figure for Albanian Muslims is closer to 20,000, rather than the official figure of 1,500! By the year 2000, extrapolations from official statistics on foreign nationals, and estimates of unrecorded immigration, were producing a total of possibly 700,000 people of Muslim background. Over the decade, all groups had grown markedly; notably, the number of Moroccans had doubled and that of Pakistanis trebled. But the greatest impact had been caused by the series of wars in the territory of former Yugoslavia. The total of Albanians by nationality had risen to 142,000, not counting tens of thousands more from Bosnia, Serbia, and especially Kosovo, Montenegro and Macedonia, many of whom do not appear in official figures. In 2010, according to ISTAT (the national bureau for statistics), the two largest national groups from Muslim countries residing in Italy were Albanians (482,627) and Moroccans (452,424).

Estimates from 2014 put the population of Muslims between 1.5 and 2.2 million. The major reason for the increase is the political crises in different countries in both Sub-Saharan Africa and North Africa. Most Muslims are not Italian citizens since naturalisation is difficult, although possible. The number of irregular migrants has been very large over the years. In 2008 it was estimated that 651,000 irregular migrants were present in Italy. How many of these were

Muslim is impossible to know. Through regularisation processes the estimated number of irregulars had been halved by 2013.

Taking the data for recorded foreign residents as a guide, the concentrations of Muslim population are to be found particularly in Rome and Milan, followed by Turin, Palermo and Naples. The province of Emilia Romagna also has a large Muslim population, but spread more evenly among its urban centres, especially Bologna and Modena. Outside Palermo, several Sicilian towns have smaller but notable Muslim populations.

Islam had made itself noticed before it became a national issue, but only in connection with particular local developments. In Catania in Sicily, a mosque was built in 1980 to serve a mainly North African community (though it is no longer in use). Eight years after that, another purpose-built mosque was opened in Milan. But more attention was attracted over the years by the fate of the mosque in Rome. The plan for a vast, prestigious building in Rome can be traced back to the early 1970s, when it had the support of the then Shah of Iran. The plan gained the official support of the Italian government when it was endorsed by the prime minister during an official visit to Saudi Arabia – much to the annoyance of some Roman Catholic leaders, who felt that some reciprocal gesture by the Saudi government could have been requested. Construction was, however, delayed for several years as opposition groups used all the avenues offered by planning regulations to obstruct the project. It was finally inaugurated in 1994, in the presence of representatives of a number of Muslim governments and organisations, the Italian government and the Vatican. The mosque can house more than 12,000 people and is one of the largest in Europe. Apart from these early mosques, eight additional mosques have been built in Palermo (1990), Brescia (1990s), a second one in Catania (2012), Ravenna (2013), Colle Val d'Elsa (2013), Albenga (2013), Turin (2013) and Agrigent (2015).

The public attention attracted by the politics around the Rome mosque tended to obscure the growth in the number of small local mosques and prayer rooms. In Italy, as elsewhere, this would appear to have been closely related to the settlement of Muslim families. In 1980, reliable sources indicate that there were only seven locations exclusively dedicated to regular worship and community activity. This number grew by over twenty in the following decade and again doubled by the end of 1992. If one adds to this the number of locations which are regularly used for worship, mostly some form of community hall, the total number of mosques in Italy reached close to 200 by the end of the 1990s, and is estimated to be more than 750 in 2014. By far the largest proportion of these is Moroccan, a community in which the proportion of people who retain some degree of adherence to Islamic practices is much higher than among the much more secularised Albanians.

At the end of 1980, the public debate on the new immigration regime had brought into focus the extent to which official policies and bureaucratic

procedures were unprepared. Suddenly, local authorities, social services, schools, the legal system and the other institutions of local and national government found themselves at a loss in dealing with the petty practical challenges which had long since been faced in many other parts of Europe. At the same time, the country also found itself suddenly having to deal with a new vocal right-wing nationalist movement of the kind which countries such as France had become accustomed to some years earlier. The tension was exacerbated by the pressures from the north towards integration and harmonisation into the European Community following the Maastricht treaty of 1992, a pressure which had been drawing Italy's attention away from its historical and more obvious interests in the Mediterranean cultural and economic zone.

Apart from the Rome mosque and its associated Islamic Cultural Centre of Italy, there are few organisations which have achieved national prominence. The Union of Islamic Communities and Organisations in Italy (UCOII, *Unione delle Comunità e delle Organizzazioni Islamiche in Italia*), established in 1990, claims to represent most mosques. In 1998, and then again in 2000, initiatives were taken to establish a *Consiglio Islamico d'Italia* to act as a common representative organisation. It mainly brought together the members of the UCOII and the Rome mosque, but membership has been rejected by the two main organisations representing mainly Italian converts but with significant profiles in public awareness, namely the Islamic Religious Community (COREIS) and the Association of Italian Muslims (AMI).

The weakness of the *Consiglio* and the quite public disagreements among the main Muslim groups have contributed to the inability to achieve official recognition. Apart from the Roman Catholic church, for which there is a concordat with the Vatican, the Italian state has over the decades concluded 'ententes' (*intesa*) with a number of the smaller religious communities, primarily various Protestant groups and the Jews. In 2000, new agreements were made with Buddhists and Jehovah's Witnesses, but a new right-of-centre government, led by Silvio Berlusconi, and a centre-right parliamentary majority meant that neither of these agreements was ratified by parliament, and that official interest in reaching an agreement with the Muslim communities effectively disappeared.

Even though the Muslims of Italy have not managed to gain legal recognition, they are free to organise religious education at schools when there is a significant number of pupils of the denomination in question, as are all religious groups. However, organisers will bear the costs. No Muslim group has used this possibility this far and no Islamic private school has opened. Instead, Muslim pupils can chose between participating in Catholic religious education or take part in alternative classes for non-religious pupils and pupils of other faiths. Both classes are optional. According to statistics, about 11 per cent opt out of the Catholic religious education, but the background of these pupils is not known.

SPAIN

The Muslim presence in Spain is characterised by three elements. On the one hand is the cultural heritage of the Islamic period, particularly marked in architectural treasures, which ended in 1492 with the conquest of the last Muslim kingdom, that of Granada. As Islam has again become a feature of the social scene in Spain during the last few decades, some Muslim groups have appeared which claim to be the heirs of that period. At the same time, as part of the country's reorientation following the return to democracy after the death of Franco in 1975, increasing attention has been given to the Islamic heritage, especially of Andalucia.

Numerically much more significant, however, has been labour migration. Much of this was temporary, transient and unregistered, as it started to grow during the 1960s. Many Moroccans found temporary work in the tourist industry of the Mediterranean coast while they were looking to moving on to France. Thirdly, there has been the more long-term process of labour immigration into the country's most industrialised region, Catalonia. It was here that many men from the former Spanish protectorate of the northern sector of Morocco went to find work during the 1960s and 1970s.

As France and other European countries further north closed their borders to labour immigration in 1973 and 1974, many Moroccans found themselves stuck in Spain, while others found themselves being forced back south out of France. This quickly led to a population of some 100,000 Moroccans in Barcelona for a time during the late 1970s. But in Spain, as elsewhere, this development also led to a new process of family reunion and settlement, and therefore of permanence. The last major wave of immigration came during the late 1980s and early 1990s, as people sought to enter before Spain joined the stricter immigration regime being adopted by the European Community. The first step in this move was the introduction in May 1991 of stricter visa requirements, which was followed at the beginning of 1993 by the coming into effect of the Single Market and then Spain's adherence to the so called Schengen accord on internal and external passport controls.

It remains difficult to estimate the number of Spanish residents of Muslim background because of the high proportion of unregistered people. An estimate from 1986 suggested a total of some 175,000, of which 110,000 were Moroccans, 20,000 from Sub-Saharan Africa, 30,000 from the Middle East, and 15,000 from South and South-east Asia. A 1990 estimate indicated a total of 250,000 Muslims, at a time when official government records showed fewer than 10,000 Moroccans legally resident! By 2013 estimates were suggesting a total of between 1,300,000 and 1,700,000, of which migrants of Moroccan origin were the largest group. Approximately a third of the Muslim population are believed to be Spanish citizens.

Family reunion has led to a very speedy development of Muslim organisations. The first mosque to be built in modern times was in Marbella, opened in 1981, followed in 1983 by the Abu Bakr Mosque in Madrid and, in 1992, the Saudi-financed Islamic Cultural Centre in Madrid. Since then major mosques have opened in Valencia (1992), Fuengirola (1994), two in Granada (2001, 2003), and Malaga (2007). The two towns that Spain still holds in North Africa, Ceuta and Melilla, harbour four additional major mosques. There were an estimated 1,279 smaller mosques and prayer-houses in 2013.

In November 1992, Spain joined the small number of western European countries to grant a form of recognition to Islam. This was part of the post-Franco policy of moving towards a system of neutrality towards religion. The accord was reached between the Spanish government and the Islamic Commission of Spain (*Comisión Islámica de España*), an alliance of the two main federations of Muslim associations, and was similar to the accords reached with other religious communities previously, including the Roman Catholic church. Since 1992, the number of Islamic associations which have joined the Commission and thus gained access to the privileges accorded by the recognition has grown. The accord permitted Islamic religious instruction in both public and private schools, the right to set up Islamic schools and the recognition of religious rights of Muslims in the armed forces, hospitals and prisons, as well as recognising Muslim marriage ceremonies within the limits of the general civil law, certain tax exemptions, and the right to religious holidays, including time off work from an hour before sunset during Ramadan. Provision for halal food, including the slaughter of animals, was also granted. The accord also encouraged local authorities to make provision for Muslim burial, a process which has been slow. A problem has been that the two original federations have not permitted other federations to become part of the Islamic Commission. By creating a competing organisation, Muslim federations managed to pressure the government to amend the agreement from 1992 allowing for new federations to enter the collaboration. As of October 2012, 35 Islamic federations were registered as part of the Islamic Commission.

One of the most successful Muslim organisations in Spain has been the *Jama'at al Tabligh*, with its members coming from either North Africa or its British base. *Tablighi* activities started in the mid-1980s in Catalonia but by the turn of the century had spread all over Spain. Most *Tablighi* communities are part of the Union of Islamic Communities of Spain, one of the two original federations recognised by the Islamic Commission and thus recognised by the state and covered by the 1992 agreement. The *Tablighi*s concentrated their work on developing personal piety and on social work. However, *Tablighi* organisations came under suspicion in connection with the train bombings in Madrid, 11 March 2004, and the subsequent supervision of extremists, because arrested alleged terrorists claimed to have been in contact with them.

Two private Muslim schools offer the official Spanish curriculum and are recognised by the Ministry of Education. One serves primarily the diplomatic community in Madrid; the other is attached to the Islamic Cultural Centre in Madrid. Following the 1992 recognition, the Islamic Commission in 1996 made an agreement with the government intended to provide religious instruction for Muslim children in state schools. Its implementation was first hampered by financial problems and the absence of agreement on the content of the syllabus among the member associations of the Commission. By an agreement of 1996, this teaching was initially to be financed by a direct government grant to the Commission, which would then take responsibility, but subsequent legislation has transferred the financial responsibility directly to the Ministry of Education. Finally, in the school year 2003–4, specific Islamic education was offered at a number of schools. This activity has grown immensely, and in 2014, forty-six teachers were engaged in giving Islamic religious education. However, as 243,437 Muslim pupils were registered in the Spanish educational system, to offer Islamic RE to all would, by estimation, require at least 400 teachers! Islamic organisations developed teaching materials and launched a textbook for primary education (*Descubrir el Islam*, Discover Islam) in 2006 and teaching materials for secondary education in 2009.

PORTUGAL

The first major immigration of Muslims took place in the mid-1970s in connection with the process of decolonisation. The largest single source was people of Indian origin from Mozambique, probably two-thirds of the total Muslim population today, with a further 20 per cent being black Africans originating in Guinea-Bissau. By 1990, the population had reached some 15,000. Smaller numbers have arrived at various times from other countries in Africa, or have been 'illegal' settlers in other parts of Europe seeking to take advantage of occasional government amnesties permitting regularisation of residence during the 1990s. By the year 2014, the total Muslim population was estimated at between 48,000 and 55,000, some 8,000 of whom are Isma'ilis. Given that Portugal's colonies in Africa were legally regarded as part of metropolitan Portugal, a significant majority of these people hold Portuguese citizenship, and those who do not, need six years of legal residence to acquire it.

Over half of the Muslim community lives around Lisbon, concentrated in immigrant areas which it shares with Hindus who are also of colonial Asian descent, and with others of African origin. The Isma'ilis live mostly in Lisbon, with smaller numbers in Porto. Only in the Muslim communities of black African origin is poverty and unemployment a major problem. In 2010, some thirty places of worship had been established, and by 2014 six full mosques with minarets had been built. The first of the latter was opened in 1982 in the

Laranjeiro district of Lisbon, and the second was opened the following year in Odivelas, also in Lisbon. The large central mosque in Lisbon opened in 1985. Apart from these, the towns of Coimbra, Oporto and Funchal (on Madeira Island) have their own mosques.

In 1996, the government invited broad consultation with a view to revising the law on religious freedom, which dated back to the period of the Salazar dictatorship. Most of the responses to this invitation came from various Protestant groups, but Muslim associations also took an active part in the debate, putting forward their own particular concerns. The debate provided the motivation for Muslim and Jewish groups together to form an alliance of non-Christian religions. Before 2001, there was no formal recognition of Islam in Portugal, but Muslim associations were expected to register officially under the law of association. But since the passing of the Religious Freedom Act of 22 June 2001 religious denominations with a presence in Portugal for at least thirty years may gain rights on a par with the Catholic church. The main Islamic organisation, The Islamic Community of Lisbon (*Comunidade Islâmica de Lisboa*), was recognised a couple of years ago as a Registered Religious Community. Government officials have cultivated positive relations with the major Muslim associations, and the government has tended to be represented at the opening of mosques. However, at the same time, it seems clear that public awareness of the Muslim past and present is minimal, and thus there is nothing like the attention given to the Islamic heritage which can be seen across the border in Spanish Andalucia. The new religious freedom act stipulates that if a minimum of ten pupils need religious instruction in their own faith this should be organised. In 2014, there were no schools with enough Muslim pupils in the same age group to offer such training.

Family, law and culture

Social and economic considerations

The process of immigration has been the main factor in determining the basic working and living conditions of the majority of Muslims, certainly of the immigrant generation itself. They came with little European language ability, to find employment in the less skilled parts of industry. Their educational qualifications were low, and those which they had were only recognised sparingly. Housing conditions were poor. The effect of racial discrimination has been to perpetuate these conditions and, to a great extent, to pass them on to the children.

This is not the place to present a general survey of the social and economic conditions of non-European immigrant and ethnic minority communities in Europe, a field in which a substantial literature has accumulated. Much of this literature relates of course to Muslims, since in mainland Europe most such communities are Muslim in origin. This circumstance makes it particularly difficult to make any judgement as to how far their social and economic circumstances are affected by the fact of these communities' Muslim identity. While there is no doubt that the conditions affect very strongly Muslims' reaction and adaptation, it seems absurd in such circumstances to attribute to Islam, as a religion, any alleged social or economic shortcomings attributed to Muslims in Europe.

In Britain, however, the circumstances of the immigration have brought not only Muslim communities but also Hindu and Sikh communities from generally similar areas, namely particular regions of the north of the Indian subcontinent. Here, one has a situation where it is possible at least to attempt a comparison, and so we can refer again to the circumstances outlined in the opening paragraph above.

A number of surveys have shown the extent of these circumstances, in particular four major surveys on racial disadvantage, conducted in 1966, 1974, 1982 and 1994. However, there are significant differences in these areas, as the third survey showed with reference to English-language ability. In 1982, three-quarters of Bangladeshi women and a slightly smaller proportion of Pakistani women spoke little or no English, while the same was the case with half of Bangladeshi men but less than a quarter of Pakistani men. These differences are symptomatic partly of the later arrival of Bangladeshis and partly of the extent to which women conducted their lives within the community. In

contrast, English fluency among people from India and East Africa was much more widespread – less than a quarter of East African Asian women spoke little or no English. This lack of English fluency appears to have had surprisingly little influence on people's ability to find work, with less than 10 per cent of Asians reporting having had difficulties in finding employment because of language problems. The 1996 survey showed that these populations were now overwhelmingly fluent in English, especially among those who had grown up in the UK or had lived there for more than twenty-five years. The one notable exception was that the figures for women of Pakistani or Bangladeshi origin were consistently below the average.

Three-quarters of Asian men and almost 90 per cent of Asian women had no qualifications when they came to Britain. The men entered unskilled or semiskilled industrial work, especially in textile and metal manufacturing. Here they worked in shifts, often under foremen of the same origins, and it was the foremen who had sufficient English to be able to mediate between their workers and the management. By the early 1980s, some diversification had taken place, with people moving out of manufacturing industry into service industries, but men of Pakistani origin were still concentrated in manufacturing – over two-thirds in 1982, a figure which had fallen to not much more than one-third by 1994. Another sign of such diversification is the growing number of self-employed, particularly in retailing and catering, which in 1994 accounted for two-thirds of men of Bangladeshi origin. Here, it is notable that self-employment is higher among Bangladeshis and African Asians than among Pakistanis, probably, in the case of the former two groups, because they tended to arrive during the periods of high unemployment during the 1970s and 1980s and, in the case of the latter group, because of the higher proportion of traders and professionals.

This experience of unemployment struck the ethnic minorities particularly hard, especially Pakistanis and Bangladeshis, with almost one-fifth of the men out of work in the early 1980s according to one survey, and almost one-third according to another. Unemployment rates among people of Pakistani and Bangladeshi origin have tended to remain stubbornly around twice the national average, with female rates significantly higher. The combination of low-paid work and unemployment has meant that household income among Muslims has averaged substantially below the national average. This is emphasised further by the reluctance of Muslim women to enter the labour market. Only 18 per cent of Muslim women had work in 1982, and most of them were in the age group 20–34. Twelve years later, the figure was only marginally greater. In fact, 80 per cent of the economic inactivity of Muslims in Britain can be explained by the low level of female participation in wage labour.

This comparatively low household income is only partly compensated for by the fact that Asian households tend to be larger than average. Most of the extra

members of the household are children – the average Asian household in 1982 had two children – but there also is an average of almost three adults as against the general average of two per household, and this extra adult often contributes to the household income. In 2001, the average Muslim household size was 3.8, while the national average was 2.4.

The first phase of immigration was characterised by single men lodging together in houses owned by earlier immigrants, often from the same village or region. As wives and children joined, it became necessary to find more private accommodation. At the time, local councils were major landlords of rented property, but the system of waiting-lists worked against recent immigrants. Among people from the Indian subcontinent, there was also a preference for owning property, a preference which could be satisfied when the extended family's resources were mobilised collectively. In any event, this support was necessary partly because as Muslims they were reluctant to enter into loan arrangements in the traditional British mortgage market, and partly because the mortgage lenders tended to restrict mortgages to ethnic minorities to certain inner-city districts. As a result, by the early 1980s over three-quarters of Pakistani families lived in property which they owned. Bangladeshis, on the other hand, again because they have tended to arrive later and therefore after council house-allocation policies became more flexible, are much more likely to live in rented public housing – less than a third owned their own homes in the early 1980s, although by the mid-1990s this proportion was close to half. The same figure is given in the early twenty-first century.

During the late 1980s and the 1990s, central government policy of privatising much of public housing, combined with local authority policies of urban renewal meant that the rate of private ownership, especially among Bangladeshis, grew significantly. At the same time, the quality of such housing had improved so much that between 1982 and 1994, houses inhabited by people of Pakistani and Bangladeshi origin without central heating had declined from two-thirds to less than one-third. However, in the early twenty-first century, Muslim households experienced homes to be overcrowded to a higher degree (32 per cent) than for example Christian households (6 per cent), a clear indication of having low income.

Throughout, there is an underlying tone of racial discrimination. Early experience of racial discrimination and abuse by ethnic minorities in Britain was felt particularly by Afro-Caribbeans, and they clearly retain a much more sceptical attitude towards the fairness of British institutions than do Asians. This even extended to expectations of employers and police in dealing with minorities, at least in the survey conducted in 1982. On the other hand, this Asian belief in the fairness of British institutions is identified with the older, immigrant generation. Young people are rather more disillusioned, and the growing history of racial attacks, particularly against Bangladeshis in East London in the 1980s and then

the 'crises' of the 1990s, contributed to a growing disillusionment, certainly about police attitudes, into the twenty-first century.

Much of this will be recognised by observers of Muslim communities elsewhere in Europe, while other aspects will be different. It is also evident that the factors causing disadvantage, emanating from within the Muslim communities, can be attributed to the particular peasant background of the immigrant generation rather than to Islam. Certainly in Britain, all the more recent evidence shows clearly that the proportion of children of Pakistani background outperforming the national average is growing, when a decade earlier they had underperformed and were a common cause for concern among educationists. However, this has been matched by a much larger proportion of all children underperforming the national average.

Behind this improvement lies the centrality of family cohesion felt within the Islamic tradition generally, as well as its particular strength in the Indian subcontinent. It is at this level of the family that Muslim communities in western Europe may be most profoundly affected by the process of migration and settlement. It has legal implications, in terms of the legal norms and contexts of the countries both of origin and of settlement, and it has its implications for the changes taking place as the generation born or brought up in Europe reaches maturity and establishes the families of the next generation.

Family

Attitudes to the nature of the family and the internal relationships among family members are central to personal and cultural identification. Migration changes both the family structure and its context, and thus challenges the perceptions and traditional ideologies of family. In the case of European and Islamic norms, the law is a particularly critical forum in which to test the issues. This is so, not only because of the distinct, separate histories of European and Islamic norms and their enshrinement in specific legal systems, but also because the varying relationships between cultural norm and family law reflect the complexities of the transition through which the Muslim family has passed over the last two centuries.

We can identify probably four areas of analysis which need to be taken into account when looking at Muslim family structures and processes in this context. First, there is the fact of migration and partial family reunion itself. Second, the physical environment plays a role. Third, there are the variations of culture among the regions of origin and, fourth, the stereotypes and mutual perceptions which can so significantly determine the nature of the first personal or collective encounter between Muslim and European.

In the context of the growth of Muslim communities outlined in previous chapters, Muslim family structures and processes have been particularly

affected. There is not merely the fact that families have been reunited, although in modified forms, in the years after 1962 in Britain and 1973–4 in mainland Europe. That fact has itself had further consequences in a large variety of ways. The men, who had previously been on their own, now had direct responsibilities for wives and children. This entailed involvement in practical matters relating to health, housing and schooling. The whole family therefore became much more extensively related to public officialdom. This put Muslim families into situations which were usually difficult, often embarrassing and occasionally traumatic. Women had to go through antenatal care and give birth in the impersonal surroundings of city hospitals, without the accustomed support and presence of female relatives. Occasionally, a young son might be the only available interpreter. The bureaucracy involved in entry and residence formalities, in dealing with the welfare services and housing authorities, and in arranging schooling for the children were all daunting and often frightening.

Many of these new experiences were not specifically or uniquely linked to the move from the country of origin to Europe. They were as much the experiences of moving from village to city, and they would have been experienced in similar ways had the move been from the Punjab to Karachi, rather than to Birmingham. There were particular European elements in the process all the same – apart from the difficulties associated with preserving family links over the much greater distances. These European difficulties arose specifically from differences of language and culture. Officialdom did not understand the immigrants, and it took a long time before anything like adequate moves were made towards providing competent interpretation from Urdu, Turkish, Arabic, and so on. Such language barriers were only exacerbated by the monolingual bias of European national cultures and the common expectation that 'they should learn our language'. The language barriers also served to underline the cultural misunderstandings, of which there were many – even when there was direct communication. This was most obviously the case with expectations relating to women. Women joining their husbands were more likely to be illiterate and to have no experience of urban society, let alone European society. On the other hand, European officials and care staff did not understand or felt a need to respect traditional gender relations or role patterns in the parts of the Muslim world from which the immigrants came. Nurses, social workers and teachers tended to expect women, as they expected all individuals, to speak for themselves, without referring constantly to male relatives for advice or spokesmanship. There was also a failure to appreciate the authority structures within families as regards the relationship between parents and children, an area where the educational professionals in particular felt frustrated.

In the same way that these experiences during the 1960s, 1970s and 1980s served to encourage a 'them and us' analysis within European thinking and policy discussion, so they did also among the Muslim immigrant communities.

In the latter case, one of the resources to which they were increasingly inclined to turn was the Islamic element of their heritage. This trend provided the detailed content of a tendency which a number of observers have noted. In a study of Bengali Muslims in Bradford, Stephen Barton noted that the religious identity of the individual tended to remain linked with the family. In other words, the locus of the family provided the focus of religious belonging. When the family moved, so too did the locus of the individual member's religious life. Practically, this meant that while the family remained in the country of origin, the individual migrant, usually male, could reasonably clearly distinguish between the secular sphere of the life of employment and society, which was in Europe, and the life of belief and piety, which was mostly at home. When the family came to join him, that distinction became more difficult to make. His Islam was no longer something 'over there' or purely private. It now became an active factor in his everyday family and working life. It is no coincidence, therefore, that the process of family reunion sparked the first major expansion in the numbers of mosques. This aspect will be dealt with in the next chapter, but there were implications of other kinds which have more directly affected the character of Muslim families in Europe. Here, there are questions arising out of the relationship between extended and nuclear families, as well as gender roles and generation expectations.

The physical environment in which Muslims settled had a significant effect on the way in which family life and structures evolved. Most obvious were the constraints of climate and of traditional domestic architecture in the urban areas of Muslim concentration. The climate in northern Europe forced domestic family activities indoors into accommodation designed for small nuclear families. Even if the climate were more favourable, the vertical columns of apartment blocks in many European cities, no less than the strings of terraced housing more characteristic of Britain, would make social intercourse difficult. The physical environment and the climate in Europe prevent nuclear households from forming a functioning extended family life of the kind which was common even where the norm was a nuclear household, as it often was, for example, in Turkey.

The other characteristic of the physical environment which has appeared over time has been the gradual concentration of Muslim immigrants into certain specific urban districts. While this flowed naturally from the common pattern of chain migration, the persistence of residential concentration has caused both politicians and scholars concern. In the late 1960s, some scholars suggested that the receiving society imposed restraints which forced immigrants into particular areas. There was certainly a widespread practice by estate agents and local housing authorities which served to exclude immigrants from specific districts. But other scholars suggested that just as significant a factor was the desire of the immigrant communities to live close together. Today, urban geographers have tended to confirm that migration patterns and ethnic identities have

influenced the growth of residential concentrations in ways which allow for an interplay between the choices of the immigrants within the constraints imposed by the context of settlement. Economic historians have stressed that ethnically homogenous areas may in fact have a positive effect on economic integration. According to some analysts, reflecting more recently on the urban street clashes of English northern towns in the early summer of 2001, local policies of encouraging cultural and religious particularism under a banner of 'multiculturalism' have reinforced such residential segregation.

Of course, official housing policies have not been without influence. Difficulty of access to local council housing waiting-lists in Britain was a major reason why South Asians, including Muslims, had to resort to purchasing private terraced housing. The public housing policies of Sweden around the Stockholm and Gothenburg conurbations have greatly influenced the location of ethnic minority communities, as has the public housing policy in for example France and Denmark. A study of residential patterns in the Netherlands suggests that public housing policies tend to have a socially and geographically immobilising effect when they are restrictive. Thus the policy of Utrecht did not stop immigration, but forced it into poor housing which was difficult to move out of. On the other hand, a more liberal policy in Amsterdam – on the principle of 'bring your family, then we'll sort out housing' – seemed to allow for more mobility. But it has also given scope for cultural backgrounds to play a more active role, and in consequence the Surinamese have tended to move on faster than the Turks, while Moroccans have been least mobile.

The element of cultural particularities brought by particular groups and families cannot be ignored. This has sometimes been a sensitive question. On the one hand, European political and social analysts often emphasised the common experience of immigration and discrimination in a socialist analysis which in Britain brought all ethnic minorities under the umbrella term 'black'. This was severely criticised by academics with a background from South Asia preferring 'Asian' instead of 'black'. During the 1990s and the early twenty-first century, 'Muslim' has become the dominant category used (and misused). On the other hand, many Muslims have emphasised the unity of the *ummah* and talked of Islam as the culture, ignoring the sometimes substantial differences, even contradictions, in the heritage, way of life and attitudes of different Muslim ethnic and cultural groups.

We have already referred briefly to the tendency of different groups to concentrate in different cities and in different parts of cities. The variations behind such choices of residence are also an important factor, especially in the immigrant generation, in how family life is organised. Official statistics, as well as many social surveys, have concentrated on national origins as factors of variation and, occasionally, on educational or social background. But within countries there can be substantial regional variations which may be quite

deep-rooted. One can mention the contrasts among Kashmiri, Punjabi and Pathan in Pakistan, or those between Berber and Arab in Algeria. During the 1980s, it became increasingly clear that the distinctions between Kurdish and Turkish citizens of Turkey had implications beyond merely the social, implications which were further complicated by the overlapping tensions between Sunni and Alevi. In addition, the distinctions between urban and educated as against the majority of peasant origin were more or less open and persistent, especially among the Turks because of the historical tensions between Kemalist secularists and traditional Muslims.

A fourth element which has to be kept in mind is the initial perceptions with which the immigrants and the hosts met each other. On the one hand was a European perception of superiority regarding people from Africa and Asia, reinforced by the recent experience of empire, sometimes mixed with resentment at empire lost, to which were added conceptions about Islam which could often be traced back to the Middle Ages. On the other hand were the perceptions of Europe of the immigrants themselves. This was more complex, depending very much on where they came from and the circumstances of the migration. For many, there were no great expectations of open hospitality or help towards settling – which was not usually the original purpose, in any case. But there were mixed experiences of decent or not-so-decent treatment at the hands of employers and officials. Some employers in Germany were quite quick to make, for example, worship facilities available to their new Turkish workers, while others hardly provided decent accommodation. Groups which had come as refugees during the early years often came with quite high expectations which were rudely disappointed. This particularly applied to those Algerians, the Harkis, who had thrown their lot in with the French during the war of independence.

Muslim families and the law

Before proceeding to a more specific discussion of the family and the law in the European situation, it is necessary to consider the general context both in the countries of origin and in the European countries of settlement.

Muslims bring with them to Europe a complex of perceptions about the norms of family life, the roots of which can be identified in four categories. First, there is the Shari‘a with its extensive rules and principles on family law and personal status based on the Qur’anic injunctions – it should be remembered that it is in these areas that the Qur’an has the most extensive and detailed set of rules. Developed over centuries of scholarship and legal practice, the Shari‘a has traditionally operated according to four Sunni schools (*madhahib*) and three major Shi‘ite ones. In all the schools, there has been some scope for accommodation to local custom, in particular with its recognition of *‘urf* in the Maliki tradition

of North Africa and *'adat* in the Shafi'i school of South-East Asia. The Shari'a was also able to be adapted to local custom through the practice of the Islamic judges, *qadis*, who at the local level often preferred to take note of local social and political relations in their application of the legal rules. However, it seems clear that the fullest effect of Shari'a law tended to be felt in the urban areas.

In the countryside, the Shari'a in its formal shape was always more open to compromise with local custom (the second category) to the extent, often, that it was the local village or tribal customary law which held sway with only limited obeisance to the principles of Shari'a. This has meant that, in specific areas, family custom has occasionally been in harmony with Shari'a and more often at variance with it. This has tended to be the case especially in marriage customs and the ceremonials and duties associated with marriage. In many areas of the Muslim world, aspects of customary law which are in direct contradiction to the Shari'a have prevailed, especially in women's rights to inheritance. Depending on the point of view of the orthodox Islamic perspective, there are also areas which can be considered either a variation or a contradiction of the Shari'a; hence the widespread practice of arranged and sometimes enforced marriage, or the practice in parts of Pakistan of a form of adoption.

The last two elements in the equation are the categories of legislation and administrative procedures. Although the latter were a factor before the incursion of European powers in the eighteenth and nineteenth centuries, the weight of their influence reflects their essential European origins. Technically, in Islamic terms, there was no legislation before the colonial period, although in practice there were extensive regulations on the application of law, especially in the Ottoman empire. But on the whole, this affected areas of the Shari'a other than family, particularly commercial, tax and land rent law. Very soon after British influence began to extend through the Indian subcontinent, the beginnings were made on legislation to also affect Muslim family law. This expanded after Britain took over direct rule in 1858, but it remained piecemeal. It was not the British practice to codify areas of the law, and the changes which were introduced tended more to be the results of British-controlled courts establishing new precedents. The Ottomans were the first to codify law in the form of the Mecelle promulgated in 1869. In 1917, they legislated for the first time to effect changes in traditional Shari'a family law. Under the influence of colonial rule, and then as part of modernisation processes initiated by states independent after the Second World War, almost every Muslim country in the Arab world and Iran has codified family law in such a way as to include reform. In other countries, legislation has been passed affecting specific parts of the law, usually to improve the situation of women in marriage and divorce and, in the Sunni world, the situation of orphaned grandchildren in inheritance.

In some ways, the spread of administration has been more pervasive than legislation. Some of this has come about simply because of the requirement

of registration of births, marriages and divorces. This requirement of itself extended the control of the law, whether in its traditional Shari'a form or otherwise, to areas which had previously been able to ignore it. In some countries, a marriage could only be registered if it conformed to – or could be made to appear to conform to – the official requirements. A birth or a divorce could only be registered if the marriage had been registered properly. Similarly, the status of a woman's subsequent marriage depended on the administrative procedures of her previous divorce being satisfied. Establishment of inheritance rights depended on all these registrations being completed, and in recent decades the right to enter a European country in order to join family has been crucially dependent on having papers in order. In addition, countries such as Egypt and Pakistan have enforced reforms in their marriage and divorce laws through attaching conditions to registration rather than legislating directly on the point at issue.

As a consequence, the perceptions of what is legitimate or illegitimate in family relations among Muslims settled in Europe are related very much to what particular combination of these four areas of norms – Shari'a, custom, modern legislation and current administrative practice – they bring with them, as well as to the specific content of each of the four. So one notes claims by men of Pakistani origin before British divorce courts for the return of all the gifts they have given to their wives during the marriage, or the conflict when a family wishes to bring into the country an adopted child, usually a nephew, from the Punjab. Earlier one saw quite a high frequency of officially unrecognised Turkish marriages or divorces because of a persistent ignoring of registration requirements in Turkish villages only relying on a combined customary and Islamic practice. Due to better administrative practices and negative consequences when migrating inside or outside of the country, to a large extent this has been replaced with a practice of both registering marriage officially and marrying according to local custom (in 2007, 82 per cent were such marriages in the towns and villages of the Kurdish region).

The European context into which migrants of such backgrounds have moved is one which on the surface is monolithic. But beneath this surface lies a historical reality which before the modern period tended towards the plural. The development of the law in western Europe during the medieval period was characterised by a very slow bringing-together of legal and customary traditions traceable to the varieties of Germanic and Celtic heritages, overlaid by Roman traditions interpreted to differing degrees through Christian ecclesiastical perspectives. From the seventeenth century, humanistic and secularistic philosophies reinterpreted or opposed such complex traditions. From the eighteenth century, culminating during the nineteenth century, a process of unification and codification took place. In conjunction with a progressively more centralised judiciary, legal profession and legislative process, this ended in the pattern of one legal system

and one law being applied to the territory controlled by a nation state. It should be noted that, for the purposes of family law, the state-territory can differ from the state-territory controlled by the political state, as in the case of Britain, where the family law of Scotland differs from that of England and Wales.

There remains, however, a recognition that personal legal status cannot be rigidly dependent on one's geographical location at any given moment. It would be disastrous for family stability if crossing a border entailed an automatic change in the mutual rights and obligations of the various members of a family unit. In medieval Europe, stability was maintained by the fact that the church was the arbiter of most family matters, and as the church was one, migration across political boundaries had little effect. With the development of national legal systems, it was the family law of the state to which one belonged which was the arbiter. It became an accepted principle of International Private Law that one's family law of origin moved with one across boundaries. In this way, courts in a given country would find that they had to apply foreign law within their own jurisdictions. However, the choice of foreign law is made by different criteria in mainland Europe and in Britain. In most mainland European countries, it is the nationality of the parties concerned which determines the choice of law, while in Britain it is the domicile, one's 'permanent home', which is the determining factor. Throughout, the formalities of the country have to be observed; it is in the substance of rights and duties that the foreign law gains entry into a domestic system. Thus, Algerians marrying in France have to observe the French rules for formalising the marriage, but the marriage which is created is an Algerian one, and the French courts will in principle enforce the rights and duties laid down by Algerian law. Equally, the French courts will, in principle, have to recognise the marriage of two Algerians or, for that matter, two French partners properly formalised in Algeria; in the first case, the substance of the marriage is governed by Algerian law, while in the second it is governed by French law.

There comes a point when European courts will refuse to implement the foreign law fully. This is when it runs up against what are conceived of as basic principles of morality and public order. This particularly affects divorce, where the general European expectation is that the dissolution of a marriage must go through a judicial procedure. Consequently, most European countries find it difficult to recognise a traditional unrestrained Islamic *talaq*, the declaration by a man divorcing his wife. However, in most Muslim countries, legal reforms have made a judicial hearing incumbent on both parties for a divorce to take effect, although there remains some doubt as to whether the family arbitration council procedure of Pakistan is a judicial or an administrative procedure. European countries also find it impossible to recognise the marriage of minors, which was made legal again in Iran after the Islamic revolution, and no law regulates a minimum age of marriage in for example Yemen and Saudi Arabia, but local custom requires that puberty has been reached before a marriage

is consummated. Generally, the average age of entering into marriage has increased in most Muslim countries in recent decades.

For most Muslims, this complex analysis tends to remain irrelevant until they come into contact with some aspect of public administration which will refer to family or personal status law. This need not happen only in direct relation to family courts, as in a case of divorce. The legal personal status of an individual determines access to social welfare payments, status in taxation, entry into the country for settlement or visits, and so on. In each instance, an applicant will have to show that a marriage exists or has ceased to exist, or that children belong to the parents as claimed. The first hurdle is likely to be to persuade a bureaucrat to accept foreign papers; the obstacles raised here can range from a matter of translation to allegations that the papers are forged. Ultimately, a case will go to court, at which point the court will resort to the rules of International Private Law. But most Muslims in western Europe of the immigrant generation come from rural backgrounds, which have only partly adapted to the urban-based legal systems of the past or the present. So, resort by a French court to the rules of Algerian law imposes on the parties concerned the tensions between the countryside and the town in Algeria. The fact that this is taking place in a French court only serves further to confuse. The German–Turkish situation is likely to have been the most extreme because of the gulf between the official position in Turkish law, where the family law code is based on the Swiss law of the 1920s, and the rural custom which remained strong until recently and in many areas ignored the law and the registration procedures. As a result, German courts often found themselves imposing a Turkish family law which was as alien to the Turkish parties to a case as German family law would have been.

The law in certain countries

The particular areas of family law which cause problems tend to be in recognition of polygamous marriages, the status of enforced marriages, divorce and the custody of children. There are variations in the particular details of how individual European countries deal with these issues, but in general terms the issues are similar across mainland western Europe. Where there are significant differences, they tend to be related more to the country of origin than to that of settlement. So the problems arising when dealing with Moroccan marriages and divorces are similar in Belgium and France, while those related to Turks are similar in Belgium and Germany. In the following, therefore, we shall look briefly at the issues in Belgium and Britain as examples.

Belgium will recognise polygamous marriages validly entered into in countries which permit polygamy, while not permitting such marriages to take place in Belgium itself. This, incidentally, does not create too much of a problem with social security payments, because these are usually paid to employees; that

is, usually the husband rather than the wife. A more common problem than polygamy is marriages forced on young Moroccan women to prevent them marrying a man of their own choice, especially if he is Belgian and a non-Muslim. Since a woman, according to Moroccan custom, cannot enter a marriage without the consent and presence of her guardian, usually the father, she has no other option than to accept such a marriage or to escape from home and break all her ties with her family. Another issue has been pro forma marriages with the purpose of legalising the situation of one party (entry visa, work permit, naturalisation, and so on). Some Belgian courts have annulled such marriages against the objection of some legal experts that it represents an intrusion into the private life of an individual, in that it questions individual motivations.

In the case of divorce, if one party is Belgian, Belgian law applies; if both are foreign, foreign law applies. Before the most recent reform of Moroccan family law in 2004, there were complications, particularly when a Moroccan man returned home to Morocco, registered a valid *talaq* against his wife in Belgium, and remarried. Belgian courts could in this situation effectively intervene only where they had physical jurisdiction, usually in questions of custody and maintenance. Since Moroccan law today requires a judicial process with both parties involved and present, this situation does not arise in the case of Moroccans any more. The laws are similar in, for example, Algeria, Tunisia and Turkey.

In matters of custody of children, Belgian law takes precedent for children resident in Belgium, with the interests of the child being of primary concern. The courts tend to give custody to the mother if the father is a Turk or a North African, although the father feels entitled, and often is, according to the law of nationality. Consequent cases of removal of children from Belgian jurisdiction by the aggrieved party are not common, but do cause great suffering and attract media attention. In the event of death, if both parents are foreign, Belgian courts grant custody according to the foreign law.

It is worth noting that Belgian courts have increasingly started to take cultural expectations into account when reaching decisions in individual cases. What seems to be happening here, and is possibly happening in other mainland countries, is that the judiciary is looking behind the watershed of Napoleonic codification and reviving a pre-Napoleonic 'common law' tradition. Such cultural considerations have been fiercely criticised by nationalist and populist press and politicians and in social media.

In general terms, the law of France is similar to that of Belgium. However, it should be noted that after a number of disputed custody cases in France relating to children of Algerian fathers, the respective governments reached an accord in 1988 establishing procedures for dealing with such instances. It should also be noted that the Harkis, the *musulmans français*, as they are French citizens in accordance with the Evian agreement, are subject to French personal law.

The Federal Republic of Germany appears, at the legal level, to have little problem in dealing with the family law of resident foreigners of Muslim background. Apart from the Turks, the largest number of Muslims is from the former Yugoslavia, and in both cases the family law of the country of origin is of a European type, in the Turkish case adapted from a 1920s Swiss code.

As more and more people of Turkish origin take up German citizenship under the reforms of the late 1990s, the potential for legal conflict should decline – although this is likely to focus attention much more closely on claims founded explicitly on religious grounds.

The International Private Law rules of England tend in practice to be rather more complicated because of the criterion of 'domicile' rather than nationality. While the legal definition of domicile is comparatively straightforward, it is case law which determines the elements needed to establish that a domicile in England has been acquired; in other words, it is not purely a matter of acquiring permanent residence. However, as most Muslims are now settled in Britain, have acquired UK citizenship and have children born and growing up in the country, the courts tend to assume that an English domicile has been acquired. As a result, English, or Scottish, law is usually applied. But there do remain instances where a foreign law has to be called in to help solve a case. As the community retains very close connections with the parts of the extended family still living abroad, the frequency of marriage or divorce cases across the frontiers has only diminished to a limited extent. Traditionally, English law refused to recognise any marriage or consequences flowing from any marriage conducted in a polygamous system, regardless of whether the particular marriage in question was polygamous or not. A combination of court cases and legislation has now effectively banished that view into legal history. At the same time, however, new definitions have been introduced which do not always function well together: permanent residence and intended matrimonial home have been added to domicile as criteria for determining which law should apply in a particular instance, and they sometimes overlap, with consequent uncertainty as to which criterion should take precedence. Lawyers often find this difficult to sort out, so one wonders how ordinary members of the community cope!

This situation may be part of the reason why Britain is the only European country in which the demand has with some persistence been made for the introduction of some form of Islamic family law into the domestic legal structure for Muslims. The first recorded demand for this came from the Union of Muslim Organisations in 1975 in a petition to Parliament. It would be wrong to suggest that the demand has widespread support, but it has had sufficient support for it to be raised at regular intervals since. Parallel to discussions about recognition, Muslim legal experts have drawn up marriage contracts and wills taking both British and Islamic law into account. It is difficult to estimate the popularity of these, but the phenomenon is spreading in different European countries.

It is not surprising that until the late 1980s inheritance hardly figured on the list of legal issues arising out of the Muslim presence in Europe. The age distribution of the community was so concentrated in the younger and child-bearing ages that the death rate in relation to the community size was minute. In addition, outside Britain, Muslims in Europe have owned only very little immoveable property, their land and houses being in the country of origin. All European laws are agreed that moveable properties, such as bank accounts, are distributed by the personal law of the deceased; only immoveable property is subject to the law of the country in which it is situated. In Britain, where the community is older and the number of deaths has therefore started to rise, many Muslims own property in an economy where home-ownership is common. But with children staying in the country with the full status of citizenship, passing on immoveable property to them in accordance with English law shows little tension in relation to expectations of custom. With the passing of time, it seems inevitable that in most of western Europe, as the number of deaths starts rising with an ageing community, there will be problems of conflicts of law and expectations over the disposal of immoveable property. There will be complications arising out of dual nationality, which during the last two decades increasingly have become allowed in several European countries, for example in Belgium, Denmark, France and Sweden. In some countries, like Germany, dual citizenship is accepted but with restrictions. Polygamous marriages may not be numerous, but the legal problems which they can give rise to are. There are instances where a *talaq* may be recognised in one country but not in another, with implications for inheritance disputes between spouses.

In many European countries, though hardly at all in Britain, the issue of mixed marriages has become a subject of special interest. One must, however, be clear what a mixed marriage is in this context. On the one hand, we are talking of a marriage between someone who is Muslim, at least in ethnic and cultural background, and someone who is usually of some European national-ity, and who may be a lapsed Christian, agnostic, atheist or just areligious. Anecdotal evidence suggests that one is most often talking of a liaison between a nominal Muslim and an areligious European. Such marriages place enormous stresses on the families and the parties themselves. The parties bring into the marriage often very different expectations. If the couple have been married in a European country and then later move to the country of the non-European partner, the change in circumstances adds further pressures. The result is a very high failure-rate of such marriages, with all the consequent possibilities of dispute over property and custody of children; in fact, the vast majority of inter-national custody and property disputes arise out of mixed marriages.

Of course, so far as the law is concerned, it is not religion but the law attached to the parties which determine whether the marriage is mixed. This fits well with the rules of International Private Law which refer to national

legislation, not to religious adherence. So, if a particular national law, like the Lebanese, refers to a religious law, this is coincidental to the European court, which will regard itself as implementing Lebanese law, not some form of Muslim or Christian law.

The few countries which collect statistics in this area do so by nationality, so while we may guess at the numbers of mixed-faith marriages, we can only say something certain about the number of mixed-nationality marriages. Thus, French data from 1981 recorded a total of 26,000 children of mixed marriages. For the year 1983, West Germany recorded over 2,000 marriages between Turkish and German citizens, of which nearly 400 were between a Turkish woman and a German man; more than 1,700 further marriages with other 'Muslim' nationalities were recorded in the same year. While the rates have gone up since then, the change has not been of major significance. Statistics show that the vast majority (more than 95 per cent) of Muslims with a Bangladeshi or Pakistani background, both men and women, living in Britain and Norway married someone with the same national background. Anthropological research suggests that marriage patterns differ for migrants with an Arab Muslim background; in particular, men of this background marry, to a higher degree, outside their respective national, religious or ethnic group.

There is evidence that access to a European court system may of itself be contributing to changes in attitudes and perceptions. Faced with situations which are felt to be difficult, either party has the option to accept them and cope, or to reject them and seek a remedy. In traditional society, the second option was usually to be found in internal family negotiation and pressure, so a resolution might be found by identifying and using the interests and powers within the family. There was little scope for appeal to a principle – even an Islamic principle – other than as one part of a larger complex of factors. Access to a court in a European country appears to add a further option, namely to go outside the traditional system. Unpublished research has analysed the divorces before the Birmingham divorce court in 1983–4. By using names as a guide, it was possible to identify almost 200 cases involving Muslims over the two years, eighty-four in the first year and 112 in the second year. It should first be noted that this amounted to less than 2.5 per cent of the total number of divorce cases in a population which at that time made up less than 10 per cent of the city, and which was very highly concentrated in the 'divorcing' age range. So the Muslim divorce-rate was very low. By 1984, two-thirds of the divorce petitions had been initiated by wives, and half of these on a claim of cruelty by their husbands. For both years, well over half of the husbands' petitions for divorce were on the basis of desertion or separation, again an indicator that a wife had taken an initiative to resolve an unsatisfactory situation. According to later research (2007), divorce patterns are similar to the wider population's, with the addition of stating the reason 'leaving a forced marriage'.

Cultural changes

It is inevitably in the field of family life that the meetings of cultures resulting from immigration and settlement are concentrated, and law is, of course, not the only external factor which imposes constraints or opens up possibilities. Cultural change arises also from other pressures. We have already pointed to the new circumstances brought about by the very process of migration. Such circumstances have consequences on family relations which defy generalisation.

In some situations in the country of origin, where the extended network of nuclear households is broken up by migration, women left behind to administer the absent men's remittances have gained an experience of autonomy and responsibility which cannot be undone when they themselves join the migration, but which can create tension through its challenge to the traditional male role. In other situations, the ideological power of purdah (i.e. the public female seclusion) is such that it can become a central element in the defence of identity and thus lead to an isolation of individual women in the immigrant community.

Moving into low-paid jobs in Europe, working unsocial hours, and consistent exposure to much higher rates of unemployment: none of these factors have of themselves led necessarily to Muslim families trying to augment their total income by sending wives and young people into the employment market. The Muslim communities of Indian subcontinental origin in Britain have consistently shown a lower level of household income than those of Sikh and Hindu families. This is evidently attributable to a great reluctance to allow adult women into the wider job market, a reluctance which is explicable in terms of the strict Islamic purdah of an Indian subcontinental tradition. The kinds of income which women can earn in such circumstances are of the lowest-paid kind, such as manual tasks like sewing on a home-work, piece-rate basis where there is no protection of the collective kind offered by trade unions or government inspection. The lack of interesting job prospects also influence the life expectancies and choices of women.

However, this is clearly not a phenomenon associated with Muslims generally. While the description would be recognisable for large sections of the North African communities in various parts of western Europe, it does not apply to Turkish Muslims. Women of the immigrant generation from Turkey have a much higher level of industrial employment than Muslims of other origins, regardless of which country one looks at. Similarly, it is clear that Muslim communities of South Asian origin show a very different pattern if one looks at people of merchant and professional backgrounds. In Britain, this would be the case particularly with those who have come from Kenya or Uganda. It is evident that being Muslim does not necessarily entail similar choices of lifestyle or gender role by groups which differ in economic, social and cultural background and experience.

Changes in family relations are not restricted to those between male and female, especially as children arrive, go through school, mature and marry. Parents of the immigrant generation are often accustomed through their own backgrounds to their role being both authoritative and authoritarian. In a traditional context, changes certainly took place, but gradually, so that new situations had a major area of connection with what went before. The change arising out of immigration has usually been sudden and profound. Any similarities are likely to be coincidental and minimal. As children grow up, parents find that their own experience becomes irrelevant. As they try to guide their children in matters of behaviour, choice of companions and careers and, most significantly, marriage, parents often find themselves being authoritarian because they can no longer be authoritative.

In this process, an appeal to an Islamic model often becomes a major, and sometimes a central, element in the developing relationship. But by the very nature of that appeal, a factor is introduced into the relationship between parents and children over which neither party has control and through which external parties are offered entry. As discussed earlier in this chapter, the customs of large segments of the cultures from which Muslims in Europe originate are to be found in rural-based oral traditions which combine a variety of elements, only one of which is the 'high' Islamic tradition of urban scholarship. The villagers migrating to the European cities brought with them this complex baggage in a form which was perceived as an integrated whole. If part was to be defended as Islamic in the face of children's growing challenge to parental authority, then the whole had to be defended on that same basis. This is at least one reason why Muslim movements of the more 'popular' kind (Barelwis, Sufi *tariqas*, and so on) retain a strong following in Europe.

But the parents are challenged in this from two quarters. Their children are likely to have an educational background which their parents do not share. On the one hand, the children are proceeding en masse beyond the basic primary education of at least some of their parents. On the other hand, the children are receiving an education which encourages questioning. The situation in which the children are growing up is one where the parents' inherited answers to specific problems can only work by isolating themselves in an inward-looking cultural enclave. Large numbers of young Muslims – the proportion differs from community to community – are seeking to develop responses to their own felt needs and perceptions of the future, responses which can work in the European context, responses which allow them to be European without breaking with Islam.

To take one example, the practice of Punjabi parents arranging marriages for their children, a mixture of Islamic practice and a particular local customary process, is adapting to new circumstances. More and more, the children are taking the initiative to make the first introduction, the parents are brought in

through a process of negotiation, and the final arrangement is thus the product of a family consensus. Increasingly, the gender roles are also changing within such a marriage, especially if the couple is reasonably well-educated. There is a sharing of domestic and childcare responsibilities, coupled with an expectation that both parties may have careers to follow. Often, these choices are explained as being legitimately Islamic, even as being more correct, in Islamic terms, than the practices of their parents.

In fact, there is growing evidence that young people are meeting formally and informally in small groups on a regular basis to discuss the source texts. Qur'an and Hadith are explored as fresh texts, without the intervention of centuries of Islamic scholarship. In consequence, the texts are interpreted in the light of current needs and with methods which are based on the intellectual tools acquired through education in European schools. These hermeneutical methods are hardly systematic, but in the process of the exercise there is a growing awareness of the need for a more systematic mode of analysis.

The first need which arises is a desire to have access to the original texts. For Muslims who are not Arabic speakers, this has obviously meant learning the Arabic of the Qur'an. During the late 1980s, there was a great expansion in Arabic courses within the Muslim communities in Britain, and many young people have since chosen to make Arabic the subject of their first university degree. More than half the annual intake of undergraduates choosing to study Arabic at British universities today are British Muslims, a group which was completely absent four decades ago. The question of language as a tool for religious study is more ambiguous among Turks. During the 1980s, again, it seems clear that Arabic regained a position previously lost at the height of the Kemalist reforms. But Turkish retains a position which clearly goes beyond the definition of 'mother tongue' and transgresses into the field of a religious language. On the face of things, North African and other native Arabic speakers should have a more direct and simple access to the pristine sources of Qur'an and Hadith. However, they are faced with the much more subtle challenge of distinguishing between modern and Qur'anic Arabic.

While the children are thus implicitly, and sometimes explicitly, challenging the validity of their parents' Islamic defence, the parents are also being challenged from another direction, namely by the Muslim organisations and their leaderships. This is especially the case with those movements and organisations which fall within the general family of *Salafi*, puritan and Shari'a-based, such as sympathisers with the so-called Wahhabis, Muslim Brethren, *Hizb al-Tahrir* and the followers of Mawdudi. From these quarters, there is a distinct and clear criticism of the various forms of accommodation which have been made over the centuries between 'high' Islam and local social and religious customs. This has meant not only a rejection, in varying degrees, of the traditions of the Sufi orders, but also a comprehensive attack against popular forms of religious

expression which do not find sanction in the Shari'a. The activities and teach-ings of such movements often imply very strongly a serious critique of what most 'ordinary' Muslims – certainly those of the immigrant generation – have regarded as their way of life and devotion.

A final factor contributing to the weakening of traditional Muslim cultures in European cities is the fact that, in that situation, the cultures themselves are being mixed. The differing cultural entities, which tend to define themselves as Muslim, lived distinctly from each other until migration started. The migration into cities brought them into touch with each other and imposed a necessity of interaction which had previously been minimal. When the migration was into a European city, the self-definition as Muslim immediately drew attention to the differences: why should this marriage or burial custom or that conception of a patriarchal family be more correctly Muslim than another practised by a neighbour?

The holistic nature of the traditional village culture, bringing together a variety of historical components into an integrated whole, at first sight seems to coincide with the ideological statement of Islam as a 'complete and whole way of life'. But the two are, in fact, in conflict, as the latter tends to seek to purify the former. The circumstances of migration, the situation into which Muslims have settled in European cities, and the adaptations which are being made, especially as the young grow up to be the first European Muslim generation, all impose the need to analyse. The old way has to be analysed into discrete parts so that Islam can be identified. The emphasis of the identification of Islam can be on the Qur'an and Qur'anic principles or it can be on aspects of the Shari'a tradition. In either case, one proceeds to 'reassemble' these Islamic components, together with the components arising out of the migration and settlement experience, into a new complex whole which functions more successfully in European urban, industrial life. As a universal religion with a long historical experience of successfully integrating into new cultures, it would be extremely surprising if Islam were not to follow exactly this kind of path also in Europe.

Among young Muslim intellectuals, such developments proceeded apace in the 1990s. On the one hand, movements such as *Jama'at-al-Tabligh*, *Minhaj al-Qur'an* and the Muslim Brotherhood, all initially introduced into Europe from bases in the countries of origin, have taken on distinctly European forms. On the other, individual scholars, most notably Tareq Ramadan, have embarked on a search for an independent and rational investigation of what it means to be a Muslim in contemporary Europe. These debates find expression not only in externalities such as dress and organisational structures, but also in the increasing attention being paid to theological and legal substance. In this debate, classical Islamic concepts drawn from medieval debates among scholars of jurisprudence are being revived, most centrally North African ideas out of the Maliki *madhhab*, around the principles and fundamental purposes (*maqasid*) of the

Shariʻa as divine intent, and how these can be interpreted flexibly into situations particular to time and place. Of importance also is the development of Islamic advice about the minority situation (*fiqh al-aqaliyya*) offered by organisations, individual scholars, and states, easily accessible on webpages. One such organisation, growing in importance, is the European Council For Fatwa Research headed by Qatar-based scholar Yusuf al-Qaradawi.