

# Citizenship, Identity and the Politics of Multiculturalism



The Rise of Muslim Consciousness

Nasar Meer

Foreword by Tariq Modood



# Citizenship, Identity and the Politics of Multiculturalism

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# Citizenship, Identity and the Politics of Multiculturalism

The Rise of Muslim Consciousness

Nasar Meer

*University of Southampton, UK*

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*To Khizer Mohammed Meer and Ruqia Nissa Meer*

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# Contents

<i>Foreword: British Muslims: The Struggle for Recognition</i>	
<i>Tariq Modood</i>	x
<i>Acknowledgements</i>	xv
<b>Introduction</b>	1
Chapter outline	5
<b>1 Framing Citizenship</b>	8
Nation-state citizenship	12
British multicultural citizenship	14
A crisis of multiculturalism or Islam and Muslims?	19
Anti-multicultural <i>deja vous</i> ?	24
Ignoring Muslims-consciousness in 'multiculture'?	26
<b>2 Du Bois and Consciousness</b>	31
Hegelian consciousness	33
Teleology, group psyches and multiple dialectics	36
What is double consciousness?	39
'Enduring hyphenation'?	44
Young's 'difference', Parekh's 'diversity' and Taylor's 'recognition'	46
Implications	53
<b>3 Conceptualising Muslim-Consciousness: From Race to Religion?</b>	55
Islam and Muslim-consciousness	58
Is Muslim identity a prescriptive religiosity?	60
Muslim identity as a sociological category	62
The pattern of race-relations	65
Banton's six orders of race-relations	67
John Rex: status and party	69
'Race', racialization and political blackness	71
Testing race during the Rushdie Affair	74
Group-pride, self-definition and ethnicity	77
New ethnicities	79



<b>4</b>	<b>Local and Global Muslim Identities</b>	81
	Islamism and British Muslim 'radicalism' and 'extremism'	85
	The curious fate of the MCB	89
	Muslim 'group' identity: essentialism and hybridity	91
	Islamophobia, anti-Muslim sentiment and cultural racism	101
	Implications	104
<b>5</b>	<b>Muslim Schools in Britain: Muslim-Consciousness in Action</b>	107
	The policy context	109
	Key data and identity implications	112
	Muslim motivations for faith schools	118
	Form and structure of schools	126
	Government funding and 'Voluntary Aided' schooling	129
	Considering the charges	131
	Muslim school curriculum objectives and social cohesion	138
	Pragmatic Muslim-consciousness	141
	Impaired civic status?	142
	Islamophobia and the security agenda	142
<b>6</b>	<b>Muslims and Discrimination: Muslim-Consciousness in Re-Action?</b>	144
	Anti-discrimination legislation	146
	Mandla v. Dowell Lee and Park Grove School	148
	Rules of extension and denial: RRA, Public Order Act (POA), Crime and Disorder Act (CDA) and 'racial Islamophobia'	152
	Religious aggravation or incitement to religious hatred?	160
	Article 13 and the Treaty of Amsterdam	165
	Harmonising different commissions and legislation	170
	Equality and Human Rights Commission (EHRC)	172
	Single Equalities Act (SEA)	175
	Implications	177
<b>7</b>	<b>Muslims in Public and Media Discourse</b>	179
	Muslims and free speech	180
	Race and religion are different phenomena	181
	Designed to placate angry labour Muslims	182
	Extremists and freedom of speech	183
	Importation or reference to European discourses	184
	'Islamic Terrorism'	186
	Divides loyalties	187
	Inassimilable and problematic	190

The emergence of a British Muslim press	194
Implications	197
<b>8 Towards a Synthesised Muslim-Consciousness</b>	<b>198</b>
Impaired Muslim-consciousness	200
Reactive Muslim-consciousness	200
Pragmatic Muslim-consciousness	201
Synthesized Muslim-consciousness	202
The new research agenda of 'Radical Muslim-consciousness'	202
<i>Notes</i>	206
<i>Bibliography</i>	221
<i>Index</i>	246

# Foreword

## British Muslims: The Struggle for Recognition

*Tariq Modood*

In a marked contrast to not much longer than a decade ago, it is today increasingly common to find publications detailing one or another aspect of 'Muslims' in the West, and this is no less true in Britain. Too frequently, however, many contributions focus either solely upon state *policies* towards Muslims, or on Muslim *identities*, in ways that can suggest an independence rather than an interdependence between the two. This book is an exception. In what follows, Meer elaborates on the kinds of ways in which British Muslims have engaged with public institutions, especially the government, and both theoretically and empirically explores the sociological nature, motives and processes involved in this engagement. For it is obvious that British Muslims have not been offered nor sought a single formal institutional basis such as the Islam Conference of the German government or the Council of Muslims of the French. The British arrangements are instead a mixture of semi-formal and ad hoc and are a part of an extended minority-majority relations that may broadly be referred to as 'multiculturalism' (though, of course, this term has become unfashionable in Britain as elsewhere in Europe).

The multiculturalism that I refer to has no single legal or policy statement (unlike Canada) but has grown up, sometimes in contradictory ways, in response to crises as well as mature reflection, and so is evolutionary and multifaceted (see Chapter 1). The 'multi' is an essential feature of what I am talking about for the policy and institutional arrangements have grown out of and continue to be part of ways to address not just Muslims but a plurality of minorities. The 'multi' does not merely refer to the fact that a number of minority groups are within the frame but also to the fact that different *kinds* of groups are being referred to. Some groups are defined by 'race' or 'colour' (for example, black or Asian), some by national origins (for example, Indian or Pakistani), some by religion (for example, Sikh or Muslim) and so on. Indeed, the origins of British multiculturalism, both as an idea and as policies, lie in the experiences of African-American struggles for equality and dignity. As Meer traces in Chapter 3, British racial equality thinking

and policy was directly and consciously influenced by developments in the United States in the 1960s and early 1970s. The policy paradigm was referred to as 'race relations' and the group that policymakers were most focused on was young black men. As the South Asian origin population became more numerous, more visible and more assertive, especially in relation to their cultural community needs, the terms 'ethnicity', 'ethnic minorities' and 'multiculturalism' replaced 'race' in an effort to better capture the changing reality. It is important to remember however that the foundations of Muslim-non-Muslim relations in Britain are based upon white-non-white relations and that no British policymaker (or social scientist) understood 'coloured immigrants' from the Commonwealth in terms of religion or expected, let alone desired, religion to have political significance.

The new political relevance of religion has not come from the state or 'top-down' but from the political mobilisation of specific minorities or parts of minorities who prioritised their religious identity over that of ethnicity and 'colour' (which is not to say that they deemed the latter insignificant). The Sikhs were the first religious minority to politically mobilise and win concessions from the state in relation to the legal recognition of the turban. So, in many ways, and as Chapters 3 and 4 catalogue, Muslim political assertiveness (or what Meer terms 'Muslim-Consciousness') arose in the context of an anti-racism movement, equality legislation and Sikh mobilisation; in short a political multiculturalism. A movement, which Muslims joining late, have tried to catch up with the rights and concessions already won by racial and ethnic groups, and which in some ways sometimes looks like a movement that Muslims have virtually taken over though at the price of damaging the support for multiculturalism – perhaps mortally.

The event in which Muslim political agency first significantly manifested itself in Britain was over the battle of *The Satanic Verses* in the late 1980s (evaluated in Chapter 3). If we can look beyond 'the death sentence' and issues about freedom of expression, the Rushdie Affair revealed certain important characteristics about the politics of the emergent Muslim communities. Firstly, in line with what I have already said, Muslim politics was not created nor desired by the state but was a challenge to the existing majority-minority relations from below. Secondly, unlike most (but not all, cf., the Sikhs) minority struggles up to that time, it consisted of the nominal and actual mobilisation of a single minority; Muslims neither looked to nor received support from other British minorities. They looked to the British establishment (publishers, the political class, the politicians and the law courts) to intervene on their

behalf, and some of them looked for allies among Muslim forces outside Britain. Thirdly, not only did the Affair shift the focus of minority-majority relations from the Atlantic to 'the Orient' but it marked the beginning of the internationalisation of British minority-majority relations on a scale never achieved through pan-black or 'global South' solidarities. Global 'subaltern' politics had arrived in Britain but in ways that few advocates of global activism had envisaged or desired. As Meer shows in Chapters 4 and 7, as much as it has provided a resource in a potential transnational or 'ummatic' solidarity, this international association has also made life difficult for British Muslims (from Khomeini's *fatwa* to terrorist networks).

Fourthly, the Rushdie Affair threw up both a radical and a pragmatic, 'moderate' leadership among Muslims in Britain. Evidence of the latter is how the UK Action Committee on Islamic Affairs (UKACIA), the main Muslim umbrella body thrown up by the campaign, initially depicted the offence which had angered Muslims as apostasy; but soon realising that this achieved little comprehension among the political class, let alone sympathy, they used the more British term, blasphemy, and when that too failed to rally support, they spoke of 'incitement to religious hatred', directly paralleling existing legislation in N. Ireland (and incitement to racial hatred in Britain; see Chapter 6). Yet, fifthly, the pragmatists were never able to decisively defeat the extremists, who continued to have some on-going presence. There was and is no centralised authority in British Islam (or for that matter in Islam *per se*, especially Sunni Islam) such that access to that authority was sufficient to lead Muslims. Muslim leaders who spend their time criticising extremists not only find themselves giving undue publicity to the extremists (whose salience is of course dependent on the fact that they are such popular hate figures in the media, which cannot leave them alone) but are criticised by the main body of Muslims for being divisive and not focusing attention on getting concessions from the state. It has also to be said that there is something about British Muslim political culture, reminiscent of Left-wing student politics of the 1970s, which has a 'holier-than-thou' quality, in which it is easier to win approval for radical political rhetoric rather than practical compromises.

I mention *these* five features of the Muslim campaign against *The Satanic Verses* because they are all present today. Nevertheless, the pragmatic Muslim politics has been relatively successful in achieving the goals it set itself. The lead national moderate organisation, UKACIA, which later broadened out into the Muslim Council of Britain (MCB,

founded in 1998), came to be accepted as a if not *the* voice of Muslims by the government and other bodies. It became the chosen interlocutor and as domestic and international crises affecting British Muslims became more frequent and rose up the political agenda, it came to have more regular access to senior, up to the very top, policymakers across Whitehall than any other organisation representing a minority, religious, ethnic or racial, singly or collectively. The MCB's pre-eminence began to suffer from the mid-2000s, as it grew increasingly critical of the invasion of Iraq and of the so-called war on terror. The government started accusing it of failing to clearly and decisively reject extremism and sought alternative Muslim interlocutors.

From the early 1990s to that point, UKACIA/MCB lobbied primarily on four issues. The first was mobilising and getting a Muslim religious community voice, not subsumed under an Asian or black one, heard in the corridors of national and local power, and that UKACIA/MCB should be the voice of that community. Secondly, and as Meer traces in Chapter 6, getting legislation on religious discrimination and incitement to religious hatred. Thirdly, getting socio-economic policies targeted on the severe disadvantage of Bangladeshis, Pakistanis and other Muslim groups.

Finally, and as Meer explores in Chapter 5, getting the state to recognise and resource some Islamic schools. All four of these goals have been partly met, with none of them are we where we were in 1997, when New Labour came into power, though as noted, there continues to be a problem about representativeness and which particularly relates to issues of foreign policy and security.

Nevertheless, despite these latter concerns that have come to throw many of the basic issues within the equality agenda into the shade, the Muslim equality agenda has got as far as it has because of the liberal and pragmatic political culture of the United Kingdom on matters of religion, as opposed to a more thoroughgoing secularism that requires the state to control religion. Moreover, Muslims utilised and extended previously existing arguments and policies in relation to racial and multicultural equality. By emphasising discrimination in educational and economic opportunities, political representation and the media (see Chapter 7), and 'Muslim-blindness' in the provision of health, care and social services, and arguing for remedies which mirror existing legislation and policies in relation to sexual and racial equality, most *politically active* Muslims in respect of domestic issues have adjusted to and become part of British political culture and British multiculturalist politics in particular.

In proposing a novel explanation for these sorts of outcomes Meer turns to the work of W. E. B. Du Bois, to propose that active Muslim mobilisations are symptomatic of a Muslim-Consciousness *for itself*. This is a consciousness that is striving to be recognised, but one that can turn inwards and become a 'double consciousness' when it is benignly ignored or malignly coerced. Double consciousness here captures the dual character of unrecognised minority subjectivities and their transformative potential, alongside the conditions of impaired civic status that are sometimes allocated to minorities by mainstream society.

Meer appropriates Du Bois' concept in Chapter 2 and utilises it in later discussion to probe the dilemmas facing Muslim minorities who aspire to be full participants in British society. This can be characterised as a schema which becomes progressively 'thicker' in capturing (a) the political dimension in which British-Muslim subjectivity is formed, (b) the nature and form of this subjectivity *in* and *for* itself, alongside (c) the transformative potential it heralds for society as a whole. This includes an examination of both the conflicting accounts evident in the construction of the *self*, and the grounds on which racial and ethnic minorities who are subject to exclusionary discourses can strive for a significant measure of political integration.

As such this book serves as an important reminder that the seeming ubiquity of the present interest and emphases on what Meer terms 'radical Muslims-consciousness' should not be allowed to obscure the quite profound sociological and political developments among Muslim communities themselves. Muslim-consciousness is with us and it would rank as a significant failure of the promise of citizenship if this subjectivity was turned into a 'double-consciousness'.

# Acknowledgements

During the period that I worked on this book I witnessed the ascent of Barack Hussein Obama. One cannot help but ponder what Du Bois would have made of this extraordinary development. Perhaps he would not have been astounded. As a prescient scholar of history and society who bridged many worlds, of which the academy and politics were but two, might he have anticipated these advances? Such hypotheticals seem apposite, for I often wonder how Du Bois would greet my interest in his work. I hope he would be satisfied that I have not taken undue liberties in revising and applying it to explore the positive and negative possibilities concerning Islam(s) and Muslims of the West. I am confident at least that he would have been a fervent advocate of challenging the kinds of pseudo-intellectual racisms presently masquerading in the critique of Islam. Of course, and while books become what we make of them, if we are fortunate to have it within our power, such endeavours are rarely undertaken alone.

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# Introduction

This book is concerned with normative, empirical and conceptual relationships between identity, minority ‘consciousness’ and the nature of contemporary citizenship. One means to enter this discussion is to turn to a prominent politician who is convinced that through our hitherto approach to citizenship and ethnic relations in Britain, ‘we’ve actually done something terrible to ourselves’.<sup>1</sup> It would be difficult to deny that this betrays a pessimistic account of where we are today. Though perhaps it is also informed by a more longstanding conviction that a once great nation has cumulatively surrendered important parts of its national culture in the course of appeasing various migration-related minorities.

Unsurprisingly, on the one hand, this complaint could reprise an often vitriolic critique from a centre-Right in Britain that has historically opposed recognising the diversity of minority populations.<sup>2</sup> On the other hand, it could join a chorus of anxious responses from otherwise very reasonable people to a relatively novel social and political formation. These responses would not be restricted to the Right. Indeed, these responses have heralded a qualitatively greater impact precisely because they include ‘the pluralistic centre-left [and are] articulated by people who previously rejected polarising models of race and class and were sympathetic to the ‘rainbow’, coalitional politics of identity’ (Modood, 2005a).

The reader will need few clues as to the source of this antagonism, for alarming proclamations of its malign presence can feature prominently in public discourse. As one influential commentator, writing in the most widely circulated national broadsheet newspaper, has insisted, ‘the Government, the opposition, the police, the schools, the Church of England, and the BBC are all helping [British] Muslims create a parallel Islamic state’ (Thompson, 2008).<sup>3</sup>

So it is Muslims. Or more precisely the emergence of *public* Muslim identities – one of the most interesting and pressing sociological and political concerns of the day. The salience of much hyperbole, however, is helpful only in pressing the case for a nuanced exploration of Muslims in Britain and their relationships with the state: in government initiatives and church-state relations, across equalities agendas and the education system, the courts, the media and so forth. This book will make such a contribution. More precisely, and through a series of case studies, it will examine the development of British Muslim identities in the course of both *being shaped by* as well as *shaping* prevailing conceptions of British citizenship. The prospect of interdependency is crucial, for in contrast to mischievous generalisations of the kind illustrated above, it will become evident that there are significant ways in which Muslim minorities and British citizenship might be cast in potentially dynamic and mutually constitutive terms, specifically through the expansion of a peculiarly British tradition of multiculturalism.

One of the *normative* arguments of this book is that advocates of an inclusive citizenship should not disavow progressive multicultural approaches. This has been a temptation following the London Bombings and other terrorist incidents involving British Muslim protagonists. In contrast, it is argued that state-sponsored ‘difference’ affirming policies in Britain (on occasion, but by no means always, pursued under the title of ‘multiculturalism’) have not been invalidated, even if Muslims have sought to tailor these to meet their needs too (Modood, 2005b, 2007; Meer and Modood, 2009a). It will become clear that such a position is not without many critics who, as Chapter 1 details, infer connections between the recognition of Muslim particularity, social division and terrorism. Indeed, such connections are not limited to polemical discourse, nor must they seek to describe exceptional instances of violent extremism. The complaint can be reprised by scholars convinced that ‘British Muslims, though pampered by a uniquely accommodating government, rank among the most dissatisfied and alienated Muslim minorities in Europe, which casts a long shadow over Britain’s liberal multiculturalism’ (Joppke, 2009a: 124).

One of the *empirical* arguments of this book is that such interpretations inevitably convey a partial story but are nonetheless helpful in illustrating how broad extrapolations from narrowly defined cross-national data can risk obscuring the internal dynamics of particular contexts. To this end, it is hoped that one note of caution gleaned from my analysis in the ensuing chapters will serve to discourage the reader from relying upon abstracted data in the manner that a drunk might rely

upon a lamp-post (for support, that is, rather than illumination). This is all the more important where an abundance of compelling counter-evidence might easily be marshalled in the support of an opposing view. This could include Heath and Roberts' (2008: 14) authoritative survey of social attitudes towards 'belonging' in Britain, analysed according to religious groupings, which make the interesting finding that while Christians tend to report the 'strongest sense of belonging' to Britain, Muslims are considerably more likely than any other religious group to report belonging 'fairly strongly' to Britain. While the authors report a small variation between Muslims born in Britain and those who migrated to Britain, Muslims are no more likely than their Christian counterparts to insist that they 'do not belong' to Britain, and much less likely to do so than those with no religion at all. A related and equally interesting issue is raised by another recent study which reported that while eighty-two per cent of British Muslims maintained that they were 'loyal to the UK', thirty-six per cent of the general public doubted that they could be (Gallup survey, 2009).<sup>4</sup>

One of the *conceptual* arguments of this book is that questions about Muslim identities require an understanding of the social dynamics in which such questions are raised. This includes public discourses, sentiment and social attitudes that affect the sense of *self* among Muslim minority communities. This is what this book will provide in the course of maintaining that any discussion of the place of Muslim minorities in twenty-first-century Britain must not discard progressive multiculturalist traditions as means of alleviating short-term political critique; particularly where such approaches provide the most sociologically valid and morally compelling means of engaging with a proliferation of British Muslim identities.

The terminological appellation 'British Muslim' is not accidental and should serve as a corrective to the generic assertion that 'the Muslim immigrants' "integration" into the western nation-state is at best instrumental' (Joppke, 2009a: 133). For in the course of proposing a novel sociological and political interpretation of the issues at stake, the following chapters will detail how, in order to understand current trends in the adoption and espousal of Muslim identities in Britain, it is not sufficient to obtain a historical understanding of their development through British approaches to minority integration. It is also necessary to gain a deeper appreciation of the forms of 'consciousness' that are informing and shaping the assertion of British Muslim identities. It is argued that the work of William Edward Burghart Du Bois (1868–1963) is particularly suited to this goal. This is because, as Chapter 2 details,

Du Bois bequeaths a rich account of reciprocal moral obligations within a national community that helps us to understand how forms of minority 'consciousness' can underpin minority social formations that emerge both *in* and *for* themselves. This describes the movement from a minority consciousness that is derived from the treatment of a dominant party, existing *in* itself and **bearing a historically ascribed identity**, to a minority consciousness that is capable of mobilising on its own terms for its own interests, and which emerges *for* itself in **adopting a politically self-defined identity**.

While Du Bois focused mainly upon the racialised and very particular existence of late nineteenth and early to mid-twentieth-century African-Americans, his account bequeaths a broader illustration of how minorities will possess an impaired civic status if the terms of incorporation ignore their sensibilities.<sup>5</sup> This is because they will be prevented from participating in the social and political life of their society in a manner that affords them equal opportunity, dignity and confidence; diminishing their citizenship and giving rise to the 'peculiar sensation' that they are 'a problem'. It is argued that these contributions lend Du Bois to an examination of the types of consciousness that are presently informing Muslim mobilisations and identity related claims-making in Britain. These are referred to by the term 'Muslim-consciousness'. What this means is fully set out in Chapters 3 and 4, following an explanation in Chapter 2 of Du Boisian conceptions of consciousness. The term Muslim-consciousness is used here to denote the advent of increasingly salient Muslim identities that are adopted and deployed in various permutations by many Muslims themselves.

The issue central to this book is how Muslim-consciousness connects to the sorts of 'civic status' that Muslims are seeking. The types of civic status being referred to include those that have prevailed for other minorities under the terms of a peculiarly British multiculturalism, elaborated in the next chapter, and which has sought to promote equality of access and opportunity, and has led to some significant recognition of particular minority 'differences'. Subsequent chapters spell out the scope of the civic status that this tradition has – and continues to – accord, and where Muslim minorities who are seeking specific accommodations of their differences fit into this tradition. This is theoretically explored in the first part of the book and then empirically pursued in the latter half of the book through multimethod case studies examining salient Muslim mobilisations for the state funding of Muslim schools, legislation to protect Muslims from discrimination and issues of representation, in the latter half.

In a global geo-political climate that is scarred by anxieties over international terrorism and Muslim radicalism, the interest in Muslim identities, and their interaction with nation-state governance, has assumed a profound significance in research and policy agendas across European politics and society. To this end, it is argued that a focus upon Muslim-consciousness within and among some Muslim communities themselves, alongside the way in which this consciousness is understood politically – at an official governmental level as well as discursively in public and media commentary, as examined in Chapter 7 – allows us to capture (a) the political dimension in which Muslim-consciousness is formed; (b) the nature and content of this consciousness *in* and *for* itself; alongside (c) the transformative potential it heralds for programs of citizenship. It is hoped that in this troubled political climate the analyses pursued in this book can contribute something meaningful to our understanding of Muslim identity claims-making in European nation states.

## Chapter outline

The following chapter turns to a discussion of how both the idea and practise of citizenship are logically contested and can lend themselves to reformulation through the inclusion of minorities. One example is the ideal of a dynamic British multicultural citizenship that is comprised of a body of discourses and policies originating from a racial equality paradigm inaugurated by the first Race Relations Act (1965). It is argued that this tradition has successfully and legislatively embedded a recognition of ‘difference’ – with the goal of promoting equality of access and opportunity – into Britain’s self-image, and that this has led to some significant accommodations for certain groups. British Muslims are presently appealing to this tradition as one means of achieving greater civic inclusion and elevating their civic-status. This has prompted some defenders of diversity-related politics to pursue a reorientation of British multiculturalism towards an anti-essentialist ‘multiculture’ that can transcend the alleged hitherto reification of British multiculturalism. This issue is further elaborated in Chapters 3 and 4, but cannot be addressed without a discussion of the kinds of impulses driving Muslim minority identity related claims-making. This is acquired in Chapter 2 by turning to the work of W. E. B. Du Bois to explore the utility of his idea of ‘double consciousness’. In dialoguing this idea with Hegelian phenomenology, the chapter delineates a central distinction between two kinds of consciousness: one *in* itself and one *for* itself. It argues that

these ideas prove invaluable in capturing the dual character of Muslim minority subjectivities and their transformative potential, as well as the conditions of impaired civic status that are sometimes afforded to minorities by mainstream society. The chapter ends by identifying points of convergence between Du Bois and key contemporary theorists of multiculturalism, demonstrating the strengths and multifaceted nature of Du Bois' analyses before summarising the theoretical framework that is applied in later chapters.

Since Muslim-consciousness in Britain has emerged relatively recently, an inquiry into the discursive currents through which post-immigrant minority identities have historically been framed and affected is apposite. To these ends, Chapters 3 and 4 explore the nature and fruition of Muslim identities; their form, their content and how they contrast with other minority identities within the British political context. Particular attention in these chapters is afforded to the fields of race-relations and anti-racism, and the enormous influence they have had upon the sociological, political and legal conceptualisation of minorities as racial, ethnic or other political subjects, from the early periods of post-war Commonwealth immigration to the present day. Before setting out the implications of the preceding discussion in the subsequent analyses, Chapter 4 develops this discussion further by exploring (i) the idea of Islamism and 'radical Islam', (ii) the charges of essentialism (and/or the negation of 'hybridity') directed towards the idea of Muslim 'group' identities and (iii) the conceptualisation and experience of Islamophobia and anti-Muslim racism.

This is then related to the first of the multimethod case studies set out in Chapter 5 to examine why there have been sustained Muslim mobilisations on the issue of Muslim schools within and across diverse Muslim communities. It considers what the engagement or non-engagement of Muslims over the issue of education reveals about the incorporation of Muslims into a rubric of British citizenship, specifically with respect to civic and political participation; and whether a recognition and reflection of the substantive elements of a Muslim-consciousness within the sphere of education address the sorts of double-consciousness discussed in Chapter 2.

Chapter 6 extends this analysis to the arena of anti-discrimination formulas that, alongside education, are understood as forming a cornerstone to the sorts of British multicultural citizenship surveyed in earlier chapters, and civic status that this confers. By applying the discussion of cultural racism and Islamophobia set out in Chapter 4, Chapter 6 evaluates how and why these racisms are, or are not, recognised within

current discrimination legislation. This proceeds through consideration of how we have reached the current situation, to what extent it works and where Muslims in Britain are positioned within it. It is argued that if we reject a normative grammar of race and accept that legal categories of race and ethnicity must not be foreclosed to the complexities of socially contingent periods of Muslim racialisation, a coherent argument can be made for Muslim inclusion under existing anti-discrimination formulae. That Muslims presently remain outside the reach of these can be accounted for by the lack of political will and social importance attributed to challenging anti-Muslim discrimination.

Chapter 7 then examines the public and media discourses on Britain Muslims and demonstrates how these are integral to our appropriation of Du Bois' account of double consciousness. It is argued that public and media discourses can contribute to the sorts of civic status that minorities possess, and that an inquiry into these discursive currents could contribute something meaningful to the broader concern with Muslim-consciousness in Britain. With this in mind, the chapter explores some of the ways in which Islam and Muslims are portrayed across salient axis, and comparatively, in relation to some other groups, and how Muslims themselves have responded through a proliferation of Muslim media outlets.

Chapter 8 concludes by delineating and describing a number of tendencies in the emergence of a Muslim-consciousness elaborated in the preceding chapters. Four main types of Muslim-consciousness are deciphered. While in truth there is overlap and interaction between each kind, it is argued that enough consistency exists in their form and content to characterise them as progressively outwardly moving, tendencies that reflect the Du Bosian characterisation of the development of a minority consciousness from being *in* itself (as (i) 'impaired' and (ii) 'reactive') to a minority consciousness that is *for* itself (as (iii) 'pragmatic' and (iv) potentially 'synthesized'). The chapter concludes by looking forward to the emergence of new research agendas on Muslim-consciousness and how the analyses presented in this book may address these.



# 1

## Framing Citizenship

We should begin this chapter by recognising that there is a very deep and expansive body of literature on the idea and practice of citizenship, and that this reflects an incredible variety in its philosophical, legal, social and political framings. For the purposes of this book, a good place to enter a conceptualisation of citizenship would be to note how it is a sign of the times that it appears clichéd to state that minority claims-making has increasingly ‘challenged’ the rights and status conferred upon various minorities in programmes of democratic citizenship. As Gutmann (1994: 3) declared over a decade ago, ‘it is hard to find a democratic or democratising society these days that is not the site of some significant controversy over whether and how its institutions should better recognize the identities of cultural and disadvantaged minorities’. Such contestations might have surrounded the separation of public and private spheres (Fraser, 1991), a reconfiguration in the constituents of incorporation in the country’s self-image (Young, 1989, 1990) or emerged in what can either be conceived as mundane or politicised calls for dietary or uniform changes in places of school and work (Parekh, 1994). What these all share in common is the view that conceptions of civic status cannot ignore the internal plurality of societies that play host to ‘difference’.

Another way of putting this is to state that while citizenship takes a legal form, it also operates socially through the reciprocal balance of rights and responsibilities that confer upon its bearers a civic status that affords those bearers equal opportunity, dignity and confidence. As such it represents a field in which ‘political and social rights, and cultural obligations [can be] contested by collective action’ (Statham, 1999: 599), often with the aim of overcoming narrow ethno-cultural components that make formal citizenship *exclusive in practice* in the

ways elaborated below. Collective action is here not limited to 'direct action' as much as the continual negotiations entered upon under the rubric of a meta-membership that, in Tilly's terms (1997: 600), designates 'a set of mutually enforceable claims relating categories of persons to agents of governments'. To appreciate what is meant by this we need to register how the very idea of citizenship has contained, since its earliest formulations, a dialectical tension between notions of inclusion and exclusion, for the citizenship of certain types of people implies the non-citizenship of others. This is to say that citizenship is a relational idea that is identified inasmuch by what it is not as by that which it is. Simultaneously, just as this tension is present *within* citizen-and-non-citizen distinctions, so it is *across* citizen distinctions. This requires some elaboration, for what is being argued is that ideas and practices of citizenship need not be fixed in one mould or another. Quite the contrary – through forms of contestation programs of citizenship can change and develop.

In a Western tradition, citizenship was born of an Athenian city-state participatory model in which political engagement (in a male-only public sphere) was the highest form of activity (Aristotle, 1986: 61–2). In this formulation it was anticipated that a group who united to make laws for the common good, and who would freely consent to be bound by these laws, could create order from chaos in behaving rationally as citizens.<sup>1</sup> These qualities are proclaimed in Pericles' apocryphal funeral oration commemorating Athenian soldiers lost to Sparta during the Peloponnesian Wars. It is an account that famously illustrates how by 'establishing a rule of law within and without' (Castles and Davidson, 2000: 29), the Athenians were able to conceive of themselves *as a citizenry*, in contradistinction to their barbarous neighbours. In Athens, Pericles insisted, 'the freedom we enjoy in our government extends also to our ordinary life' so that 'far from exercising a jealous surveillance over each other, we do not feel called upon to be angry with our neighbour for doing what he likes. We throw open our city to the world, and never by alien acts exclude foreigners from any opportunity of learning or observing' (Thucydides, 1964: 116–7). It is worth remembering how this very self-consciously noble and ancient of formulations, in which it was proclaimed that 'no-one, so long as he has it to be of service to the state, is kept in political obscurity' (ibid.), restricted participation in excluding women, those without property, slaves, newcomers to Athens and so forth. Recalling this helps illustrate how although the idea of citizenship can contain a powerful democratic and inclusive thrust, 'the speed of its progress towards ... inclusion will depend upon the

openness of its rules of admission' (Castles and Davidson, 2000: 31). This has been discussed below; I concentrate specifically on how during the Enlightenment a justification of subject-hood precipitated notions of consent and contract, opening the way to liberalism's language of individual rights: a component of contemporary accounts of both citizenship *and* belonging presented in formulations of *jus soli* (place of birth) and *jus sanguine* (parental origin). Of course these later formulations were themselves only made possible by the development of the idea of citizenship as a juridical concept of legal status (by another Western tradition, specifically the Roman need to incorporate very disparate groups within a single empire (Dyngnesson, 2001)). This discussion, while being brief, implores us to consider, firstly, whether contemporary citizenship continues to reflect tensions arising from its exclusionary aspects, and how this may be particularly evidenced around sociological cleavages of gender, sexuality, class, race, ethnicity, religion and so forth. Secondly, it reminds us that an inclusive citizenship capable of challenging or overcoming these cleavages – through contestation – is a relatively recent development in accounts of citizenship and civic status.

Of course in his landmark essay *Citizenship and Social Class* (1997 [1950]) T. H. Marshall insisted that the central feature of citizenship should be 'a status bestowed on all those who are full members of the community' (300), and formulated a conception of citizenship that was both a right *and* a duty. This prospect of membership through citizenship undoubtedly heralded an increase in the rights enjoyed by all. For example, Marshall identified a tripartite taxonomy of citizenship made up of the civil, the political and the social. While the civil element was composed of 'rights necessary for individual freedom – liberty of the person, freedom of speech ... the right to own property and conclude valid contracts, and the right to justice' (ibid.: 294), the political referred to an extension of the franchise and the 'right to participate in the exercise of political power, as a member of a body invested with political authority or as an elector of the members of such a body' (ibid.). The third social element described a 'right to a modicum of economic welfare and security to the right to share in the full social heritage and to live the life of a civilised being according to the standards prevailing in the society' (ibid.). To maintain this sort of citizenship 'contract', the state would guarantee such rights while the individual is duty bound to pay taxes and obey the law and so forth. The tension, however, in Marshall's account is axiomatic of the rationale of this book, and arises from his focus on the majority (in his case the British

white working class) in a way that prevented him from seeing cultural minority rights as a plausible prerequisite to full citizenship. That is to say that Marshall's approach is a classic, though nuanced, illustration of an account of citizenship that simultaneously upholds the promise of formal (and in many important respects substantive) equality while passing over the sources of inequality that require an account of cultural differences.

It would be unreasonable to make this a specific charge against Marshall without appreciating the period in which he was writing. For it is arguable that Marshall proposed a relatively progressive formulation of citizenship that advanced the philosophical conceptions of John Stuart Mill, the 'new Liberals' T. H. Green and L. T. Hobhouse, and economists such as Alfred Marshall and John Maynard Keynes. These figures cumulatively contributed to the idea that citizenship should constitute a positive freedom that would supplement the minimum of 'Life, Liberty, and Property' that had been advocated since at least the eighteenth century by classical liberals who

[s]aw such rights as limited, for the most part opposing even the public provision of education, under the period of the welfare state the entitlement to membership and participation also came to embody rights to work, to health, and to security. As such, *a universal citizenship* expressed the new positive role of the state as the embodiment of social democracy.

(Olssen, 2004: 180, emphasis added)

Nevertheless, and while his conception of citizenship was a relative advance that marked an important progress on earlier settlements, Marshall's conception of citizenship embodied a central axiom of liberalism to be found in its singularity or 'universalism'. Criticisms of this tendency have been mounted from various quarters, not least in recent years from those engaged in the 'multicultural turn' (May, Modood and Squires, 2004: 1–19). Authors from this tradition have argued that one problem with the liberal conception of universal citizenship is that it is blind to the injustices that might arise from treating people marked by social, cultural and political differences in a uniform manner. As Squires (2002: 117) has argued, however, it is imperative to distinguish *this* complaint from a rejection of universal social and political inclusion per se. So that what is being advocated is 'a differentiated universalism as opposed to the false universalism of traditional citizenship theory'.

## Nation-state citizenship

Indeed, at the root of another complaint is that Marshallian-style traditional citizenship theory proceeds from a view of a national community, prevalent since the mid-seventeenth century in Europe at least, in which 'the individual enjoys the rights associated with citizenship because she or he belongs to a political community defined as a nation – the nation-state' (Martinello, 2002: 117). The critique of Marshall, and the question pertinent to this chapter, is not so much *who* makes up the nation part of this citizenship equation as much as *whether* there is a tendency for some people to be left out of its construction. For example, according to Walzer (1997: 25) it is indeed the case that the 'nation' results from 'a single dominant group [that] organises the common life in a way that reflects its own authority and culture'. This is a source of concern among scholars who have argued that minorities will 'feel crucially left out [when] the majority understand the polity as an expression of their nation, or agreed purpose, whatever it may be' (Taylor, 2001: 123). To be sure, much of what is encapsulated in the idea of 'multiculturalism' raises this concern and critiques 'the myth of homogeneous and monocultural nation-states' when it advocates the right of minority 'cultural maintenance and community formation, linking these to social equality and protection from discrimination' (Castles, 2000: 5).

Another persistent and related charge surrounds the extent to which the non-private 'civic' realm represents the particular communal interests and values of a dominant group, as if these were (or ought to be) equally held by all. As Chapter 2 makes clear, multicultural theorists unite in their conviction that a blanket reliance on difference-blind individual rights cannot sufficiently register the injustices of inevitable partialities that are contained in such things as public institutions, and which favour majority cultural norms. Hence Taylor (1994: 43–4) characterises the 'supposedly neutral set of difference-blind principles' that are sometimes said to underpin public institutions as reflecting 'one hegemonic culture ... a particularism masquerading as the universal'. These can include those principles that inform a society's laws, its values and dominant practices, and which are presented as the natural order of things when in fact they are an extension of the majority group's culture. This is an ever present tendency, according to Morris (1997: 194), because the Westphalian European nation state has

grown up around an 'ideal' of cultural homogeneity, established and reinforced through the state-controlled acquisition of literate culture,

alongside state control over entry and the acquisitions of citizenship: thus the nation represents territorialized cultural belonging, while the state formalises and controls legal membership.<sup>2</sup>

Or as Bader (2005: 169) reminds us: 'all civic and democratic cultures are inevitably embedded into specific ethno-national and religious histories'. If we were to assess the normative premises of these views, we would inevitably encounter a dense literature elaborating the continuing disputes over the interactions between the civic, political and ethnic dimensions in the creation of nations, national identities and their relationship to each other *and* to non-rational 'intuitive' and 'emotional' pulls of ancestries and cultures and so on. Chief among these: whether or not 'nations' are social and political formations that developed in the proliferation of modern states from the eighteenth century onwards, or whether they are tied to historical formations – or 'ethnies' – bearing an older pedigree that may be obscured by a modernist focus. What is most relevant to our discussion, however, is not the debate between different camps of 'modernist', 'ethno-symbolist' and 'primordialist' protagonists and the like, but the ways in which contemporary appeals to potentially ethnically marked political projects such as citizenship are reacting to Muslim 'differences'.<sup>3</sup> In other words, what remains true in either case is how the nation state can embody an enlightenment urge to reduce differences to unity, an outcome of which is that '[dominant] group related experiences, points of view, or cultural assumptions will tend to become the norm biasing the standards and procedures of achievement and inclusion that govern social, political and economic institutions' (Young, 1993: 133). The result – characterised by Billig (1995: 17) as a 'banal nationalism' – is likely to be 'overlooked, forgotten or theoretically denied', leaving the minority

experiencing oneself as invisible at the same time that one is marked out as different. The invisibility comes about when dominant groups fail to recognize the perspective embodied in their cultural expressions as a perspective. These dominant cultural expressions often have little place for the experience of other groups, at most only mentioning or referring to them in stereotyped or marginalized ways.

(Young, 1990: 60)

In the language of Du Bois, as Chapter 2 elaborates, this kind of civic status confers upon minorities a sort of *veil* from behind which they must look out at dominant society, while those in front of it do not see

the minority as full and legitimate co-members of their polity. That is, institutions and social practices attribute minority status to some inherent qualities in the minority group, as if those qualities were the *reason* rather than the *rationalisation* for neither recognising their presence nor taking their sensibilities into account. In this sense, and as discussed in the following chapter, Du Bois presents an inverted version of the early Rawlsian thought experiment of placing a 'choosing subject' behind 'a veil of ignorance' in an effort to ascertain unbiased propositions of human interest. In Du Bois' terms, minorities look out from behind their *veil* in full knowledge of critical aspects of their identity, and they see the majority through it, while the latter sees only a reflection of their own mastery or dominance. For Du Bois, therefore, conceptions of citizenship that proceed through an unequivocal universalism, based upon the insistence that everybody can access the formal rights theoretically conferred by membership to a polity, diminish the citizenship of minorities if their particularities are not recognised and supported within the terms of incorporation. In agreement with some communitarians considered in Chapter 2 he argues that a singular and categorical notion of citizenship abstracts individuals from their context and ignores the importance of their 'cultural strivings' motivated by forms of consciousness *in and for themselves*. These 'cultural strivings' may seek to attend to a devalued starting position or feelings of neglect in an effort to negate the 'peculiar sensation' that they are 'a problem'. Or they may seek to merge what he called the 'double self' into a 'better truer self' as synthesised or hyphenated identities.

### **British multicultural citizenship**

These rather abstract ideas are not entirely alien to a British policy context that has sought to remove barriers and contest stigmas that disadvantage ethnic and racial minorities who arrived as Citizens of the United Kingdom and Commonwealth (CUKC). Since the story of inward post-war Commonwealth migration has been extensively detailed elsewhere, it will not as such be repeated here (see Hiro, 1991 and Ansari (2004) for a specific focus upon Muslim migrants to Britain). What is important to note, however, is that in the move *from* an imperial *to* a post-imperial power, Britain approached the *jus soli* and *jus sanguine* fork in the road but took a distinct path by implementing a peculiar synthesis of mainly *jus soli* with a doctrine of continuing allegiance to the Crown. Accordingly, 'those born as subject of the crown remained subjects, regardless of emigration or even naturalisation' (Koslowski, quoted

in Owen, 2005: 9). For example, the 1948 British Nationality Act granted freedom of movement to all formerly or presently dependent, and now Commonwealth, territories (irrespective of whether their passports were issued by independent or colonial states) by creating the status of CUKC. Until they acquired one or other of the national citizenships in these post-colonial countries, formerly British subjects continued to retain their British status (Lester, 2008). This is one of the reasons why a common distinction between national minority rights and ethno-cultural minority rights contained within Anglophone social and political theory is not easily transposed on to Britain (see Modood, 2007).

One point of interest is the impact of Britain's first immigration legislation, since the 1905 Aliens Act, in the form of the 1962 Commonwealth Immigrants Act. This Act and the hastily passed 1968 Commonwealth Immigrants Act (designed to prevent the entry of fleeing Kenyan and other African-Asians holding British citizenship) together conversely *accelerated* Commonwealth immigration during this period. While the knowledge of the impending 1962 Act led to a movement of mainly male migration which sought to 'beat the ban', there is evidence to suggest that the migratory impulse for family unification arose from an anticipated total ban on immigration (Shukra, 1998).<sup>4</sup> The 1971 Immigrants Act was probably the closest Britain came to enshrining a *jus sanguine* type of legal citizenship, based upon ethnic descent, through the introduction of a 'partiality' clause. Accordingly a person seeking entry from the Commonwealth would need to demonstrate that a parent or grandparent had been born in the UK. This meant that 'new' Commonwealth citizens (of the West Indies, South Asia and East Africa) were less likely than 'old' Commonwealth citizens (Australia or Canada) to qualify. The 1981 Nationality Act tried to delineate this further through the creation of three categories of British citizenship: (i) British Citizen, (ii) British Dependent Territories Citizen or (iii) British Overseas Citizen. The imperial and post-imperial traffic in diversity, however, allied to Britain's continued role as head of the Commonwealth, meant that these developments are 'more accurately interpreted as a modification of [a kind of] *jus soli* than as the institutionalisation of *jus sanguinis*' (Diez and Squire, 2008: 570). From a national cultural perspective, therefore, beyond legal conceptions of citizenship, rests what Asari, Halikiopoulou and Mock (2008: 1) consider the 'bitter irony' of British multiculturalism since

[a]ll of the civic, assimilative signifiers upon which a multicultural British or for that matter English national identity could potentially



draw from the existing historical-cultural matrix of myths and symbols are deeply implicated in the project of empire – a political project that is not only past but conceptually discredited; associated, and not unjustly either, with hierarchy and racism.

What this interpretation underemphasises is how migrant communities and British-born generations have been recognised as ethnic and racial minorities requiring state support and differential treatment. This is specifically in order to overcome obstacles in their exercise of citizenship, and to prevent, minimise and redress an impairment of their civic status. This includes how, under the remit of several Race-Relations Acts (RRAs) the state has sought to integrate ethnic and racial minorities into the labour market and other key arenas of British society through an approach that has promoted equal access as an example of equality of opportunity (Lester, 1998). Indeed, it is over 30 years since the introduction of a third RRA (1976) cemented a state sponsorship of Race Equality by consolidating – and cumulatively building upon – earlier, weaker legislative instruments (RRA 1965 & 1968).

Alongside its broad remit spanning public and private institutions, recognition of *indirect* discrimination and the later imposition of a statutory public duty to promote ‘good race-relations’, it also created the now-defunct Commission for Racial Equality (CRE) to assist individual complainants and monitor the implementation of the Act (see Dhami, Squires and Modood, 2006: 19–25). This is an example, according to Joppke (1999: 642), of a citizenship that has amounted to ‘a precarious balance between citizenship universalism and racial group particularism [that] stops short of giving special group rights to immigrants’.<sup>5</sup> What it also suggests is that the institutionalisation of a space from which to begin to redress racially structured barriers to participation represents a defining characteristic in the British approach to integrating minorities. But does this amount to a multicultural citizenship?

The answer is that it amounts to a British multicultural citizenship for, although the UK lacks an official ‘Multiculturalism Act’ or ‘Charter’ in the way of Australia or Canada (Commission in Multi-Ethnic Britain (CMEB), 2000), the idea of minority integration being premised upon a drive for unity through an uncompromising cultural ‘assimilation’ was something consciously rejected over forty years ago. This is when the then Labour home secretary Roy Jenkins (1966) defined integration as ‘not a flattening process of assimilation but equal opportunity accompanied by cultural diversity in an atmosphere of mutual tolerance’. What is less commented upon, however, was Jenkins’ anticipation of

the ensuing setbacks and challenges British multiculturalism would face, and which he described in a prescient tone:

This is the goal. We may fall a little short of its full attainment, as have other communities both past and in the present. But if we are to maintain any sort of world reputation for civilised living and social cohesion, we must get far nearer to its achievement than is the case today.

The state sponsorship of Racial Equality has been accompanied by a form of cultural pluralism that has recognised and protected some religious minorities from all the barriers encountered by racial discrimination. Yet alongside this state centred, 'unmistakeably national' (Joppke, 1999: 146) focus, there is also a tradition of what we might characterise as 'municipal drift' where multiculturalist discourses and policies have been pursued through local councils and municipal authorities. This could be an example of the way Banting and Kymlicka (2007: 6) argue that 'multiculturalism has become deeply embedded in the legislation, jurisprudence, and institutions of many Western countries and indeed their self-image'. Such a 'patchwork' of British multiculturalism is summarised by Singh (2005: 170):

Historically, multiculturalism as a public policy in Britain has been heavily localised, often made voluntary, and linked essentially to issues of managing diversity in areas of immigrant settlement. The legislative framework on which this policy is based – for example, the Race Relations Acts (1965 and 1976) – recognised this contingency, giving additional resources to local authorities as well as new powers to better promote racial and ethnic equality. With these enabling powers, most local authorities with large ethnic minority populations have transformed themselves from initially being the bastions of official racism to being promoters of anti-racism and multiculturalism, and with this change the strength of local ethnic communities and coalitions have been instrumental.

Perhaps the best example of Singh's assessment of local multiculturalism is captured by the programmes of anti-racist education (Tronya, 1987; Mullard, 1985) and multicultural education (Swann, 1985) that have historically been enacted at the Local Education Authority (LEA) level.<sup>6</sup>

As Chapter 5 details, LEAs are responsible for education within the jurisdiction of county councils and metropolitan boroughs, and this

includes responsibility for all state schools excluding those that are afforded 'voluntary aided status' (and can therefore opt out of LEA control) under the terms of the 1944 Education Act. In many multiethnic urban areas, LEAs have actively encouraged anti-racist and multicultural initiatives in the face of – and at the cost of – some vociferous opposition. As Rattansi (1992: 11) describes, these initiatives 'set themselves extraordinary tasks [in] shifting the terms around which British national identities had sedimented over the years of colonial domination and imperial grandeur and before'. Such initiatives have in turn informed the national picture. For example it was through the debates at the local level that one of the leading public policy documents on multiculturalism emerged from an inquiry into multicultural education. Titled *Education for All*<sup>7</sup> this report was produced by the Swann Report (1985: 36) and characterised British multicultural citizenship in the following terms:

We consider that a multiracial society such as ours would in fact function most effectively and harmoniously on the basis of pluralism which enables, expects and encourages members of all ethnic groups, both minority and majority, to participate fully in shaping the society as a whole within a framework of commonly accepted values, practices and procedures, whilst also allowing and, where necessary, assisting the ethnic minority communities in maintaining their distinct ethnic identities within this common framework.

Yet this multiculturalism explicitly precluded such things as state support of linguistic pluralism (in terms of 'mother tongue' teaching) or the expansion of religious schools, seeking instead to make each matters of private concern. It has taken Muslim minorities decades of engagement to begin to expand such multiculturalist approaches in a way that also takes their particular needs into account. This has involved contesting its secular and narrowly racial focus in the ways elaborated further below, but which can be seen in such things as the introduction of a religion question into the last decennial Census in 2001 (to generate more reliable data on Muslims' socio-economic status), forms of religious discrimination legislation and the state funding of the first Muslims schools (Modood, 2009).

As such it is also important to note how British Muslim engagement with the state draws not only on race equality multicultural traditions but also on traditions of internal *religious* plurality which have been supplemented by the migration of different religious groups over the

last two centuries (Filby, 2006). To be sure, and in spite of maintaining a protestant Established Church of England, the superior status of the dominant Anglican Church has consistently been challenged by other Christian denominations. This has particularly been the case in Scotland where the religious majority is not Anglican but Presbyterian, and which led to the creation of a Church of Scotland. Elsewhere in England and Wales, Protestant nonconformists have been vocal; and issues such as education have in the past encouraged many of these groups to 'stand out against the state for giving every opportunity to the Church of England to proselytize through the education system' (Skinner, 2002: 174). The cycles of nineteenth century migration from Ireland to London, Glasgow and the north of England have considerably expanded the Roman Catholic presence in Britain. The turn of the twentieth century, meanwhile, witnessed the arrival of destitute Jewish migrants fleeing both the pogroms and economic deprivation in Russia (Meer and Noorani, 2008). Both groups have suffered racial discrimination and civil disabilities on the basis of their religious affiliation but in due course have come to enjoy some of the benefits initially associated with 'establishment' (the identification of the Church of England with the British state). As Chapter 5 illustrates, this includes initially allowing the Catholic Church to set up schools alongside the state and then, in the 1944 Education Act, to opt into the state sector and receive similar provisions to those enjoyed by members of the established Church; a provision which was soon extended to other religious groups, notably Jewish minorities.

### **A crisis of multiculturalism or Islam and Muslims?**

While the sorts of multicultural accommodations afforded to Muslims are important, especially in betraying a symbolic meaning, they remain comparatively modest relative to the race-equality or multifaith components of British multiculturalism that have accommodated other minorities. It is curious then, given the longevity of its *ethnic* and *racial* focus, that the fate of multiculturalism in Britain should have come to be so intertwined with the political identities of Muslims (as illustrated below). For this there are at least two reasons. The first is that Muslim claims-making has been characterised as specifically ambitious and difficult to accommodate (Joppke, 2009, 2004; Policy Exchange, 2007; Pew, 2006; Moore, 2004, 2006). This is particularly the case when Muslims are currently perceived to be – often uniquely – in contravention of liberal discourses of individual rights and secularism that are

made permeable by concessions implied in multiculturalist approaches (Hutton, 2007; Hansen, 2006; Toynbee, 2005). This is exemplified by the way in which visible Muslim practices such as veiling<sup>8</sup> have in public discourses been reduced to and conflated with alleged Muslim practices such as forced marriages, female genital mutilation, a rejection of positive law in favour of criminal shar'ia law and so on (Meer, Dwyer, and Modood, 2010). Each suggests a radical 'otherness' about Muslims and an illiberality about multiculturalism, and, since the latter is alleged to license these practices, opposition to the practice, it is argued, necessarily invalidates the policy.<sup>9</sup> The second reason derives from global events, and not necessarily from the acts of terrorism undertaken by protagonists proclaiming a Muslim agenda (which are routinely condemned by leading British-Muslim bodies), but from the subsequent conflation of a criminal minority with an assumed tendency inherent to the many. Indeed, in a post 9/11 and 7/7 climate, the explanatory purchase of Muslim cultural dysfunctionality has generated a profitable discursive economy in accounting for what has been described as 'Islamic terrorism' (cf Phillips, 2006; Gove, 2006; Cohen, 2007). The net outcome of these two issues is a coupling of diversity and anti-terrorism agendas that has implicated contemporary British multiculturalism as the culprit of Britain's security woes. Gilles Kepel (2005 quoted in Modood, 2005b), for example, has insisted that the bombers 'were the children of Britain's own multicultural society' and that the bombings have 'smashed' the implicit social consensus that produced multiculturalism to 'smither-eens'. More recently, Prins and Salisbury (2008: 22–3) have claimed that a misplaced deference to multiculturalism, which failed to lay down the line to immigrants, has contributed to a lack of national self-confidence and a fragmenting society that has been exploited by Islamist terrorists. This has prompted Modood (2008: 17) to insist that 'the simplistic linkage between home-grown terrorism and the multicultural project is unfair because it ends up blaming not just national policies but specific communities for particular outcomes'. In this case, Muslims as a whole are blamed for terrorism, for not standing up to extremism and for not integrating, which not only appears unfair 'but also divisive and so not likely to achieve the much-sought for integration'. Moreover, the issues involved within countering terrorism are complex and to a large extent require efforts of a very different nature to those traditionally concerned with citizenship and integration.

This is illustrated by the kinds of measures the government pursued following the London bombings in July 2005 by four British Muslims. These included creating seven working groups<sup>10</sup> comprising

representatives of Muslim communities under the terms of 'Preventing Extremism Together' (PET). Initiated by the Home Office this would later fall under the remit of the subsequently created Department for Communities and Local Government (DCLG). These working groups devised a series of proposals to develop practical means of tackling violent extremism. Sixty-four recommendations were put forward in a report published in November 2005, which contained a particular emphasis upon three recommendations that could act as central planks of unfolding government strategies concerned with preventing violent extremism. These included, firstly, the development of a 'Scholars Roadshow' led by British Muslim organisations to facilitate 'influential mainstream' Muslim thinkers to address audiences of young British Muslims. The rationale being that these speakers would distil effective arguments against extremist justification for terrorism in denouncing it as un-Islamic, so as to 'counter the ideological and theological underpinnings of the terrorist narrative'.<sup>11</sup> This included a variety of international figures, and two of the most high-profile Muslim intellectuals to take part and remain embedded within this strategy were the Swiss-born Francophone scholar Tariq Ramadan and the American convert Hamza Yusuf Hanson. A second proposed plank concerned the creation of Muslim forums against extremism and Islamophobia. These could be led by key individuals and brought together members of local Muslim communities, law enforcement and public service agencies to discuss how to tackle extremism and Islamophobia in their area (elaborated further in Chapters 4 and 6). The third and perhaps the most long-standing recommendation, in terms of proposed structural capacity building within British Muslim communities, promoted the formation of a Mosques and Imams National Advisory Board (MINAB). To this end, a steering group of Muslim leaders has undertaken an extensive national consultation on matters such as the accreditation of imams, better governance of mosques and interfaith activity.<sup>12</sup> Alongside this professional development programme or 'upskilling' of imams and mosque officials, recommendations were also made for a national campaign and coalition to increase the visibility of Muslim women, and to specifically empower and equip them in the course of becoming 'active citizens'.

The provenance of these working groups and their recommendations rests in a broader strategy which the British government had been cumulatively developing since the events of 9/11. Known as CONTEST, this broad-ranging counter-terrorism strategy was launched in 2003 and comprised four components concerned with meeting the objectives of *Pursuit* (to stop terrorist attacks); *Preparedness* (to mitigate their

impact where they cannot be stopped); *Protection* (to strengthen overall protection against terrorist attacks); and *Prevention* (to stop people from becoming terrorists or supporting violent extremists). It is this last objective that was given added impetus upon the news that British Muslims had planned and carried out the London bombings, and it is the objective that has most overtly sought the interactive involvement of British Muslim communities at large. It is therefore unsurprising to learn that a strategy premised upon entering, and to some extent reformulating, the life worlds of British Muslim communities has been the subject of critical debate in the study of ethnic relations more broadly (Spalek and Imoual, 2007; Lambert, 2008; McGhee, 2008). That this intention was salient could be gleaned from the fact that immediately after the London bombing, the Home Office signalled that it would establish a Commission on Integration and Cohesion (COIC) 'to advise on how, consistent with their own religion and culture, there is better integration of those parts of the community inadequately integrated'.<sup>13</sup>

The *Prevent* strategy itself, as pursued by the DCLG, is concerned with five further strands<sup>14</sup> – each conceived as a prophylactic in addressing the causal factors for people becoming or supporting terrorists or violent extremists. The Labour government was seeking to advance these objectives through a variety of local community partnerships and across statutory bodies, as well as voluntary agencies and community groups 'with police forces, local authorities and their partners working closely together to oversee and deliver the project' (DCLG, 2008b: 9). To foster these outcomes the prevent-related funding for the period from 2008/09 to 2010/11 presently rests at 45 million and is directed via local authorities. In this way the *Prevent* strategy signals some diffusion of formal responsibilities for policy implementation and service delivery in a way that some perceive as indicative of broader development in 'governance' practices whereby 'responsibility and accountability for a wide range of social issues is increasingly focussed towards local levels, while at the same time centralised control in terms of resources and target-setting is maintained' (Spalek and Imoual, 2007: 188). While it is not immediately apparent in the earlier quotation, the incorporation too of faith-based groups from within the third sector is potentially party to novel approaches to engaging with religious minorities through the practices and models of representation, stakeholders and advocacy in the consultative arena (O'Toole, Modood and Meer, 2009). Although it could also be argued that what has been termed a multicultural 'municipal drift' (Meer and Modood, 2009), elaborated earlier in this chapter with reference to Singh's (2005) account of the adoption of multiculturalism

at the local level, are examples of these kinds of tendencies by another name. Whether or not, or, perhaps more precisely, the extent to which this shift transpires to have taken place is not of central concern here. For what this discussion is trying to elaborate is the manner in which the *Prevent* agenda, in constituting part of the broad counter-terrorism strategy, appears to be simultaneously subject to at least two broader prevailing dynamics comprising

[firstly] the implementation of anti-terrorist laws that can be used disproportionately against Muslims leading to the potential for their increased surveillance and control and thereby serving to reduce Muslims' trust of state institutions, while [secondly] at the same time pursuing approaches that acknowledge, and stress the importance of, the involvement of British ... Muslim communities in helping to combat extremism.

(Spalek and Imoual, 2007: 191)

Indeed, Spalek and Imoual (2007) frame these dynamics relationally in terms of 'harder' and 'softer' strategies of engagement, whereby the former may be understood as consisting of various means of surveillance, policing and intelligence gathering and so on. The latter, meanwhile, would include the development of dialogue, participation and community feedback between Muslim communities, state agencies and voluntary organisations in a way that may serve to increase trust in 'the battle for hearts and minds'. For example, the *Prevent* strategy emphasises, and seeks to extend to Muslims, long-established equality traditions historically orientated towards ethnic and racial minorities:

The Prevent strategy requires a specific response, but we must also make the most of the links with wider community work to reduce inequalities, tackle racism and other forms of extremism (eg extreme far right), build cohesion and empower communities [...] Likewise, it is recognised that the arguments of violent extremists, which rely on creating a 'them' and an 'us', are less likely to find traction in cohesive communities.

(DCLG, 2008: 6–7)

This builds upon other recognition within government policies and legislation of Muslim religious difference that has been manifested in other ways, including measures against religious discrimination as set out in the Equality Act 2006 as discussed in Chapter 6. The tensions,



then, surround the extent to which the prevailing British citizenship being extended to Muslims – through social and community cohesion agendas – are twinned with or placed within the same register as anti/counter-terrorism strategies that import or rely upon certain securitised ‘hard’ aspects of this dimension of State-Muslim engagement. The risk is that Muslim active citizenship is to some extent framed in terms of demonstrable counter-terrorism activities in a way which assumes that Muslim communities at large remain the ‘locus of the issue of extremism’ (Spalek and Imoual, 2007: 194). As such, while it is not quite the case, as Fekete (2004: 25) has suggested, public policy solutions aimed at managing ethnic and religious diversity currently amount to being ‘tough on mosques, tough on the causes of mosques’, it is certainly now more common to find statements such as that made by the former Communities Secretary Ruth Kelly, that it is a requirement for Muslim organisations to take ‘a proactive leadership role in tackling extremism and defending our shared values’ (11 October 2006).

### **Anti-multicultural *deja vous*?**

At this juncture it is instructive to note past cycles of critical discourse on British multiculturalism. For although it is presently alleged to be facing a ‘crisis’, one that is purportedly precipitated by the exceptionality of ‘culturally unreasonable or theologically alien demands’ (Modood, 2006: 37) associated with Muslims, with particular ‘national security’ inflections, we should not assume that British multiculturalism has been anything other than contested or ‘unsettled’ (Hesse, 2000). Indeed, it could be argued that Muslims are only the latest, though perhaps the most dramatic, means through which this cumulatively progressive tradition has been critiqued. This can be illustrated if we return to the arena of education which has frequently proved to be a cauldron of contestation between advocates and detractors of multiculturalism from all sides (see Modood and May, 2001). What are of import here are not the internal disputes between anti-racists and multiculturalists, but how an anti-multiculturalism Conservative government had previously sounded its death knell in the early 1990s. For example, following the Education Reform Act (1988) and the introduction of the National Curriculum, and in a climate in which New Right lobbyists were influential, the *Times Educational Supplement* (1990) concluded that ‘there appears to be a definite though unformulated strategy to starve multicultural education of resources and let it wither on the vine’ (quoted in Jackson, 2007: 205). This was supported by a rhetorical endorsement

in the address by the then prime minister, John Major, to the 1992 Conservative Party conference that ‘teachers should learn how to teach their children to read and not waste their time on the politics of race’ (ibid.). It thus came as no surprise to learn that the Chief Executive of the National Curriculum had specifically been instructed to remove all mention of multicultural education from the National Curriculum (Graham, 1993). This, of course, was before the present view that multicultural inclusion would prove problematic for – and with – Muslims, though this too has existed for longer than some recent accounts might suggest. For example, and according to Favell (1998: 38), ever since the onset of the *Satanic Verses* affair ‘one of the hottest issues thrown up by multiculturalism in Britain has been the growing significance of political and social issues involving Muslims’. To be sure, the publication of a novel by Salman Rushdie which disparaged both the genesis of Islam and the biography of the Prophet Mohammed gave rise to a great deal of anger expressed by British Muslims who felt that ‘as citizens they [were no less] entitled to equality of treatment and respect for their customs and religion’ (Anwar, 1992: 9) than either the Christian majority denominations or other religious minorities.<sup>15</sup> Explored in relation to ascribed and self-defined identities in Chapters 3 and 4, this episode highlighted the lack of political space and public sympathy experienced by Muslim minorities. As an earlier Modood (2005c [1993]: 121, 122) once asked,

[i]s not the reaction to *The Satanic Verses* an indication that the honour of the Prophet or the *imani ghairat* [attachment to and love of the faith] as central to the Muslim psyche as the Holocaust and racial slavery to others? [...] Muslims will argue that, historically, vilification of the Prophet and of their faith is central to how the West has expressed hatred for them and has led to violence and expulsion on a large scale.

An unambiguous ‘no’ is the answer Modood may have received from none other than Roy Jenkins, who ruminated how ‘in retrospect we might have been more cautious about allowing the creation in the 1950s of substantial Muslim communities here’ (Jenkins quoted in Lewis, 1994: 4). The more recent form that an anti-multicultural backlash has taken is epitomised in the work of prominent centre-Left commentators such as David Goodhart (2004) and his widely disseminated essay ‘Too Diverse?’ Invoking a monocultural-nationalism, Goodhart has openly argued that ‘we feel more comfortable with, and are readier

to share with and sacrifice for, those with whom we have shared histories and similar values. To put it bluntly – most of us prefer our own kind'. To this we could add the comments of Trevor Phillips, previously Chair of the CRE and current head of the newly forming Equality and Human Rights Commission (EHRC) (see Chapter 6) who has famously stated that Britain should 'kill off multiculturalism' because it 'suggests separateness' (quoted in *The Times*, 3 April, 2004). Following this, some might suggest predictably, Goodhart and Philips' views have been re-deployed by the centre-Right Conservative Party leader David Cameron, who has characterised British multiculturalism as a 'barrier' dividing British society (Cameron, 30 January 2007), while the Bishop of Rochester, Michael Nazir-Ali, has insisted that 'the multiculturalism beloved of our political and civic bureaucracies has not only failed to deliver peace, but is the partial cause of the present alienation of so many Muslim young people'.<sup>16</sup>

A more governmental articulation of the view that Muslims are an exceptional and problematic minority, however, can be found in the 'parallel lives' thesis (Cantle, 2001) that followed the inquiry into civil unrest and 'rioting' that took place in some northern towns, home to both small and large numbers of Muslims (Shukra et al., 2004). In charging Muslim communities with self-segregation and adopting isolationist practices under a pretence of multiculturalism (see Hussain and Bagguley, 2005), the Ouseley report (2001) pioneered an approach found in other post-riot accounts (cf. Ritchie, 2001; Clarke, 2001; Cantle, 2001).<sup>17</sup> This included its likening of Muslim settlement patterns to those of 'colonists' (Wainwright, 2001) and which provided many influential commentators with the license, not always supported by the specific substance of each report, to critique Muslim distinctiveness in particular and multiculturalism in general.<sup>18</sup> As the Archbishop of Canterbury Dr. Rowan Williams has recognised, the centrality of British Muslims to these debates has meant that discussion of multiculturalism in Britain has a tendency to reflect 'a coded way of talking about one kind of perception of Islamic groups in Britain' (Williams, 13 May 2007).

### **Ignoring Muslims-consciousness in 'multiculture'?**

If it is the case that antagonism and hostility towards multiculturalism *as it might accommodate Muslims* is in full bloom, it would explain why an opinion poll could find that 58 per cent of a representative sample of the national population would declare that people who come to Britain should adopt its values and traditions (BBC Poll, 10 August 2005). What,

however, could explain the 62 per cent of the same survey sample who insist that 'multiculturalism makes the country a better place'. While this does not necessarily describe a dichotomy, for nuances of both can easily be true of the same type of multiculturalism, it is worth considering the extent to which the poll confirms Giddens' suspicion 'that much of the debate about multiculturalism in this country is misconceived' (*The Guardian*, 14 October 2006) and 'seems simply to be out of touch with what the concept actually means' (Giddens, 2007: 155). A key misconception may be found in the confusion between 'communitarian' and individualistic 'multiculture' views of British multiculturalism. The difference between these might be characterised thus: where the former emphasises the ways in which strong ethnic or cultural identities can lead to a meaningful and self-assured integration (Parekh, 2000; Modood, 2005c, 2007), the latter stresses the possibilities of lifestyle identities adopted in an atmosphere of 'conviviality' (Gilroy, 2004; Malik, 2007). Despite the contemporary nature of these distinctions, they have not gone unnoticed in the past.

It is over a decade and a half since Paul Gilroy (1993b: 94) asked what it meant if 'the political and cultural gains of the emergent black Brits go hand in hand with the further marginalisation of "Asians" in general and Muslims in particular?' While certain events, not least the Rushdie Affair, had prompted his probing empathy, based upon the evidence of his recent theoretical advocacy of a 'multiculture' that does not speak to the marginalisation of Muslims today, his question has not moved him to find a more inclusive formulation. This is particularly so because Gilroy assumes that multiculture, or at least its politics, must be secular in orientation and so prioritises 'the process of cohabitation and interaction that have made multiculture an ordinary feature of social life in Britain's urban areas and in postcolonial cities elsewhere [hoping] an interest in the workings of conviviality will take off from the point where "multiculturalism" broke down' (Gilroy, 2004: xi). It is arguable that this 'break-down' consists of a failure to take up the political claims of Muslims and refocus instead upon socio-cultural interactions and expressions. More specifically, it takes place along the fault-lines of 'essentialism' and 'reification' that is felt, certainly by Gilroy and others (including Alexander, 2002), to underpin the conception of multiculturalism presented in the aforementioned CMEB (2000), and elsewhere by writers such as Parekh (2000: 6), in his description of a multicultural society as

[o]ne that includes two or more *cultural communities*. It might respond to its cultural diversity in one of two ways ... It might welcome and

cherish it ... and respect the cultural demands of its constituent communities; or it might seek to assimilate these communities into its mainstream culture either wholly or substantially. In the first case it is multiculturalist and in the second monoculturalist in its orientation and ethos. The term 'multicultural' refers to the fact of cultural diversity, the term 'multiculturalism' to a normative response to that fact (emphasis added).

What is being argued is that, in their defence of a wholesale rejection of a normative and state-sponsored multiculturalism, Gilroy and others have defended only the 'multiculture' and not the communitarian version. For it is precisely the sociological and normative conceptions of community that some 'multiculturalists' are distancing themselves from in the conceptualisation of 'multiculture' as multiculturalism *without groups*. This is for some, though not Gilroy, a less political project. This is apparent in Kenan Malik's (2006/7: 3) statement that 'when most people say that multiculturalism is a good thing, they mean the experience of living in a society that is less insular, less homogenous, more vibrant and cosmopolitan than before'. Hence his dramatic plea 'to separate the idea of diversity as lived experience from that of multiculturalism as a political process', because that latter amounts to a political project that will 'seal people into ethnic boxes and police the boundaries' (Malik, 2007: 9, see also Alibhai-Brown, 2001: 47).

The charge of essentialising and reifying communities into ethnic boxes ignores, as Chapters 3 and 4 demonstrate, the ways in which ethnic categories can reflect subjective (and not only objective or externally ascribed) positionings within and between sites of 'boundaries'. These are not unproblematic; they can be multiple and may be informed by common experiences of racism, sexuality, socio-economic positions, geographical locality and so forth (these issues are fully unpacked and explored in later chapters). In this sense, all group categories are socially constructed, but it is clear that people still have a sense of groups (to which, among other things, they may feel they belong or are excluded from). It will be argued that one of the reasons we cannot ignore 'groupist' conceptions of difference is that religious minorities often see and describe themselves as sharing a 'group' identity through such categories as 'Jewish' or 'Muslim' or 'Sikh' among others (this is developed in Meer, 2008). If we accept that these are no less valid than categories of 'working class', 'woman', 'black' or 'youth', it appears inconsistent to reject some groupist categories simply because they are subject to the same 'dialectical tension between specificity and generality that all

group categories are subject to' (Modood, 1994). This returns us to an earlier debate examined in Modood's (1998: 378, 379–80) discussion of anti-essentialism and multiculturalism, in which he noted how

critics have attacked multiculturalism in very similar terms to how multiculturalism attacked nationalism or monoculturalism. The positing of minority or immigrant cultures, which need to be respected, defended, publicly supported and so on, is said to appeal to the view that cultures are discrete, frozen in time, impervious to external influences, homogeneous and without dissent. ... British anti-essentialists have proposed the ideas of hybridity and of new ethnicities as an alternative to essentialist ethnic identities [which] are not simply 'given', nor are they static or atemporal, and they change (and should change) under new circumstances or by sharing space. ... Reconciled to multiplicity to an end to itself, its vision of multiculturalism is confined to personal lifestyles and cosmopolitan consumerism and does not extend to the state.

These sorts of hybridity and multiplicity are epitomised by Stuart Hall's (1988; 1991) 'new ethnicities' thesis, and refers to a *laissez faire*, secular multiculturalism that is less receptive to the recognition of 'groupings' in general and ethno-religious community identities in particular.<sup>19</sup> This sort of multiculturalism seeks to engage with the cultural complexities of ethnic identities, specifically their processes of formation and change, which it views as being produced somewhere between an interaction of the local and the global, in which

the displacement of 'centred' discourses of the West entails putting in question its universalist character and its transcendental claims to speak for everyone, while being itself everywhere and nowhere.

(Hall, 1996 [1988], p. 169)

Contrast this, for example, with the way in which the Muslim Council of Britain (MCB) described its account of multiculturalism:

The MCB's vision is of a multi-faith, pluralistic society with a conscious policy of recognising that people's cultural and faith identities are not simply a private matter, but ones that have public implications. This vision does not imply cultural separatism – the MCB is committed to working for the common good.

(MCB Briefing Paper, January 2007: 2)

It is arguably the case that if the former multicultural view is championed at the expense of accommodations of religious minority identities in general, the impact on Muslims may be particularly negative, no less than a shift towards nationalist civic-assimilationist rhetoric. This is because secularist 'multiculture' has the effect of demarcating 'the limits of their [Muslims'] expectations for the future extension of special rights and exemptions, as well as perhaps having a demoralising effect because of the stigmatising and stereotypical way it represents them in the public domain' (Statham, 2003: 145). *As a replacement, then, to a political multiculturalism, the 'multiculture' approach appears blind to one of greatest challenges presently facing British multiculturalism, i.e., the inclusion of Muslim 'groupings' and accommodations of Muslim claims-making.* Two of the most salient examples of this claims-making concern the state sponsorship of Muslim faith-schooling, and contestations over anti-discrimination legislation, each of which are explored in Chapters 5 and 6, while the twin issues of stigma and stereotype in public and media discourses are examined in Chapter 7. Integral to each of these kinds of mobilisations, as well as the experiences of stigma and stereotype, are the forms of consciousness that affect and are affected by them, and it is to this that we now turn.

# 2

## Du Bois and Consciousness

In his essay on 'The Conservation of Races', W. E. B. Du Bois (1897) directs himself to African-Americans and insists, '[I]t is our duty to conserve our physical powers, our intellectual endowments, our spiritual ideals; as a race we must strive by race organisation, by race solidarity, by race unity to that broader humanity which freely recognises differences but sternly deprecates inequalities in their opportunities of development.' As this quotation intimates, and as previous chapters have insisted, W. E. B. Du Bois bequeaths us a rich body of work with which we can theorise minority social formations that strive for an elevation of their civic status, specifically through an incorporation of their 'difference' into prevailing citizenship practices. This chapter will substantiate this assertion and elaborate how Du Bois makes a unique contribution to the study of Muslims and citizenship in Britain.

It is worth pausing to register, however, the increasing recognition of Du Bois as a 'founding figure' of sociology (Young et al., 2007; Gates, 2007; Gates and Oliver, 1999; Bell, Grosholz and Stewart, 1996; Lemert, 1994). Indeed, in 2006 a group of sociologists led a successful campaign to rename the American Sociological Association's (ASA) highest award, the Career of Distinguished Scholarship Award, after Du Bois (Morris, 2007). Elsewhere Michael Burawoy's (2005: 417) seminal intervention on the role of applied social science names Du Bois 'as perhaps the greatest public sociologist of the twentieth century'. So that while not exhaustive, each of these accolades follow Zuckerman's (2004: 3) proclamation that Du Bois was 'one of the most imaginative, perceptive, and prolific founders of the sociological discipline'. It is perhaps self-evident, therefore, why we might take seriously a thinker whose work has so powerfully impacted upon the topics of difference and citizenship in the way that one might, for example, refer to Marx, Weber or Durkheim in



an analysis of social class, status or solidarity (Basu, 2001). This is a body of work that has had an enormous influence upon American conceptions of race<sup>1</sup> and difference (Bell, Grosholz and Stewart, 1996). Since these American conceptions have often very directly impacted upon British race-relations paradigms, making America a country from which Britain has historically learnt a great deal about race and racism; sometimes adopting or incorporating much in the way of approaches to race-relations and anti-racism, it might be argued that Du Bois has already made an indirect contribution to the British debate which invites explicit inquiry. This means that while a great deal of his analysis took place in an American context,<sup>2</sup> his body of work is certainly not limited to there.<sup>3</sup>

It is therefore somewhat surprising to learn that while Du Bois continues to be resurrected and celebrated in the American literature on race, ethnicity and political incorporation, there is no evidence of such research on this side of the Atlantic.<sup>4</sup> In accounting for this, one might reason that his relevance to contemporary Britain has expired. Or, alternatively, that he provides such a contextually specific narrative on the experience of African-Americans, that it could never have been satisfactorily applied to Britain anyway. Indeed, perhaps it is simply the case that Du Bois 'represents an antiquated psychological approach' (Dennis, 2003: 16). Moreover, since Du Bois is largely understood as having pioneered the sociology of colour racism, does a modern Britain that is not marked solely by the effects of colour racism, but is instead punctuated by multiple racisms, alongside ethnic and religious diversity, invalidate the application of his work?

This chapter illustrates why this is not the case by reconsidering the most important concept, arguably, to emerge from Du Bois' attempt to theorise the inclusion of minorities. This is his idea of 'double consciousness' as set out in his essay titled *Of Our Spiritual Strivings*, which was published in his 1903 collection *The Souls of Black Folk*.<sup>5</sup> Through an original reading of this concept, Du Bois is cast as a pre-cursor to later advocates of 'difference' (Young, 1990), 'cultural diversity' (Parekh, 2000), and 'recognition' (Taylor, 1994). Prior to this, however, and due mainly to their similar conceptions of consciousness and ideas of reciprocity, it is argued that a rewarding method of decoding novel implications from Du Bois' concept is to dialogue it with Hegel's Master-Slave dialectic (hereafter MSD) outlined in the *Phenomenology of Spirit* (1807). Indeed such an approach does not require a great intellectual leap from Du Bois' own work because throughout the composition of his texts relevant to this discussion Du Bois was already drawing inspiration from

Hegel's conception of consciousness and synthesising this with his own sociological imagination (Gilroy, 2004, 1993a; Stevens, 1995; Gooding-Williams, 1987; Williamson, 1984).<sup>6</sup> Of course this needs to be demonstrated textually, which in turn requires some appreciation of Hegelian consciousness. Consequently, this chapter begins with an exploration of Hegelian consciousness as outlined in the MSD; before we discuss its impact upon a reading of Du Boisian accounts of the interaction between *self* and society – particularly with forms of consciousness that strive for 'recognition' *in* or *for* themselves.

- **The implication this holds for thinking about Muslim mobilisations is taken up and considered at length through the lens of ethnicity in the following chapters, and adopted in the empirical analyses set out in Chapters 5, 6 and 7.**

The next section will show how an understanding of Hegel's MSD is helpful in grasping how Du Bois conceives of the power held by a dominant group<sup>7</sup> to afford status, invoke complicity or use coercion in denying recognition or affording misrecognition to a minority, and that the constituent parts of double consciousness emerge as an outcome and a resource in relation to the need to maintain a sense of *self* in response to this misrecognition.

## Hegelian consciousness

In his famous allegory of the master and the slave, Hegel outlines a series of conflicts and their dialectical relationship to different forms of consciousness. In examining reciprocal relations of power, he attempts to 'lift the veil' and reveal the processes mediating the transformation of a consciousness from dependence to one of self-consciousness and independence. It is worth clarifying at the outset that rather than providing an empirical account of power-relations in actual slave societies, Hegel's master-slave dialectic should instead be understood as an abstracted 'state of nature' argument conceived as a corrective to Hobbes (Davis, 1975). By this it is meant that through the MSD, Hegel is trying to draw our attention to the manner in which a Hobbesian war of 'all against all' is unable to maintain the very individuality or independence upon which it is premised.<sup>8</sup> This is perhaps best captured in Binder's (1989: 1435) interpretation of the MSD as an attempt to show that 'freedom [has] to be conceived as some form of association rather than independence; and that it [has] to be mediated by politics rather than

defended from politics'. Besides stressing the primacy of the political, Binder positions the MSD as 'an intellectual foundation for modern communitarian conceptions of freedom in its devastating critique of the ideal of independence' (ibid.: 1437).

The reason why Binder makes such a bold claim stems from a question that Hegel posed himself, namely, how does a person come to conceive herself as an independent being and/or when do they become conscious of themselves as such? Hegel's answer rests on a process of objectification which reasons that we must first identify – outside of ourselves – some 'purposive intelligence' (Binder, ibid.) from which it proceeds that others are required to establish our own independent selfhood or identity, described in the following terms:

A self-consciousness has before it another self-consciousness; it has come outside itself. This has a double significance. First it has lost its own self, since it finds itself as an *other* being; secondly, it has thereby sublated that other, for it does not regard the other as essentially real, but sees its own self in the other.

(Hegel, 2003 [1910]: 105)

What prevents our collapse into our own perceptions, insists Hegel, is our ability to see 'our own self in the other'. The ethical basis this provides in terms of its potential normative, political implications for Du Boisian conceptions of consciousness is what this first section on Hegel seeks to establish. To this end, it will be argued that we cannot receive recognition outside of a political community characterised by reciprocal or mutual recognition. That is, the obligations rendered under conditions of *Sittlichkeit*<sup>9</sup> or ethical life, 'by virtue of being members of one of the ongoing bonded communities of common life and common freedom' (Taylor, 1989a: 864). To satisfactorily understand the meaning of this, we must unpack the complexities and rewards of the MSD.

Hegel's dialectic, presented as an allegory or vignette, begins with two independent beings that – at an underdeveloped stage of history – try to 'wrest recognition from one another without reciprocating' (Taylor, 1975: 153). The reason 'each aims at the destruction and death of the other' (Hegel, 2003 [1910]: 12), or is driven to demand recognition while conferring none, fighting for it instead of cooperatively conferring it, is because each carries a distorted conception of individual identity, struggling for Hobbesian like survival. Unlike the Hobbesian predicament (see note 7), however, Hegel's framing of this 'state of nature' scenario posits that when this struggle takes place and one of the protagonists is

defeated, rather than being slain they are instead enslaved by the victor. According to Hegel, this is because the victor cannot receive the desired recognition from the defeated if they do not exist, and so the whole process would have been futile. The completion of this first conflict is best described in Hegel's own terms:

The dissolution of that simple unity is the result of the first experience; through this there is posited a pure self-consciousness and a consciousness which is not purely for itself [...] The one is independent, and its essential nature is to be for itself, the other is dependent, and its essence is life or existence for another. The former is the Master, or Lord, the latter the Bondsman.

(Hegel, 2003: 108)

The master is thus positioned as an independent being and is recognised as such by the enslaved. At this point there emerges, however, a discrepancy between the master's consciousness and the reality of the situation; between the master's idea of himself as a true independent being, and his concept of the outside world. This is because the master's conception of himself – as truly independent and recognised as such by the slave – is necessarily mediated through this two-party relationship. Having argued that the master achieves a dependent rather than an absolute status, Hegel insists that it is in fact the very freedom of the master that is determined through his relation to the slave, specifically because the consciousness of the one party is necessarily mediated through its relation to the other:

In all this, the unessential consciousness is, for the master, the object which embodies the truth of his certainty for himself. But it is evident that this object does not correspond to its notion; for just where the master has effectively achieved Lordship, he really finds that something has come about quite different from an independent consciousness. It is not independent, but rather a dependent consciousness that he has achieved.

(Ibid.: 109–10)

Before we critically assess this understanding, by writing in the next section of *dialectics* in the plural rather than the singular, we should recognise that Hegel's position brings the master to a point which Alexandre Kojève (1969: 22) describes as an 'existential impasse', where the recognition sought by the master during the initial conflict is not

what is achieved. For in enslaving the other and relegating them to a position of subordination, the master cannot receive the recognition of them self as an independent being because (a) their own notion of mastery is dependent upon that of the slave, and (b) recognition is not of sufficient value coming as it does from one relegated in status. As Hegel argues above, at first the master does not realise the disparity between the reality of the situation and their impression of it.

### **Teleology, group psyches and multiple dialectics**

Following the initial conflict then, Hegel sees the dialectic as a representation of how the fate and consciousness of the two parties is no longer independent but, albeit unequally, *interdependent*; in that they have become inextricably linked in a process that necessitates some form of resolution; that they effectively have to sink or swim together. Taylor (1975: 155) shares this interpretation when he stresses that the process of coming to self-consciousness is a 'dualistic' one. For both Taylor and Kojève the slave must recover their self-consciousness not only for their own survival, but also to resolve the existential impasse of the master. Similarly, the master must recognise the fact that their fate is now directly dependent upon the development of the consciousness of the slave. The anticipated independence of the master becomes not only a dependence upon the slave for his present form of self-consciousness, but, more importantly, rests upon the possibility of the future development of that consciousness to a state of true self-consciousness or independence.

- **Specifically, the movement from a self-consciousness in itself to the transformative potential of a self-consciousness for itself, or from one's historically ascribed identity to one's politically self-constructed identity.**

There is of course a teleological prescription in some of these readings but what is of interest is the way in which something valuable can be stated, as it was by Du Bois, without it necessitating a teleological course, and this is no less true with the leap that Hegel makes from individual to group psyches. In common with a tradition among philosophers to begin with the rational self, Hegel also starts with the self but, as we have seen, argues that this cannot exist in a *self-substantiating process*, and so therefore communalises it. Thus in contrast to Hobbes who argued that in leaving a 'state of nature' we lose freedom, Hegel shows

that the social and the political *is* the condition of freedom in which self is a social or communal self.

As it is argued below, however, the sorts of multicultural recognition that Du Bois espouses does not follow from this alone. That is, that the case for mutual recognition does not on its own establish the legitimacy of multicultural inclusion for Du Bois. As we shall see, Du Bois merges ideas of difference with citizenship, centred around modernist ideas of hyphenated identities, in making a universalistic ethical move in arguing for the equal but differentiated inclusion of different groups on the basis of their common membership of a polity. This is returned to below, but what is required at this stage is a closer inspection of the internal logic of Hegel's dialectic, where it is revealed that during his initial discussion of the development of consciousness, Hegel fails to distinguish between what appear to be three *separate* constructs in the MSD.

These multiple dialectics roughly divide between (a) the *present-focused* as a logical interaction or binary, which distinguishes between the existence and non-existence of an interaction between two parties and (b) the *empirical possibilities* to emerge from the power retained by the master who, in the final analysis, possesses an autonomy that the slave lacks. These possibilities shape the future of this relationship and the ways in which it might continue (reciprocity being one possibility, coercion another). The nature of the relationship as it exists and changes may then be described by tracing (c) the moral dialectic, which seeks to engage – through the masters' authoritative paternalism – the slaves' reciprocal complicity in the dialectic, serving to externalise and normalise the ethical constraints of this relationship. In what one might cite as an unreasoned inference, Hegel utilises the two constructs of the dialectic, outlined as (a) and (c), which herald a mutual dependency for attaining *status* (however uneven that may be) between the master and the slave, before – without clear reason – moving to tie the very development of consciousness<sup>10</sup> upon this struggle for status recognition.

- **Hegel circumvents a step in his allegory (b) which pertains to the empirical possibilities that, should the slave refuse to acquiesce with the master's dominance, the master can coerce the slave as a subordinate and thwart the reciprocity required to make the dialectic function on the basis of recognition alone.**

Regardless, therefore, of the appropriate recognition granted to the master by the slave, the slave is dependent upon the master for their

coming to self-consciousness, while the master retains the agency to minimise their own dependence upon the slave. Thus, Hegel ignores the extent to which coercion can be either a competitor or partner of recognition. In light of this, it might be more helpful to speak of master-slave *dialectics* in the plural, rather than the singular, and to suggest that there are actually three different interactions taking place in this allegory. This appears to be a more promising insight than the initial reading offered by Taylor and Kojève, specifically because it can be employed to probe the intricacies of forms of consciousness developed in the present-focused and moral dialectic outlined by Hegel, in order to distinguish between these and the empirical dialectic of majority-minority relations that so occupied Du Bois.

Leaving the master at the impasse earlier identified by Kojève, Hegel turns his attention to the position of the slave, which is also contrary to what might be expected, since the consciousness of the slave is essentially in a position of ‘potentiality’:

Just as lordship showed its essential nature to be the reverse of what it wants to be, so, too, bondage will, when completed, pass into the opposite of what it immediately is: being a consciousness repressed within itself, it will enter into itself, and change round into real and true independence.

(Hegel, 2003: 110)

In a strong reading, Kojève places the slave as the instrument and agent of all historical change:

There is nothing fixed in him. He is ready for change; in his very being, he is change, transcendence, transformation, education; he is historical becoming at his origin, in his essence, in his very existence ... the experience of the fight predisposes the slave to transcendence, to progress, to History

(1969: 22)

Given the tension we have identified, Kojève’s reading might better be recast as offering only a potential avenue rather than a determinate outcome. The transformative possibility provided by this sort of context can be contrasted with Du Bois’ reading of the broader sense of consciousness developed among African-Americans, and particularly in their conception of freedom as newer, and possibly richer, because

out of slavery and out of the later striving of black folk ... in an oppressive white world came a rising sense of black soul. Thus it was that white thesis bred black antithesis, which took the best of white culture and moved it upward towards a new synthesis.

(Williamson, 1984: 405)

This end stage of the dialectic, however, does not generally constitute our main concern. Of far greater relevance in contrasting Du Bois with Hegel are the intricacies in the processes of the development of consciousness. As Binder (1989) suggests, rather than being a specific model of dominance and submission, the MSD is a series of wheels within wheels; it is an attempt to explain historical processes, through an examination of the transformation of consciousness within a social relationship that is, itself, transformed by and through these shifts in consciousness. With the distinction between those three separate constructs in mind, we can infer from Binder some sympathy to the multifaceted nature of the development of consciousness.

### What is double consciousness?

Like all forms of dialectic,<sup>11</sup> the MSD is a process in which concepts and categories are never static but are marked by constant transformation and mediation. This becomes evident in Du Bois' account of the political development of America; in that, just as it is the case for the master and the slave, in *Of Our Spiritual Strivings* (1903) the fate of American consciousness is dependent upon the unfolding relationships and the dialogue or interaction between minority and majority subjectivities, as two separate but entwined forms of consciousness. It is, moreover, these *dialectics* which will, for Du Bois, determine the course of American history.<sup>12</sup> Du Bois introduces his account of double consciousness in the following passage from *Strivings*, and since this is the main text that I wish to focus upon in the proceeding discussion, it is worth quoting at length:

[T]he Negro is ... born with a veil, and gifted with a second-sight in this American world, – a world which yields to him no true self consciousness, but only lets him see himself through the revelation of the other world. It is a peculiar sensation, this double-consciousness, this sense of always looking at one's self through the eyes of others, of measuring one's soul by the tape of a world that looks on in amused contempt and pity. One ever feels his twoness, – an American,



a Negro; two souls, two thoughts, two unreconciled strivings; two warring ideals in one dark body, whose dogged strength alone keeps it from being torn asunder. The history of the American Negro is the history of this strife, – this longing to attain self-conscious manhood, to merge his double self into a better and truer self. In this merging he wishes neither of the older selves to be lost. He would not Africanize America, for America has too much to teach the world and Africa. He would not bleach his Negro soul in a flood of white Americanism, for he knows that Negro blood has a message for the world. He simply wishes to make it possible to be both a Negro and an American, without being cursed and spat upon by his fellows, without having the doors of Opportunity closed roughly in his face.<sup>13</sup>

(Du Bois, 1999 [1903]: 10–11)

On the surface, this passage has as its fundamental theme a duality in African-American life. Fuelled largely – but not exclusively – by colour racism, this duality is a kind of paradox which stems from being intimately part of a polity while excluded from its public culture, or, as Du Bois characteristically puts it, ‘being an outcast and stranger in mine own house’ (ibid.). Yet further scrutiny reveals four different issues, loosely grouped into two sets, which encompass much more than an outcome predicated upon the effects of colour racism. Moreover, since there are a range of issues signalled in his description of double consciousness, and because this range attempts to mediate between agency and structure, individual and society and between minority and majority subjectivities, there has on occasions been a tendency to conflate, reduce or confuse the role of one to the other.<sup>14</sup> This concern further instils the need to unpack Du Bois’ description before we analyse and adapt it for conceptual use in any normative sense.

In the opening half of the passage, Du Bois outlines his reading of the *self*, specifically the significance of (1a) the internalisation by African-Americans of the contempt white America has for them, and (1b) the creation of an additional perspective in the form of a ‘gifted second sight’ to which experiencing this gives rise. In the second half of the passage he identifies how societal incongruencies emerge from (2a) conceiving of African-Americans as having fewer civic rights but no less the duties or responsibilities of an ideal of American citizenship, and (2b) diverging sets of unreconciled ideals or ‘strivings’ held by African-Americans which are objected to by white society, specifically emerging from an ‘enduring hyphenation’ signalled in his notion of ‘twoness’. In sum, these four interacting constructs give rise to a condition of double

consciousness, as Du Bois understood it. The function of descriptive metaphors such as the 'veil' cut across and straddle these interacting issues, and are therefore discussed when they appear relevant.

### **The conflicted construction of the *self***

The notion of the *self* plays an important role in Du Bois' concept, and – beginning with his reference to looking at one's self through the eyes of others – Du Bois, like Hegel, seeks to illustrate how our sense of *self* is necessarily constructed in a social context that is continually subject to implicit power relations. If we recall, Hegel suggests that our idea of ourselves, what we claim to be, and what we really think we are, can be dependent upon how others come to view us, to the extent that our sense of *self* is developed in a continuing dialogue.<sup>15</sup>

- **Self-consciousness exists here 'only by being acknowledged or recognised'. Thus, like the master and the slave, each of us derives our sense of *self* through an interaction with others, through coming to view our individual selves as others see us, such that the refusal of others to acknowledge our humanity, our existence or our faculty to contribute something meaningful, inevitably underscores a sense of alienation.**<sup>16</sup>

In using this Hegelian perspective to understand the Du Boisian position, it can be argued that Du Bois sees something unique about the consciousness of the *self* among African-Americans. As an Other and as 'a problem', 'black folk' developed a double consciousness where they have a sense 'of always looking at one's self through the eyes of others'. This is because negative disapproval in the form of presenting African-Americans as possessing a degraded cultural heritage or limited contribution to American life creates an internal echo of white America's racist judgements. It should be clear then that this conception of the *self* is not, for Du Bois, a reflection of the atomistic *self*. It is instead conceived of as culturally embedded and socially mediated, leading Du Bois to argue that self recognition is a form of cultural recognition which, necessarily, sees one's cultural identity in connection with the cultural identities of other members of one's community. Hence, the injuries suffered from prejudice are not only due to the overt hostility from the majority, but also come from minority invisibility. This first source of conflict in Du Bois' passage can then be seen as contributing to a sense of double consciousness through the unwillingness of one group, contingent on their historical dominance as 'master', to

recognise African-Americans satisfactorily, to the extent that the consciousness of *self* is established distortedly through that of another.

### **The creation of an additional perspective or 'gifted second sight'**

Accompanying Du Bois' understanding of the *self* is the role of subjectivity, for he situates the standpoint developed within minority-majority relations at the centre of his account of double consciousness. This is exemplified in his suggestion that the experience of oppression allows African-Americans to understand the promise of freedom in a way that white Americans cannot.<sup>17</sup> In the passage from *Strivings* Du Bois refers to this as 'a second sight', a way of seeing things that escape the notice of the majority, specifically the distance between democratic ideals and the practice of racial exclusion, so that 'once in a while through all of us there flashes some clairvoyance, some clear idea of what America really is. We who are dark can see America in a way that Americans cannot' (Du Bois, 1971: 416). This is realised in everyday scenarios where it is raised to a conscious level, serving as a means to probe deeper meanings and contradictions of a racialised experience and providing the resource for transformative change. For Du Bois, then, racial alienation is arguably similar to forms of class alienation in its potential for initiating change.

This notion of 'second sight' also ties into his metaphor of the *veil* which, in the passage, serves as an expression of how those behind it – African-Americans – see the dominant society, while those in front of it – white America – may not see the excluded as full co-members of their polity. In this way, it might be argued that Du Bois presents an inverted version of the early Rawlsian thought experiment of placing a 'choosing subject' behind 'a veil of ignorance' in an effort to ascertain unbiased, and transcending, propositions of human interest. What such an understanding means is that the Du Boisian subject is looking out from behind a socially constructed apartheid, in full knowledge of critical aspects of their identity. Moreover, and unlike the early Rawls (1971), Du Bois does not consider it possible to presuppose that a person can be detached from the contingent aspects provided by society, history and culture.<sup>18</sup> Du Bois' *veil* might then best be described as a one-way mirror, with the minority seeing the majority through the glass, while the latter sees only their own reflection (of mastery or dominance) as the former remain hidden behind the mirror. This quite obviously complements Hegel's MSD, specifically in Du Bois' suggestion that *those without power are able to see those with power in a different light*, since the actions of those without power must always take the powerful into account. Reading his account in this manner adds further import to the second of Hegel's dialectics, specifically that the master

can coerce the slave with a power that the slave lacks, which may explain why Du Bois argues that 'second sight' is both a gift and a burden.

### **Bound by the *requirements* but not the *rewards* of citizenship**

The overarching structural factors which Du Bois identifies as contributing to a sense of double consciousness are twofold. The first is revealed in his assertion that historically embedded racial dualism in mainstream American society denies African-Americans the civic rights afforded to their white counterparts. Simultaneously, however, this racial dualism continues to conceive of African-Americans as having no less the duties or responsibilities of an ideal of American citizenship. He thus argues that within the rhetoric of democratic citizenship and its attendant ideals, 'the Nation has not yet found peace from its sins; the freedman has not yet found in freedom his promised land' (Du Bois, 1999 [1903]: 12). This 'promised land' is of course the stage in which racial and cultural differences are not taken as grounds for the justification of natural inequality or superiority.

For Du Bois however, an important symptom of this dichotomy is the effect it has in stifling internal criticism and descent, giving rise to what he describes as a 'moral hesitancy that is fatal to self confidence' (1999 [1903]: 127). This is because internal criticism is impeded or sacrificed within the minority group, because the starting point of representation takes the form of a combative defence against societal biases. Du Bois calls these 'peculiar problems of inner life' which occur because 'our worst side has been so shamelessly emphasised that we are denying that we ever had a worst side [so that] in all sorts of ways we are hemmed in' (ibid.).

### **Diverging strivings and twoness**

The second structural factor which Du Bois identifies as contributing to a sense of double consciousness is outlined both in his discussion of different sets of 'strivings' or claims upon the public sphere, and *twoness* as a hyphenated identity. These are both quite distinct from the potentially debilitating effects evident in the first two, since they, like the third, provide a resource for something beneficial to both minority and majority and reflect a new synthesis. This derives from 'strivings' or cultural attributes among African-Americans who seek to affirm both their American *and* African identities. The following statement, repeated from the passage taken from *Strivings*, tries to sketch this out:

The history of the American Negro is the history of this strife ... to attain self-conscious manhood, to merge his double self into a better

and truer self. In this merging he wishes neither of the older selves to be lost. He would not Africanize America for America has too much to teach the world and Africa. He simply wishes to make it possible for a man to be both a Negro and an American, without being cursed and spit upon by his fellows, without having the doors of opportunity closed in his face.

(Du Bois, 1999 [1903]: 10–11)

Du Bois here is encouraging a reflexive understanding between origin and destination, between what Gilroy (1993) has called ‘roots’ and ‘routes’, and not only arguing that there is space for both, but that both be positively cultivated in an effort to maintain a critical perspective towards a new synthesis or hyphenation. As he put it in another essay, *The Conservation of Races*, from a similar period:

Here, then, is the dilemma, and it is a puzzling one, I admit. No Negro who has given earnest thought to the situation of his people in America has failed, at some time in life, to find themselves at these crossroads; has failed to ask at some time: What, after all, am I? Am I an American or am I a Negro? Can I be both? [...] We are Americans, not only by our birth and citizenship, but by our diverging political ideals.

(Du Bois, 1995 [1897]: 24)

This is then an unapologetic objection to forms of cultural assimilation or separatism, strongly endorsing a view that cultural and/or moral diversity may be captured within hyphenated identities.

### **‘Enduring hyphenation’?**

Expressions of double consciousness are neither mutually exclusive nor one and the same. By definition they must interact, but are suitably distinctive to be discussed separately. What they all have in common is the sense of an unresolved – but not irresolvable – conflict, anchored in a process of structural and discursive misrecognition. Thus, although formed in a specific context and concerned with the conditions of a particular peoples, it is clear that in many ways Du Boisian conceptions of consciousness are relevant to the contention that socio-cultural self-esteem emerges from forms of group recognition, alongside personal recognition. The relationship between personal and group recognition that is alluded to in Du Bois’ account is characterised by the idea that the ‘inner

strife' affecting African-Americans individually is informed by the mastery or dominance possessed by white Americans in depreciating their African-American counterparts. This is captured well in the following passage:

[T]hat nameless prejudice that leaps beyond all this, he stands helpless, dismayed and well-nigh speechless; before that personal disrespect and mockery, the ridicule and systematic humiliation, the distortion of fact and wanton license of fancy, the cynical ignoring of the better and boisterous welcoming of the worse, the all pervading desire to inculcate disdain.

(Du Bois, 1999 [1903]: 15)

In this sense, the subject group are more disenfranchised than alienated so that it is not so much cultural *difference* but *cultural disfranchisement* that shapes their struggle. This means that – as outlined in Chapter 1 – institutions and social practices attribute minority status to some inherent qualities in the minority group, as if those qualities were the *reason* rather than the *rationalisation* for not taking their sensibilities into account. This leads Du Bois to raise the following question: how can one achieve a mature self-consciousness and an integrity or wholeness of *self* in an alienating environment? If, in the eyes of another, your humanity is perceived as lacking self-evidential qualities, how do you go about showing its existence?

Self assertion holds many benefits, but for Du Bois – and this is where he differs from some of his contemporaries and later Black Nationalists – overzealous self-assertions appear (a) unnecessarily outwardly threatening, (b) too often draw upon fictitious claims of authenticity, so that (c) they are, in the end, counter productive. To openly plead for respect on the other hand would effectively forfeit any self-respect in the process. The solution that Du Bois points to is not one of abandoning the double self but is, instead, to merge the 'double self into a better and truer self' – one that does not deny experience and history but seeks to build on it. As Lewis argues,

The genius of *The Souls of Black Folks* was that it transcended this dialectic in the most obvious way – by affirming it in a permanent tension. Henceforth, the destiny of the race could be conceived as leading neither to assimilation nor separatism but to proud, enduring hyphenation.

(1993: 281)

This is a kind of multiculturalism in which minorities can espouse a hyphenated identity, contribute and participate equally but not necessarily uniformly. This would not only produce a better America but the 'better and truer self' Du Bois thought possible. At the same time, and although Du Bois implies the eventual resolution of this paradox of a divided self in time, much of what he writes simultaneously suggests that African-Americans should accept – and embrace – this contradiction arising from dual consciousness. This is because 'living in two worlds at once' furnishes the minority subjectivity with powers to see what the majority are blind to and so, through 'second sight', add something to the equation of diversity in the way Parekh (2000) would later describe as an expansion of each other's horizons of thought and human fulfillment. Du Bois is, therefore, trying to reconcile the strivings for group recognition with more traditional accounts of the nation state, in an effort to capture a multiculturalism in which cultural and/or moral diversity would be considered an asset. In this sense, he leaves us with the basis of a normative concept in debates advancing an ethic of multiculturalism that encompasses a pragmatic logic, beginning with a rebuttal of narrow preferences for territorial and cultural congruencies. But where does he sit in relation to contemporary authors that have theorised the contestations of civic-status discussed in Chapter 1?

The following sections explore this with reference to three prominent thinkers who have made seminal contributions to what May et al. (2005: 1–19) have described as the 'multicultural turn' in recent social and political theory. The selection of only three obviously omits many others of significant standing but, it is argued, that these three in particular share with Du Bois a striking yet overlooked similarity in key aspects of their work. The aim, therefore, is not to offer a descriptive commentary and overview, but to pick out some points of convergence that help further elucidate the operation of minority consciousness and double-consciousness for the conceptualisation of Muslim-consciousness in later chapters. For example, how do ideas of difference, diversity and recognition, as they are presented in Du Bois' contributions contrast with those of Iris Marion Young (1990), Bhikhu Parekh (2000) and Charles Taylor (1994), respectively?<sup>19</sup>

### **Young's 'difference', Parekh's 'diversity' and Taylor's 'recognition'**

In her landmark *Justice and the Politics of Difference*, Iris Marion Young (1990) presents a series of objections to modes of political incorporation

which, as a precondition of being afforded full and unimpaired civic status, require minorities to reject their own particularity in a process of cultural assimilation to the dominant norms, values and customs of that society or polity. In Young's view such a requirement is unjust because 'assimilation always implies coming to the game after it is already begun, after the rules and standards have been set, and having to prove oneself accordingly' (1990: 165). Although Young argues that there are different types of assimilation which can seek to assimilate different things, what they all share in common is the disproportionate burden of change that they place upon the minority. Assimilation is certainly an obstacle to the sorts of strivings imagined by Du Bois, memorably objected to by his belief that the African-Americans would not 'bleach' their 'Negro soul in a flood of white Americanism', for, with their message for the world, they simply wish to make it possible for 'to be both a negro and an American.' This is a good example of *twoness* as an expression of 'enduring hyphenation' which contests the singularity of a civic status that cannot, for example, incorporate the public recognition of identities marked by 'difference'.<sup>20</sup>

Young's work is a response to the view that citizenship achieved through individual rights alone, based upon blindness to difference, can satisfy principles of social justice by, for example, relegating differences to the private realm in favour of equal treatment in the public sphere. By drawing attention to the context of groupings that are founded upon non-voluntary aspects of social identity, she points to the disproportionate impact of past domination or present disadvantage. She thus argues that focusing upon individuals ignores how citizenship already fails to treat people equally, or where 'blindness to group difference disadvantages groups whose experience, culture and socialized capacities differ from those of privileged groups' (ibid.: 165). Not being attentive to group differences can, therefore, lead to a form of oppression in itself and/or can contribute to further oppression

by allowing norms expressing the point of view and experiences of privileged groups to appear neutral and universal. [...] Because there is no such unsituated group-neutral point of view, the situation and experience of dominant groups tends to define the norms of any such humanity in general. Against such a supposedly neutral humanist ideal, only the oppressed groups come to be marked with particularity; they, and not the privileged groups, are marked, objectified as the Others.

(Young, 1990: 165)



It is striking how, in holding this view, she offers a similar objection to the idea of neutrality presented by Du Bois in his account of the operation of the *veil*. Since 'privileged groups implicitly define the standards according to which all will be measured ... their privilege involves not recognising these standards as culturally and experientially specific (Young, 1990: 165). If we recall, the Du Boisian *veil* imagines that those who are 'veiled' become marked by dominant society as deviating from the 'norm', while those in front of it may not see anything other than their own rightful mastery or dominance. It was argued that this presents an inverted version of the Rawlsian 'veil of ignorance', for what such an understanding means for Young, like Du Bois, is that the minority looks out from behind a socially constructed disparity, in full knowledge of critical aspects of their identity. By the very nature of this state of affairs, where past dominance informs contemporary disparities in power, she argues that it is periodically raised to a conscious level:

When participation is taken to imply assimilation, the oppressed person is caught in an irresolvable dilemma: to participate means to accept or adopt an identity one is not, to try to participate means to be reminded by oneself and others of the identity one is.

(Young, *ibid.*)

This double consciousness, this sense of looking at oneself through the eyes of another, accords with Du Bois' insistence that self-recognition is a form of cultural recognition which, necessarily, sees one's own cultural identity in connection with the cultural identities of other members of one's community. Hence, the injuries suffered from prejudice are not merely due to the overt hostility from the majority, but also arise from minority invisibility in not being recognised or represented as a legitimate constituent of society. This links to Young's complaint that it is an unhelpful liberal fetishism to presuppose that a person can be detached from the contingent aspects of their social identity, history and culture. These separate points are nicely drawn together by her advocacy of the institutional incorporation of group identities into a democratic cultural pluralism, one that can reconcile a general system of rights that is the same for all, and a more specific system of group-conscious policies such that

a democratic public should provide mechanisms for the effective recognition and representation of the distinct voices and perspectives of those of its constituent groups that are oppressed or disadvantaged.

Such group representation implies institutional mechanisms and public resources supporting (1) self organisation of group members so that they achieve collective empowerment and a reflective understanding of their collective experience and interests in the context of society; (2) group analysis and group generation of proposals in institutionalised contexts where decision makers have taken group perspectives into consideration.

(Ibid.: 184)

This is a particularly 'thick' advocacy of policies capable of instantiating the recognition and inclusion of minorities in a reorganised public sphere with the aim of preventing minorities from being further frozen out or overwhelmed by majorities. Although it is expressed in a less technical fashion, the maintenance and promotion of such plural constituencies is similarly championed by Bhikhu Parekh and is expressed in his *Rethinking Multiculturalism*. There is a great deal in this offering and what is of most concern to this discussion probably captures the main thrust of Parekh's argument within this text as elsewhere. This is that cultural diversity and social pluralism are of an intrinsic value because they challenge people to evaluate the strengths and weaknesses of their own cultures and ways of life. This distinguishes him from liberals and communitarians thus. Where the latter might recognise that cultures can play an important role in making choices meaningful for their members (Kymlicka, 1995) or play host to the development of the *self* for the members of that culture (Tully, 1995) or that different cultures increase autonomy by providing further 'options' in ways of living for society as a whole (Raz, 1986), they maintain that culture is important for individual group members but do not succeed in explaining why cultural diversity is necessary in itself. To this Parekh offers the following explanation:

Since human capacities and values conflict, every culture realizes a limited range of them and neglects, marginalizes and suppresses others. However rich it may be, no culture embodies all that is valuable in human life and develops the full range of human possibilities. Different cultures thus correct and complement each other, expand each other's horizon of thought and alert each other to new forms of human fulfillment. The value of other cultures is independent of whether or not they are options for us ... inassimilable otherness challenges us intellectually and morally, stretches our imagination, and compels us to recognize the limits of our categories of thought.

(Parekh, 2000: 167)

Thus there is an active promotion of cultural difference here, a clear argument in favour of diversity in and of itself which complements an overarching Du Boisian prescription. This emerges in Du Bois' sense of the need for African-Americans to develop their 'traits and talents' so that 'someday on American soil two-races may give each to each those characteristics both sadly lack' (Du Bois, 1999 [1903]: 9–10).

Du Bois was convinced that moral truths are discovered as members of a culture reflect on their particular historical experiences, and this idea sustained his insistence that different groups are capable of discovering different moral truths. Much like Parekh, Du Bois' position is not an orthodox liberal one that argues people have a right to pursue their own conceptions of the good, and that if the state neglects them benignly, rather than intervening coercively, then each state is likely to house many different cultures. Nor is it that Du Bois believes exposure to other ways of life increases the choice of options available to all in a society. His argument is rather that, because each culture has something to teach others, members of minority cultures should be allowed to cultivate moral and aesthetic insights for humanity as a whole. This is supported by his call to African-Americans to fulfil their 'duty' and 'maintain their race identity [because they] have a contribution to make to civilisation and humanity which no other race can make'. This is not limited to African-Americans, however; this is an issue of plurality as a consequence of particularity. What is being advocated is both a deepening of cultural particularities and a broadening of these insights from different cultures. This is something that sits comfortably with Parekh's (2000: 167–8) view that cultural diversity is an objective good since it 'fosters ... human freedom as self-knowledge, self-transcendence and self criticism'.

The conception of recognition that emerges from both Parekh and Young, however, is most recognisable in Charles Taylor's (1994) account of the emergence of a modern politics of identity. In this Taylor suggests that the idea of 'recognition' as we understand it today has developed out of a move away from conceiving historically defined or inherited hierarchies as the sole provenance of social status or honour (in the French sense of *préférence*), and towards a notion of dignity more congruent with the ideals of a democratic society or polity, one more likely to confer political equality and a full or unimpaired civic status upon all its citizens.<sup>21</sup> Drawing upon his previous, densely catalogued account of the emergence of the modern self (Taylor, 1989b), he maps the political implications of this move onto two cases of Equality. The first is the most familiar and is characterised as a rights-based politics of

universalism, with the prospect of affording equal dignity to all citizens in a polity. The second denotes a politics of difference where the uniqueness of context, history and identity is salient and potentially ascendant.

For Taylor, this coupling crystallises the way in which the concept of recognition has given rise to a search for 'authenticity'. This is characterised as a move away from the prescriptive universalisms that have historically underwritten ideas of the Just or the Right, in favour of the fulfilment and realisation of one's true self, originality or worth. That is why, according to Taylor, people can no longer be recognised on the basis of identities determined from their positions in social hierarchies alone but, rather, through taking account of the real manner in which people form their identities. The interface between these two issues – dignity and difference – forms the basis of Taylor's account of the politics of recognition, expressed as a dialogical interlocutor. So how does this relate to Du Bois?

In the first instance, Taylor's emphasis on the importance of 'dialogical' relationships rehearses Du Bois' view that it is a mistake to suggest that, in Taylor's terms, people form their identities 'monologically' or without an intrinsic dependence upon dialogue with others. We have seen how Du Bois expresses this process, and Taylor (1994: 33) characterises it in a similar manner, arguing that we define our identity 'always in dialogue with, sometimes in struggle against, the things our significant others want to see in us'. Here Taylor is openly drawing upon Hegel who, if we recall, suggests that our idea of ourselves, what we claim to be and what we really think we are can be dependent upon how others come to view us to the extent that our sense of *self* is developed in a continuing dialogue. Self-consciousness exists 'only by being acknowledged or recognised', and the related implication for Taylor, just like Du Bois, is that a sense of socio-cultural self-esteem emerges not only from personal identity, but also in relation to the group in which this identity is developed. This is expressed at the beginning of Taylor's (1994: 25–6) account that

our identity is partly shaped by recognition or its absence, often by the misrecognition of others, and so a person or group of people can suffer real damage, real distortion, if the people or society around them mirror back to them a confining or demeaning or contemptible picture of themselves. Non recognition or misrecognition can inflict harm, can be a form of oppression, imprisoning some in a false, distorted, and reduced mode of being.

We return to the idea of a mode of being in Chapter 3 through reference to Modood's (1992) elaboration of the distinction between modes of 'being' and 'oppression', but it is worth noting here how Taylor's concerns rests on the need to prevent the outcome described in the first part of Du Bois' concept, namely, an internalisation by a minority of the contempt a majority holds for them. Less directly, but equally present, is the thrust of the second part which referred to the creation of an additional perspective to which this experience might lend itself, as is evident in Taylor's characterisation of liberalism as a 'fighting creed' and what this means to those being fought:

Liberalism is not a possible meeting ground for all cultures, and quite incompatible with other ranges. ... [A]s many Muslims are well aware, Western liberalism is not so much an expression of the secular, post-religious outlook that happens to be popular amongst liberal *intellectuals* as a more organic outgrowth of Christianity ... All this is to say that liberalism is also a fighting creed.

(Taylor, 1994: 62)

What Taylor is drawing our attention to here is 'a particularism masquerading as the universal' (ibid.: 43). Simultaneously, he identifies the limitations of his own conception of recognition politics, concluding that the boundaries marking the legitimacy of recognition politics must be drawn somewhere, and that nowhere is more appropriate than on issues of Muslim claims-making. This is necessary, Taylor argues, because in Islam 'there is no question of separating politics and religion in the way we have come to expect in Western liberal society' (ibid.: 62). Whether this sort of exclusivity in predetermined notions of incompatibility masks a complex partiality or whether it represents legitimate caution is examined in Chapters 5, 6 and 7 through the empirical case studies of educational claims-making, anti-discrimination Muslim and media representation. What, nevertheless, emerges *here* is Taylor's divergence from a Du Boisian idea of recognition, since the latter is more genuinely dialogical and does not seek *a priori* to exclude some minority claims-making from the process of politics.

Is it therefore fair to query the extent to which Muslim-consciousness is disproportionately objectified by liberalism's 'fighting' creed? Like Hegel's master, could Taylor's conception of recognition be guilty of the same sleight of hand that is only ever revealed when recognition is replaced by coercion? These questions are pertinent to each of the following chapters and continue into the conclusion which traces out

the relationship between Muslim-consciousness and the civic status that Muslims in Britain are afforded.

## Implications

The purpose of this chapter has been to unpack and explore what Du Boisian ideas of minority consciousness and double consciousness; to elaborate why they are of value and worth redeeming and where they sit in relation to some other, more recent, ideas in the areas of multiculturalism and recognition. It is argued that Du Bois' concept is premised upon the idea that a consciousness *for itself* is characterised by an active mobilisation, one that is striving to be recognised, but one that turns inward and becomes a double consciousness when it is benignly ignored or malignly coerced. Double consciousness thus captures the dual character of unrecognised minority subjectivities and their transformative potential, alongside the conditions of impaired civic status that are sometimes allocated to minorities by mainstream society. The rationale behind revisiting Du Bois is not, however, to present a pathology of Muslim subjectivity as incompatible or in conflict with the sorts of civic status conferred by the types of British multiculturalism surveyed in Chapter 1. Quite the opposite. Du Bois' concept is used to probe the dilemmas facing Muslim minorities who aspire to be full participants in British society. This can be characterised as a schema which becomes progressively 'thicker' in capturing (a) the political dimension in which British-Muslim subjectivity is formed, (b) the nature and form of this subjectivity *in* and *for* itself, alongside (c) the transformative potential it heralds for society as a whole. This includes an examination of both the conflicting accounts evident in the construction of the *self*, and the grounds on which racial and ethnic minorities who are subject to exclusionary discourses can strive for political recognition and incorporation.

To this end, the preceding discussion has assumed a great deal about the importance of groupings in overcoming or merging these doubles into better and truer selves, whether this is found in 'enduring hyphenation' or *twoness* or something else. Chapter 3 scrutinises the idea of groupings with more sociological rigour; tracing the genealogical shift from race to the emergence of religion as a salient marker of difference. The implications this holds for conceptualising Muslim-consciousness are traced back to the varieties and stages of consciousness delineated throughout this chapter by Du Bois, specifically the movement from a self-consciousness *in* itself to the transformative potential of

a self-consciousness *for* itself: from one's historically *ascribed* identity to one's politically *self-constructed* identity. It will be argued that this allows us to theorise conceptions of Muslim-consciousness in later chapters as representing part of an attempt by Muslims to pluralise the mainstream and seek reciprocity as co-members of a polity.

# 3

## Conceptualising Muslim-Consciousness: From Race to Religion?

Among the back pages of a polemical magazine from the mid-1980s rests the following prescient observation from the Welsh Muslim convert Meryl Wyn Davies:

Muslims *are* prepared to organise for issues as they see them: to create a platform for being Muslims in Britain. But there is no obvious political home for this developing Muslim politics. [...] All sections of the Muslim community share the view that Islam is misunderstood, falsely stereotyped and the recipient of prejudice and discrimination. A young generation has grown up on these lessons, but by living in Britain has actually had access to more information and debate about Islam than their contemporaries in many Muslim countries, or their parents' generation before they settled in Britain.

(Davies, *Marxism Today*, 1985)

During the course of this chapter and the next, the reader will appreciate Davies' remarkable foresight in predicting the development of a Muslim-consciousness in Britain. Chapter 2 ended by acknowledging the importance of groupings in overcoming double-consciousness or merging it into an 'enduring hyphenation'; a *twoness*, or a further expression of synthesised identity. Both this and the next chapter scrutinises the politics of groupings with more sociological rigour; tracing the genealogical shift from race to the emergence of religion as a salient marker of difference in specifically understanding how expressions of British-Muslim identity have developed. Such an exploration is necessary because, as the following evaluation of conceptions of minority identity in Britain details, only relatively recently has the category of 'Muslim' assumed the prominence in Britain we are familiar



with today. This is partly due to the disrupting heterogeneity of ethnic, regional and linguistic backgrounds that have historically made up the constituency of Muslims in Britain, and how a Muslim-consciousness *for itself* has become ascendant more recently than racial and ethnic self-identifications. What it also reflects is a hesitation to recognise that religious affiliation might provide an equally legitimate source for identity articulations akin to race, class and gender (Modood, 1994), particularly in the social sciences where scholars like to believe that their disciplines ought to adopt secularist postures in investigating a broadly secular society (cf. McLennan, 2007, 2006). As Statham (2005: 164–5) has argued,

Much migration research has maintained a built-in interpretative bias that has led scholars to see religious identification as a backward or reactionary form of ‘false consciousness’ simply masking objectives and interests that are actually ‘secular’. Migrant religions with strange rituals and odd customs have been particularly vulnerable. They are so far removed from most academics’ life-worlds that it is easy to see how they have been dismissed as reactionary relics to be swept away by a superior secular civic-culture.<sup>1</sup>

Referring only to the South Asian (but largest) Muslim contingent, Yunus Samad (1992: 508) captures this tendency in his observation that ‘the groups which are now designated as British Muslims have also been studied by sociologists, anthropologists and political scientists as black, working class, Pakistanis, Bangladeshis, Mirpurius, Sylhetis etc.’

- **One of the key arguments of this chapter is that such a shift in semantics reflects important internal developments, specifically the fruition of a tangible Muslim-consciousness among Muslim communities themselves.**

It remains the case, however, that until the debates generated by the Rushdie Affair (discussed later in this chapter) and, more dramatically, since the post-9/11 securitisation of ethnic relations (Fekete, 2004), sociological inquiry has displayed little interest in the religious facet of identity construction among minority groups in Britain. It has instead concentrated upon juxtapositions between geographies of ethnic origin and localities of birth (Gilroy, 1987, 1993a; Alexander, 2000), and the implications for a particular secular hybrid identity therein (Hall, 1991). At the same time, these conceptualisations themselves have marked

a shift away from a focus upon coalition (Sivanandan, 1982; CCCS, 1982) and anti-racist or race-class identities (Miles, 1982), which developed in response to race-relations perspectives (Banton, 1967; Rex, 1973) and which dominated discussion of minority identity in Britain throughout most of the 1980s. Traditional-class-based analysis of ethnic and racial minorities, meanwhile, has been subjected to significant feminist critique (Carby, 1982; Parmar, 1982; Brah, 1996), particularly with regards to education (Mirza, 1992) and in response to concerns over South-Asian religious patriarchy (WAF, 1991; Sahgal and Yuval-Davis, 1992).

Other influential British approaches have sought to examine minority ethnic experiences through a cultural studies lens (Hall et al., 1978; Hebdige, 1979; CCCS, 1982; Gilroy, 1987), famously heralding the idea of 'new ethnicities' (Hall, 1988), and promoting concepts of 'diaspora' (Gilroy, 1993a; Bhabha, 1994). Others, meanwhile, have adopted a social anthropological gaze by focusing upon family, kinships or *braderi* (Shaw, 1987; Werbner, 1990, 1994, 2004) and 'transnationalism' (Vertovec, 1997), among South Asian post-immigrant groups in particular.

- **Quite how, if at all, this diverse inquiry can inform an understanding of Muslim-consciousness in Britain remains unclear. This chapter addresses this question at a general level by examining the ways in which minority identities have historically been conceptualised and, more specifically, by locating the extent and distribution of a Muslim-consciousness within these conceptualisations.**

To this end, the chapter begins by critically examining hitherto widely accepted relationships between specific terms and concepts describing Islam, Muslims and identity. This is followed by a brief consideration of the difference between an adopted or chosen Muslim identity. Here, it is suggested that a willingness to protect the bearers of some identities, and not others, from discrimination because they are deemed 'involuntary' is problematic, not least because the logic invoked proceeds through the operation of a normative grammar of race. This is because the dominance of the current formulations of unchosen minority identities is mediated by a race-relations tradition that is subject to omissions and has been informatively critiqued by race-coalition and racialization positions. The fuller implications of this critique emerge in Chapter 4, which turns its attention to ideas of ethnicity, anti-racism and agency, with specific reference to the Rushdie Affair. It also critically evaluates the validity of Muslim 'group' identities as

embodying a fruition of Muslim-consciousness in Britain, before connecting this to the preceding discussion and then looking forward to Chapter 5.

- It is argued that Muslim-consciousness is the most suitable conceptual category for comprehending identity mobilisations informed by Muslim identities: a conclusion that is elaborated and illustrated in subsequent chapters.

## **Islam and Muslim-consciousness**

It would be fair to say that academic and public discourse on British-Muslims can use the descriptive terms 'Islam' and 'Muslim' in ways that assume they have been operationalised so that we intuitively understand what they mean and represent. Like many other concepts, and on closer inspection, it is clear they host a variety of meanings. It would, therefore, be helpful to unpack these terms by asking some obvious questions about what Islam denotes and what *being* Muslim entails. Oliver Roy's (2004) account of *Globalised Islam* begins in this way:

Who do we call Muslim? A mosque-goer, the child of Muslim parents, somebody with a specific ethnic background (an Arab, a Pakistani), or one who shares with another a specific culture? What is Islam? A set of beliefs based on a revealed book, a culture linked to historical civilisation? A set of norms and values that can be adapted to different cultures? An inherited legacy based on a common origin?

(Roy, 2004: 21)

Since a robust account of Islamic history, civilisation and comparative ethnic relations is beyond the scope of this book, and definitive and categorical definitions are neither sought nor – it will be argued – are a reflection of how Muslims view themselves and Islam, a more modest and relevant exposition could begin by exploring what we mean when we talk about Islam. Is it solely a religion whose first prophet was Adam and last prophet was Mohammed? Is it a state of peace achieved through surrender to God, or is it a political and cultural movement? What is meant by the phrase that 'Islam is a way of life'? And can we distinguish Islam as a name of a religion, from the adjective 'Islamic', the noun 'Muslim'? To begin to answer these questions abstractly, Karamustafa (2004: 108) encourages us to approach our conception of Islam by viewing it as a civilisational project comprising

a sprawling civilizational edifice under continuous construction and renovation in accordance with multiple blueprints (these are the numerous Islamic cultures at local, regional, and national levels encompassing innumerable individual, familial, ethnic, racial, and gender identities) all generated from a nucleus of key ideas and practices ultimately linked to the historical legacy of the Prophet Mohammed.

With this enormous stress upon heterogeneity, how – *in tangible terms* – can we derive an understanding of Muslim identity? Karamustafa (ibid.) suggests that we should begin by focusing on what this nucleus of ideas represents

Minimally ... we can assume a set of beliefs (a version each of monotheism, prophecy, genesis, and eschatology) that underwrite a set of values (dignity of human life, individual and collective rights and duties, the necessity of ethical human conduct – in short, a comprehensive moral program), in turn reflected in a set of concrete human acts (ranging from the necessity of greeting others to acts of humility like prayer).

On a day-to-day basis we can find these ideas articulated in Islamic rituals and practices, where Muslims are reminded through the practice of the pillars of Islam – *Iman* (articles of faith), *salat* (daily prayer), *zakat* (charity), *sawm* (fasting during Ramadan) and *hajj* (pilgrimage) – that actions that are deeply spiritual are not devoid of politics. In this way Islam – comprising the beliefs, values, rights and duties emphasised by Karamustafa – is lived rather than simply practiced. As Dilwar Hussain (2005: 39) of the Islamic Foundation notes,

The congregational prayer is often held as an example of a community in harmony with believers standing in rows and functioning with one body. Fasting and charity sensitise the believers to those who lead less fortunate lives and make the war against global poverty a vivid reality. The pilgrimage symbolises equality and the breaking of barriers between nations, classes and tongues.

Is this, then, the most appropriate definition of what being a Muslim entails: that participation is necessitated in some or all of the above practices if one is to consider oneself a Muslim? The argument presented here is that this is not the case. Instead, is argued that the relationship between Islam and a Muslim identity might be analogous to the

relationship between the categorisation of one's sex and one's gendered identity.<sup>2</sup> That is, one may be biologically female or male in a narrow sense of the definition, but one may be a woman or man in multiple, overlapping and discontinuous ways. This requires some explanation, particularly since one's sex reflects something that emerges on a continuum that can be either – or both – internally defined or externally ascribed. This analogy potentially allows a range of factors other than religion (such as ethnicity, race, gender, sexuality and agnosticism) to shape Muslim identities (see also Meer, 2008 and 2007a). To interrogate these distinctions, we should begin by looking at the most obvious sources of Muslim identity.

### **Is Muslim identity a prescriptive religiosity?**

In terms of religiosity, might Muslim identity be derived from doctrinal subscription to the *shahada* (the belief that there is only one God and that Mohammed is the Messenger)? Could this in turn inform a sense of *Ibadat* (religious worship or duty)? One answer, according to the Muslim feminist, Katherine Bullock (2002: 154), is that although 'linguistically a "Muslim" is someone who submits to the will of God', this clarifies little since the question then becomes to what exactly is a Muslim submitting: 'To traditional practice? To unambiguous, or ambiguous text? To certain scholars' interpretations of text?' (ibid.). Bullock herself begins with the Qur'an and its different interpretations. Importantly, she insists that the companions of the Prophet Mohammed, scholars of *tafsir* (explanation of the Qu'ran) and the *fuqaha* (legalists/lawyers) have always disagreed over the meaning of its verses which is why

no one interpretation has been held to be authoritative. Naturally, too, the interpretation, while guided by the rules of Arabic grammar, the spirit of Islam, and the example of the Prophet (that is, how he himself implemented the Qu'ranic injunctions) also depends upon an individual's own judgement. *Context does count.*

(Ibid.: 154, emphasis added)

The role of context in interpretation is nowhere better exemplified than by the Qu'ranic position on homosexuality. For it is often assumed that Islam is wholly opposed to homosexuality: an understanding supported by the routine oppression of gays and lesbians in some Muslim countries. According to some contemporary Islamacist jurists (cf Al-Haqq Kugle, 2004; Bouhdiba, 1998; Mahmud, 1998), however,

such oppression reflects environments hospitable to prejudices and pre-understanding of heterosexual men and women who seek to promote 'hetero-normative' positions. Although the Qu'ran does assume a heterosexual norm among its readers, it is important to recognise, argues Al-Haqq Kugle (2004: 200–1), that the Qu'ran

contains no word that means 'homosexuality' (as an abstract idea denoting the sexuality of men who desire pleasure with other men or a sexuality of women who desire pleasure with other women) ... the terms that became popular in Arabic in later times [*Liwat* for the relations and *Luti* for the people] are not found in the Qu'ran at all ... [and] the Qu'ran does not specify any punishment for sexual acts between two men and women.

The intention here is not to reclaim the Qu'ran as a manifesto for Gay rights,<sup>3</sup> although Al-Haqq Kugle certainly adopts it as such in the context of a broader Islamic-humanist framework, but simply that Bullock is undoubtedly correct to emphasise the contextual and situational nature of interpreting what Islam requires. Again, this point is lucidly made by Kugle when he argues that

[c]ommentators and jurists have drawn analogies and presented arguments to conclude that the Qu'ran addresses sexually unusual people [sociologists who write in Arabic had to create new words to define homosexuality and settled on *al-shudhudh al-jinsi* which means 'sexually rare or unusual'] despite the Qu'ran's lack of a term for them or the actions that characterise them. Those are, however, arguments of jurists and commentators; they are not the words of the Qu'ran itself.

(Al-Haqq Kugle, 2004: 200)

This throws up another interesting issue of interpretation since, unlike the Bible but not unlike the Torah, the Qu'ran is not popularly read in vernacular languages. This means that Muslims in Britain, as around the world, often read it in classical Arabic in the way that the Bible tended to be read in Latin throughout pre-Reformation Europe. In addition, it is important to note that, although the Qu'ran provides a written source of theological literature, Islam also displays a strong communal-oral tradition, in both practice and scripture, which means that Qu'ranic verses are often recited aloud and in group settings, and not simply read silently.<sup>4</sup>

In Bullock's (2002: 155) next attempt to outline what prescriptive Islam requires, she turns to the *Sunnah*, which accounts for 'what the Prophet said, did, and observed others doing but did not comment on'. This is believed to be preserved in the *Hadith* and, in particular, in the *Sirah*, which is akin to a biography of the Prophet Mohammed and is found in the Qu'ran. However, because the *Hadith* are subject to a number of interpretative controversies, given that they were written after the life of the Prophet and are variously classified as 'authentic, good, weak, and fabricated' (ibid.), Bullock argues that up until the nineteenth century, Islam recognised

other sources of law after the Qu'ran and Sunnah, including the actions and opinions of the Companions of the Prophet, the generation after them, juristic consensus, local customs ... analogical reasoning, considerations of the public good, and so on [...] Because the early scholars recognised that there was no way of adjudicating between differing reasonable interpretations of the Qu'ran and Sunnah, the understanding between them developed that no matter what the differences in legal opinion, each was said to be correct.

(Ibid.)

The implication is that – no less than with any other text – the Qu'ran offers guidance that is interpreted and applied by human agents, as Omid Safi (2004: 22) reminds us: '[I]n all cases, the dissemination of the Divine teachings is achieved through human agency. Religion is always mediated.' Hence, competing accounts of religiously informed Muslim identities can simultaneously be held without necessarily invalidating one another.

### **Muslim identity as a sociological category**

What is being argued is that in contrast to the scriptural conception, we could view Muslim identity as a quasi-ethnic sociological formation. 'Quasi' is used to denote something similar but not the same as, because, on the one hand, ethnic and religious boundaries continue to interact and are rarely wholly demarcated, hence the term 'ethno-religious' (Modood, 1997: 337). On the other hand, as will become apparent in Chapters 5 and 6, the sorts of mobilisations undertaken by Muslims *qua* Muslims, for example against Islamophobia (Meer and Noorani, 2008; Meer, 2007a) or in favour of faith schools (Meer, 2007b), mirror the types of mobilisations initiated by other minority

groups. Compared to the purely theological variety, this sociological category might be preferred as a less exclusive and more valid way of operationalising Muslim identity because it includes opportunities for self-definition (such as formally on the census or on 'ethnic' monitoring forms (see Aspinall, 2000) or informally in public and media discourse). Equally, it can facilitate the description of oneself as 'Muslim' and take the multiple (overlapping or synthesised) and subjective elements into account independently or intertwined with objective behavioural congruence to the religious practices outlined earlier. It will also be argued that this space for self-definition is a helpful way of conceptualising the difference between racial and ethnic categorisations, in that the former are more likely to be externally imposed and the latter self-ascribed, with both potentially becoming more prominent at some times and less at others. Within this process of categorisations, however, just as on a census form or other prescriptive sources, when a category is operationalised and imposed externally, it need not constitute the making of a group identity. As Cornell and Hartman (1997: 20) argue,

others may assign us an ethnic identity, but what they establish by doing so is an ethnic category. It is our own claim to that identity that makes us an ethnic group. The ethnic category is externally defined, but the ethnic group is internally defined.

This emphasises the element of choice in self-definition. For example, one might view Islam as a historical, civilisational edifice that has contributed to modern science and philosophy, and take pride in this but, simultaneously, disassociate oneself from the religious teachings. This historical or civilisational role of Islam may yet be discarded in favour of the elevation and re-imagining of a particular religious doctrine, or way of being a Muslim, based upon an adherence to articles of divine and confessional faith. It is not the concern of this book to ascertain whether the former could legitimately, with recourse to theological reasoning, describe the latter as being in contravention of what Islam requires, or vice-versa. The point is to recognise the pragmatic possibilities that emphasis and dis-emphasis confer upon the bearers of such identification, which includes the recognition that the element of choice is not a total one. By this it is meant that although one may imagine a Muslim identity in different ways, when one is born into a Muslim family one becomes a Muslim. This is not to impose an identity or a way of being onto people who may choose to passively deny or actively reject their Muslim identity because, consistent with the right



of self-dissociation, this rejection of Muslim identification (or adoption of a different self-definition) should be recognised where a claim upon it is made.

- **What is instead being argued is that when a Muslim identity is mobilised, it should not be dismissed because it is an identity of personal choice, but rather understood as a mode of classification according to the particular kinds of claims Muslims make for themselves, albeit in various and potentially contradictory ways.**

This means that, just as we do not reject the possibility of self-dissociation, so we must recognise that there are various forms of self-association. This argument certainly has its critics, and the following statement from the Rt Hon Bob Marshall-Andrews MP captures the most frequent objection to this position. Contrasting it affectively with the chosen/unchosen analogy of sex and gender made earlier, and returning us to the involuntary/voluntary discussion of identity in the work of Young (1990), specifically in how it relates to Du Boisian double consciousness, Marshall-Andrews argues,

The difficulty is that there is a profound difference between race and gender and religion. Our race and our gender are what we are and should be protected. Our religion is what we choose to believe. It is a system of beliefs, fundamentally and quite properly held. It seems to many here and out there that there is, in truth, very little distinction between one's religion and one's politics.

(Hansard, 21 June 2005, column 676)

Contrast this, for example, to Du Bois' argument that the identity others assign us can be a powerful force in shaping our own self-concepts, so that, while our self-consciousness is subjective, it does not free us from the impact of what others say and do. This seems particularly true for minorities at moments of acute objectification, which means that the issue of choosing Muslim identities becomes much less straightforward. As Young describes,

We have a choice about which identities to give to the floor, but at specific moments they may also choose us. Where Muslim identity is concerned, that moment is now. [...] Singled out for particular interrogation in the west, Muslims have been asked to commit to patriotism, peace at home, war abroad, modernity, secularism, integration,

anti-sexism, anti-homophobia, tolerance and monogamy ... But Muslims are not being asked to sign up to them because they are good or bad in themselves, but as a pre-condition for belonging in the west at all. No other established community is having its right to live here challenged in a comparable way.

(2005: 31)

What is most revealing in the contrast between Marshall-Andrews and Younge's comments is the way in which the former adopts a normative grammar of race, while the latter points to its constructedness and malleability. While the former recognises it as an involuntary category of birth, since 'our race and our gender *are what we are* and should be protected' (emphasis added), the latter sees it as an externally imposed narrative that contributes to an identity which 'at specific moments ... may also choose us'. In one sense, the difference between these two positions can be expressed through different paradigms of thinking about race and difference. Genealogically, the first of these paradigms begins with the ideas of 'race-relations' that have informed legislation designed to outlaw discrimination based on non-voluntary racial and ethnic identities. This is a formulation that is 'unique in Europe' (Statham, 2003: 129) and has taken its lead from the American context.

### The pattern of race-relations

More precisely, it has its intellectual origins in the work of sociologists and anthropologists who formed part of what has become known as the Chicago School. Working in the early part of the twentieth century, at a time of both European immigration to America as well as internal migration northward from the southern states, sociologists such as Robert Park (1914; 1925; 1950) sought to study race-relations in terms of inter-group processes and 'adjustments', specifically with respect to conflicts over 'status-claims' and allocations of resources. An examination of spatial segregation and immigration in the city of Chicago (as a site of urban immigrant settlement), and 'race consciousness' among African-Americans, who were only one or two generations away from the time of slavery, led Park to conclude,

In our casual contact with aliens ... it is the offensive rather than the pleasing traits that impress us. These impressions accumulate and reinforce natural prejudices. Where races are distinguished by certain external marks these furnish a permanent physical substratum upon

which and around which the irritations and animosities, incidental to all human intercourse, tend to accumulate and so gain strength and volume.

(1980 [1914]: 36–7)

The emphasis here is clearly upon an interaction based on prejudice and conflict, and demonstrates an early attempt to analyse the ways in which race became ‘a relevant social category where cultural and social meanings were attached to the physical traits of a particular social group’ (Solomos and Back, 1996: 4). Informed by the broader aim of encouraging group contact and social interaction so that racial conflicts could be mediated or overcome, this perspective advanced a tradition of thinking about race in terms of social relations between people with different physical characteristics. To this Park later gave the name ‘race-relations’ which he described as

the relations existing between peoples distinguished by marks of racial descent, particularly when these racial differences enter into the consciousness of the individuals and groups so distinguished, and by so doing determine in each case the individual’s conception of himself as well as his status in the community.

(1950: 81)

Although not making direct reference to his work, Park’s assessment echoes one of the characteristics of Du Bois’ (1903) concept of double consciousness (though it is worth noting that Park’s portrayal of the interaction between an individuals’ consciousness and their social ‘status’ does not seek to examine the role that discrepancies in power might have in shaping this consciousness). At the same time, it is also true that the Chicago School saw ‘the race problem’ as being one of ‘integration and assimilation of minorities into the mainstream of a consensus based society’ (Berge, 1967: 7). To achieve this, Chicago School scholars squarely located the propensity for problems at the door of cultural-differentiation-risks-incompatibility as an explanatory factor. This is evident in what Park (1950: 82) describes as the ‘cycle of race-relations’, which moves between the four linear stages of ‘contact, conflict, accommodation and assimilation’. The burden of adapting is entirely carried by the immigrant, wherein failure to assimilate into this ‘functionalist consensus based view of society’ is deemed regressive (ibid., 1967: 7). In addition, and, to some, more importantly (cf. Miles, 1982), Park may be read as endorsing the erroneous, but commonly held view of ‘race’ as

biologically real. Nevertheless, and the main reason why the preceding discussion is necessary, the formulations of the Chicago School were eagerly adopted elsewhere, not least in Britain.

The initial post-war labour migration to Britain from former colonies in the West Indies and the Indian subcontinent between 1950 and 1962 was later accompanied by further immigration as families were unified. This was augmented when Asians who had settled in Uganda were evicted, and who voluntarily chose to leave Kenya after independence also migrated to Britain (sporadically between the mid-sixties and up until the late seventies). During this period a very British take on race-relations was beginning to flourish through the work of Michael Banton (1955; 1959; 1967), Ruth Glass (1960), Shelia Patterson (1965; 1969) and E. J. B. Rose (1969), who were involved in the then government-sponsored Institute for Race-relations (IRR). Their immediate impact was evident when the Labour government introduced measures to prevent discrimination against settled Commonwealth immigrants (elaborated in Chapter 1); it proceeded through the introduction of a Race-Relations Act (1965). Why it was not, for example, called the 'Anti-Racism Act' is unclear, but part of the rationale is undoubtedly the continuation of Parks' assumption that the relations within which such discrimination occurs, must be those of race-relations. Michael Banton's (1967) book, simply called *Race relations*, is indicative of this way of thinking and serves as a useful illustration of how problematics in this period were being framed.<sup>5</sup> This is because it shares with the Chicago School a view that race-relations research should be based upon two cornerstones: (1) patterns of interaction and (2) cultural conflict. Where Banton deviated from the Chicago School, however, was in adopting a global *and* historical perspective to establish 'six orders of race-relations'. These are briefly worth examining because they identify some definitional problems that have since been repeated.

### **Banton's six orders of race-relations**

The first is called 'peripheral contact' and is characterised by interactions between groups that have little or no real influence upon one another, leading to minimal, if any, change in outlook within groups. An example of such peripheral contact can be found, according to Banton (1967: 68–76), in pygmies of the Ituri forest of central Africa, where goods are exchanged between groups by being left at a trading place independent of each groups' settlement. Such interactions then require little intimate contact and mutual knowledge of customs, habits

or language. The second order he termed as 'institutionalised contact', which is achieved when two 'societies' enter into contact 'principally through their outlying members' who live on the social boundaries of their respective groups, and so are most qualified to exchange with one another (ibid.: 99). This vanguard 'may occupy positions in both systems, and a new system of interrelationships develops between groups' (Kitano, 1980: 17). The third occurs as a result of 'acculturation' which, for Banton, heralds the 'coming together' or synthesis of different cultures. This might either encourage both groups to learn from one another or, depending upon the power relations between groups, lead to the cultural assimilation of the less established group. The fourth order is described as an 'integrated order of race-relations' (Banton, 1967: 73), in which racial distinctions are disregarded or only given 'minor' consideration. This facilitates interaction on most levels (including housing, schooling, employment and social relationships) so that, 'race has less significance than the individual's occupation and his other status conferring roles'. After this there is the order of 'pluralism', which is understood by Banton as referring to 'separatism' among groups who live side by side, but wish to preserve their differences in culture, with a minimum of social interaction, integration or assimilation. Unlike the order of 'peripheral' contact, 'pluralism', for Banton, involves a knowing choice to self-segregate in order to maintain group boundaries, and is not a 'natural' but a forced order of race-relations. His final order is that of 'domination', which can develop out of the idea pluralism, when power relations between groups are radically unequal, and where, based upon racial criteria, members of one category are subordinate to the other and are responded to, not as individuals, but as representative of a category. Banton's typology has been widely criticised from different quarters that seek to undermine both his starting point as well as the broader project of race-relations as he sees it. With reference to the internal consistency of the schema itself, Philip Mason (1971: 60) has argued that Banton's definitions break down as soon as we begin to trace a progress from one race-relations 'order' to another for it ignores the 'shifting and intricate patterns' (ibid.) of minority-majority relations, because the lived experiences compromise his overly general formulations. This is not the most wounding of criticisms, however, and could equally be made against a great deal of theoretical work. A more important criticism is that Banton is so dependent upon anthropological work with tribal societies, that it encourages race-relations analysis to think of *racial differences in terms of cultural manifestations of difference* experienced in neat, bounded-units-as-groups. This

is arguably why he mischaracterises the idea of 'pluralism', describing it as something closer to separate development or 'apartheid', and why it is so at odds with how it is understood by Du Bois, Young or Parekh, as Chapter 2 discussed. Thirdly, Banton appears to conflate ideas of what constitutes a 'group' with 'society' and so is unable to comprehend the implication of different ethnic groups belonging to a single polity. This has obvious implications for the analysis of minorities in culturally heterogeneous societies and also for ideas of what constitutes a civic-status among *the nation* in accounts of *the nation state* in the way set out in Chapter 1. Moreover, it is unclear as to what comprises a 'culture', a 'group' or a 'society' in his account above, since Banton uses these terms interchangeably.

### John Rex: status and party

Some of these issues were addressed in John Rex's ([with Moore] 1967; 1973; [Tomlinson] 1979); 1983; 1986 contribution to the race-relations problematic<sup>6</sup> which deviated from Banton's in, firstly, stressing the socio-political rather than the anthropological context of 'relations' and, secondly, adopting a less global and transhistorical approach. For Rex, the idea of race-relations ought to examine how 'structured conditions interacted with actors' definitions in such a way as to produce a racially structured social reality' (Solomos and Back, 1996: 6). In his empirical research on Sparkbrook (Rex and Moore, 1967) and Handsworth (Rex and Tomlinson, 1979) in Birmingham, Rex pursued this by investigating (1) the extent to which minorities had become incorporated into welfare state institutions, had access to housing, education and employment, and (2) the impact of racial inequality upon 'the development of a "racialised" consciousness among both white and black working class' (Solomos, 1993: 20). Although Rex was explicitly Weberian in his outlook,<sup>7</sup> stressing the importance of status and party along with class, his conclusions from research in Birmingham draw upon a more Marxian style of class analysis in pointing to a 'truce' between the bourgeoisie and the white proletariat, furnished by concessions gained through working-class movements including trade unions and the then Labour party. The minority ethnic groups of mainly Indians, Pakistanis, Bangladeshis (or Asians) and 'West-Indians', however, according to Rex and Tomlinson (1979), had fallen outside of these negotiations and remained subject to discrimination in all the areas that their white working-class counterparts had made gains. Housing, for example, was an illustration of this differential development of white working class

and non-white working class in Birmingham, with the latter falling into the lower strata of Rex's definition of housing classes.

This understanding would later be echoed in Paul Gilroy's (1982: 305–6) assertion that 'the institutions of the white working class have failed to represent the interests of black workers', something previously signalled in the formation of immigrant organisations and amalgamations such as the Indian Workers Association (IWA), Pakistani Workers Association (PWA) and the West Indian Standing conference (WISC). Such organisations challenged the collusion between trade councils, unions and factory managers or operators, including colour bars (such as that introduced in Bristol by the Transport and General Workers Unions (TGWU)) and the refusal to allow Asian women working in the Red Star mill in Leicester to register with the union (see Heineman, 1972 and Shukra, 1998). What the development of all of these organisations should also point to is the continuing significance of colonial history in Britain, since many of the leaders and organisers used their experience of organising against British colonialism as a basis from which to militate against racism in Britain – particularly when there was evidence of state racism, that is, discriminatory immigration legislation. What Rex and Tomlinson (1979) were keen to point to, however, was the emergence among West Indian and Asian communities of a type of 'underclass' which, for the former, would lead to 'a withdrawal from competition' and, for the latter, would result in 'a concentration on capital accumulation and social mobility' (Solomos, 1993: 20–1). Thus, they insisted that

these minorities were systematically at a disadvantage compared with their white peers and that, instead of identifying with working class culture, community and politics, they formed their own organisations and became effectively a separate, underprivileged class.

(quoted in Solomos, *ibid.*)

What remained integral to this tradition of race-relations was, of course, that 'West Indian' and 'Asian' were the preferred terms to describe minority ethnic groups in Britain, and thus there were few concerted attempts to incorporate religion into these perspectives, 'either as an important component for self-description or as a vehicle for the expression and mobilisation of collective minority interests' (Lewis, 1994: 3). This is in spite of the activities of post-immigrant organisations and amalgamations such as the West Indian Standing Conference (WISC), Indian Workers Association (IWA), and Pakistani Workers Association (PWA), which simultaneously mobilised against Trade Union and

employment discrimination while seeking sponsorship and funding for churches, temples and mosques (Meer, 2001).

### **'Race', racialization and political blackness**

The absence of such a nuanced analysis was joined, at the time, by the charge from theorists of 'racialization' that race-relations thinking failed to engage with any sustained analysis of questions of power, and was consequently 'atheoretical' and 'ahistorical', 'concerned with 'attitudes', 'prejudice' and 'discrimination' [and is] remarkably uninformative' (Zubaida (1972: 141). While Rex's work certainly eschewed a narrow focus by pointing to the importance of social and economic marginalisation, his detractors argued that he failed to integrate these sociological concerns into 'wider conceptual debates about the theory of racism or into the analysis of processes of racialization in contemporary Britain' (Solomos, 1993: 22). At the same time it is worth noting that Rex displayed an interest in the continuing relevance of colonial relations and their articulations within Britain. One of his key texts, after all, is titled *Race, Colonialism and the City* (1973), and in making a moderate defence, Richard Jenkins (2005: 202) has argued that 'for John Rex, theory is not a self-referential intellectual domain – in other words, it is not mainly about theorists and what they say – but, rather, it is a conceptual lens through which to observe the realities of human existence in groups'.

Nevertheless, an early and incrementally systematic attempt to provide a theoretical rebuttal to the race-relations problematic (adopted, in their different ways, by Banton and Rex) can be found in the work of Robert Miles (1982; 1984; 1986; 1988; 1989; 1993). Miles argued that migrants to the UK did not enter a neutral political context but, rather, a 'wider ideological context' that was shaped in part by the need to justify and rationalise three centuries of colonial exploitation. He then critiqued the analytical purchase of 'race' – placing the term within inverted commas since it is 'a belief' and not a reality:

I recognise that people do conceive of themselves and others as belonging to 'races' and do describe certain sorts of situations as being 'race-relations', but I am also arguing that these categories of everyday life cannot, automatically be taken up and employed analytically in an inquiry which aspires to objective or scientific status ... there is no scientific basis for categorising *Homo sapiens* into discrete races.<sup>8</sup>

(Miles, 1982: 42)



What we should actually be studying, according to Miles (1989: 75), is how 'material inequalities' and 'signifying processes' interact to racialise groups as 'races' in 'those instances where social relations between people have been structured by the significance of human biological characteristics in such a way as to define and construct differentiated social collectivities'. In turn, this process of 'racialization' would also help sustain structures of class inequality and the exploitation of migrant workers. These two issues are interrelated for Miles since there's a contradiction between

on the one hand the need of the capitalist world economy for the mobility of human beings, and on the other, the drawing of territorial boundaries and the construction of citizenship as a legal category which sets boundaries for human mobility.

(Miles, 1988: 438)

In addition, he argued that talk of 'race' served to fragment the broader struggles of the working class, to the extent that organisations which mobilised around an experience of 'race' and adopted a 'race-consciousness' succeeded in creating obstacles to combating processes of racialization. What they should instead be organising around, argued Miles, was a class-based formula that could account for the 'racialization' process in the first instance. Miles and Marxian perspectives were met with equally robust responses, however, by those who complained of a class reductionism which subsumed other social relations, limited the scope of theory and silenced racial 'subjects'. As Gilroy complained,

This perspective presents Marxism as a privileged science allowing unique access to fundamental historical issues which are denied to analysts writing from other perspectives. Dogmatism is particularly evident in Miles' discussion of class relations inside the black communities. The effects of popular and institutional racisms in drawing together various black groups with different histories is unexplored. The idea that these relationships might create a new definition of black out of various different experiences of racial subordination is not entertained.

(1987: 23)

Gilroy's objection had, however, already been evident in his earlier collaborative work with the Race and Politics Group at the Centre for Contemporary Cultural Studies (CCCS), *The Empire Strikes Back: Race and racism in 70s Britain* (1982). The concern here, repeated in Gilroy's

comment above, was that the idea of race should not only be viewed as something that is used to regulate and racialise ethnic minorities, but that 'the meaning of race as a social construction is contested and fought over' (Solomos and Back, 1996: 10). Thus CCCS authors agreed with Zubaida and Miles' critique of Banton and Rex's formulation of race-relations. They also agreed with Miles that race, as an analytical category, was socially constructed, and that processes of racialization which permeated mainstream society were integral to the function of the modern state, particularly during times of 'crisis' (CCCS, 1982: 277–8; cf. Hall et al., 1978). However, they deviated significantly from Miles in pointing to the way in which collective identities spoken through race, community and locality might become powerful means to co-ordinate action and create solidarity. This was particularly the case, according to the CCCS (1982: 277), where the 'politics of race' had been successful in forging communities of resistance in the absence of white working-class solidarity:

[T]he British Left has been reluctant to approach the Pandora's box of racial politics. They have remained largely unaffected by over sixty years of black critical dialogue ... The simplistic reduction of race to class, which has guided their practice has been thrown into confusion by intense and visible *black* struggles.

The key shift here involves an objection to viewing 'black' communities as passive objects of study in favour of viewing them as active partners in the creation of black political subjectivities. According to Solomos (1993: 30), 'a multiplicity of political identities' could from here fall into 'an inclusive notion of black identity', while allowing 'heterogeneity of national and cultural origins within this constituency'. These could then resist racialization processes through co-ordinated action – not least through anti-racist struggles. So the notion of a 'black' identity was taken to incorporate minorities of both South Asian and African Caribbean origin, specifically in contesting racism as something based upon colour prejudice. Thus a dominant strand of anti-racism emerged and sought to organise minority ethnic populations through a politicised – but racialised – colour-based ethnicity.

- **The rationale was that the terms of protest against discrimination both should refuse and accept the group identities upon which discrimination is based, and that demands for inclusion necessarily invoke and repudiate the differences that have been denied inclusion in the first place.**

This is the basis of an inclusive blackness that is premised upon the desire to reclaim previously demeaned identities and instill a sense of ‘group’ pride.

### **Testing race during the Rushdie Affair**

The episode known as the Rushdie Affair provides an instructive exercise of what can at times appear an abstract discussion in illustrating how these accounts relate to Muslims in Britain. Although the literature surrounding this topic is very broad, the following discussion consciously limits itself to two interrelated issues:

- The first surrounds the disjuncture between the way British Muslims were viewing themselves, and how dominant accounts of minority identity sought to understand them.
- The second considers the emergence of more complex forms of racism and ‘racialization’ (as cultural racism and Islamophobia) pertaining to Muslims in Britain.

Soon after its publication in September 1988, Salman Rushdie’s novel *The Satanic Verses* was criticised by some Muslims because it is based in – and draws upon – Islamic scriptural history, and so blurred reality and fiction (Parekh, 2000). Particular offence was taken at sections portraying the Prophet Mohammed as ‘an unscrupulous, lecherous impostor who hoodwinked his followers ... [and] included in the Qur’an certain verses which turned out to be the work of the devil: the satanic verses’ (Hiro, 1991: 183); as well as references to Bilal – revered as the first black convert to Islam – as ‘a big black shit’; and a portrayal of the empowered wife of Mohammed as a callous prostitute. After initial, peaceful, appeals to include something disclaiming its historical credentials fell on deaf ears, some Muslim organisations petitioned the government to prosecute the author under the Race-Relations Act (1976), Public Order Act (1986) and Incitement to Racial Hatred legislation (Jones, 1990: 416) (Chapter 6 explores this legislation in great detail). Others, such as the British Muslim Action Front (BMAF) and the Bradford Council of Mosques (BMC), sought to mobilise the English common law of blasphemy as a way of precipitating a ban on the book. Both appeals to legislation failed; the former because Muslims – unlike Sikh and Jewish minorities – are not considered to be a racial group, and the latter because legislation on blasphemy does not cover religions other than

Christianity. In the meantime Muslim protests became more active and included setting fire to copies of the novel, in an attempt to elicit media coverage, which led to comparisons with Nazi suppression of public debate (cf. Weldon, 1989).

It is important to recognise that British protests did not occur in a vacuum, for the international dimension became marked by the intervention of Ayatollah Khomeini of the Islamic Republic of Iran, who issued a decree in February 1989 calling for the assassination of the author. Although the British protests had started much earlier and independently of this action, and Khomeini's authority to sanction such a decree was highly contested and enormously problematic, the two issues became implicitly entangled for the reasons Hiro (1991: 186–7) describes:

Khomeini was now seen by most British Muslims simply as the leading Islamic figure on the world stage, upholding the sanctity of the Prophet Mohammed. Soon Khomeini's pictures became a regular feature of the demonstrations which Muslims mounted in British cities and town from Glasgow to Gravesend, culminating in a large procession in London 28 May 1989.

Hutnik's (1985) earlier finding that over eighty per cent of South Asian Muslims named religion as important to them was now proving ominous, for largely viewed under the umbrella identity of 'Asian', it was Muslims of Bradford that most viscerally captured the public imagination. As emotive images of bearded men chanting anti-Rushdie slogans occupied the broadcast media, the realisation that anti-racist activist discourse cataloguing Muslims as politically 'black' may have been unhelpful, was slowly emerging. Modood (1992: 272) illustrates this with the example of anti-racist campaigners who counter-protested against the Muslim protestors in Bradford: "Fight racism, not Rushdie": stickers bearing this slogan were worn by many who wanted to be on the same side as the Muslims. It was well meant but betrayed a poverty of understanding.'

The Rushdie Affair was a turning point for Muslims in Britain for it interminably ruptured whatever consensus, contested as it clearly was, of race-relations and anti-racism that existed. Banton's thesis, following Park, is a prescription for assimilation since it is only in 'an integrated order of race-relations' where differences lose their significance so that social consensus can be achieved. As the episode highlighted, Muslims in Britain did not want to assimilate if this required surrendering their

religious heritage, and instead contested their allocated civic status by mobilising for an accommodation of their 'difference' by the state. This view is succinctly captured by the comments, made at around the time of the protests, by a female teacher at a Muslim school in Bradford: 'we want the girls here to build up the confidence to say to the outside world, "this is me ... You have to accept me the way I am". They are ready to integrate on their own terms.'<sup>9</sup> Although Rex's account is less prescriptive, he would similarly hold that Muslims should accept the reality of assimilation to a political culture where objections to Rushdie's text on the grounds of religious offence should not be entertained (Rex, 1986). Their collective sense of grievance would do little to help alleviate the position of Muslims caught – in Rex's words – in some kind of 'underclass', for the presence of a sizable population who are not only religious but who practice their faith publicly, and the further marginalisation of these communities through the disparity between state recognition of faiths, escapes Rex's account. The racialization thesis presented by Robert Miles, meanwhile, offers no space to understand the cultural dimension of British Muslim protests. In viewing them as the passive victims of racism, it denies their obvious agency in speaking out and mobilising against a perceived assault on sources of group identity. As Samad (1992: 508) argued, 'the *Satanic Verses* controversy added a new claim of authentic identity, a Muslim identity, which challenged assumed loyalties'. The idea of an inclusive black identity, as a basis from which to mobilise anti-racist struggle, also suffered from conceiving racism in terms of an objection to visible differences such as skin colour, as Modood (1992: 272) argued,

The root of the problem is that contemporary anti-racism defines people in terms of their colour; Muslims – suffering all the problems that anti-racists identify – hardly ever think of themselves in terms of their colour. [...] We need concepts of race and racism that can critique socio-cultural environments which devalue people because of the physical differences but also because of the membership of a cultural minority and, critically, where the two overlap and create a *double disadvantage* (my emphasis).

Modood's concern to distinguish between people's 'mode of being' from their 'mode of oppression' accords, in one way, with Gilroy's (1992: 60–1) insistence that 'there can be no single or homogeneous strategy against racism because racism itself is never homogeneous'. This requires elaboration.

## Group-pride, self-definition and ethnicity

Positioned somewhere between Miles' coupling of race and class, and inclusive blackness envisioned by the CCCS (1982) on the one hand, and the emergence of the new ethnicities problematic (discussed below) on the other, Modood (1988; 1989; 1990; 1992; 1997a; 2005c) pointed to the contradictory assumptions informing race-based coalitions by arguing that

we are being asked to understand white attitudes, including what is referred to as common-sense or folk racism, in terms of white culture, ideology and material conditions, but without any reference to the groups of people about whom the attitudes and policies are being made. [...] Minority groups become shadows, for by becoming all race and no ethnicity, their very existence as a group depends upon white people perceiving them.

(Modood, 1992: 50)

There are two interrelated arguments informing Modood's comment. The first involves noting the previous distinction between one's 'mode of being' and 'mode of oppression', and the second seeks to attend to the silenced and/or coerced partners within this black perspectivism through an understanding of ethnicity and religion:

[W]hat is needed is a sociology that is able to connect a group's internal structure, values and understanding of itself, commonly understood as ethnicity, with how that group is categorised and treated as a subordinate race within wider society. The elements, ethnicity and race [...] a group's mode of being and the mode of oppression it suffers, are familiar elements to the sociologists who provide the current frameworks for anti-racist policies, yet they are unable fruitfully to relate the two and thereby assume that ethnicity is of lesser importance.

(Ibid.: 48)

This, of course, requires some understanding of what ethnicity actually entails, and in this regard Modood's approach shares something with Fredrick Barth's (1969) formulation. This comprises, firstly, a critique of anthropological traditions that focus exclusively upon cultural content by emphasising the *subjective* dimension of recognition – an internal self-awareness – deemed to be more important than the *objective*

definition of the group designated by an external party. Second, and in shifting the emphasis away from the possible characteristics of a group, that is, taking us away from definitions of groups as heralding displays of particular traits or comprising particular behaviours in the classical anthropological sense, Barth (1969: 10–11) argued that we should focus upon the ‘boundaries’ between groups as a site of identity maintenance. This does not mean, however, that we should think of ethnicity in terms of Banton’s ‘peripheral contact’ or ‘plural’ race-relations orders, or in a way which suggests ‘a world of separate people’s, each with their culture and each organised in a society which can legitimately be isolated for description as an island to itself’ (Barth, *ibid.*). We should instead seek to understand how

ethnic distinctions do not depend on an absence of mobility, contact and information, but do entail social processes of exclusion and incorporation whereby discrete categories are maintained *despite* changing participation and membership in the course of individual life histories. [...] The features which are taken into account are not the sum of the objective differences, but only those which the actors themselves regard as significant.

(Ibid.: 10, 14)

Where Modood departs from Barth is in prioritising group pride through the projection of positive images and demands for respect, as a way of challenging negative and racist assumptions, which means that *the demand for inclusion necessarily invokes and repudiates the differences that have been denied inclusion in the first place*. Equally key to this ‘ethnic assertiveness’ is that recognition of a group’s mode of being rather than a protracted mode of oppression. The implication being that ethnic groups should not be silenced or coerced into abandoning what is most important to them by succumbing to hegemonic categories. What was being advocated here, therefore, was the space for minorities to draw upon internal resources to resist the external constraints of racial discrimination in creative, and potentially contradictory, ways.

The methodological implications of listening to these internal voices is not only relevant to ethnographic work, however, but can be adopted in large-scale survey design. For example, in the ten-yearly Policy Studies Institute survey into the conditions of ethnic minorities in Britain (Brown, 1984; Smith, 1977; Daniel, 1968), Modood et al. (1997: 291–338) investigated the question: ‘how do ethnic minority people think of themselves?’ Recognising the situational and contextual nature

of the question, they worked on the understanding that expressions of ethnicity entail 'not what people do but what people say or believe about themselves'. Thus self-description is central to ethnicity, which includes expressions of what might be called an 'associational or communal identity', as well as cultural practices. Contrasting this with a designated ethnicity according to country of origin or heritage, they found that while people with African-Caribbean ethnicities maintained that skin colour was the most important factor in terms of their self-description, for people with South Asian ethnicities it was religion that proved most important. Although they looked at various dimensions of culture and ethnicity such as marriage, language, dress – all of which 'command considerable allegiance' – they concluded that religion 'is central in the self-definition of the majority of South Asian people'. Thus when they asked South Asian respondents, 'Do you ever think of yourself as being black?' only about a fifth of over 1500 respondents gave an affirmative answer.

## **New ethnicities**

In their opposing ways, both the CCCS' conception of an inclusive, vehicular, 'black' identity, and Modood's rebuttal in favour of a differentiated ethnic identity that recognises peoples' 'mode of being' feed into the emergence of the 'new ethnicities' problematic. This sought to engage the shifting complexities of ethnic identities, specifically their processes of formation and change, and was given an authoritative voice in the work of Stuart Hall (1988; 1991). According to Cohen (2000: 5), the idea of new ethnicities seeks to capture the way in which 'identities had broken free of their anchorage in singular histories of race and nation', not least in the way that a 'black' identity was meant to reference a common experience of racism and marginalisation. At this earlier stage, 'ethnicity was the enemy' (Hall, 1991: 55) because it was conceived in the form of a culturally constructed sense of Englishness that was problematic because 'a particularly closed, exclusive, and regressive form of English national identity is one of the core characteristics of British racism today' (Hall, 1996 [1988]: 168). One outcome of this position was a tendency to homogenise differences at the expense of more sociologically honest attempts to conceptualise the social relations of minority Britons:

'The Black Experience,' as a singular and unifying framework based on the building up of identity across ethnic and cultural difference



between the different communities, became 'hegemonic' over other ethnic/racial identities - though the latter did not, of course, disappear.<sup>10</sup>

(Hall, 1996 [1988]: 164)

With the 'end of innocence' surrounding the notion of an essential black subject, counterpoised as a positive identity against social relations marked by racism, 'the politics of representation around the black subject shifts' enough for us to 'begin to see a renewed contestation over the meaning of the term 'ethnicity' itself (ibid). Ethnicity, however, emerges in a different incarnation here than was earlier surveyed in the Barthian sense or that of Modood. The ethnicities in Hall's concept emerge in 're-inscribing ethnicity outside of the discourses of the sociology of race and ethnic relations and the rhetoric of nationalism' (Solomos and Back, 1993: 137). This is because new ethnicities are individualistic, choice-based and 'consumed' in an interaction of the local and the global that displace the 'centred' discourses 'of the West, putting in question its universalistic character and its transcendental claims to speak for everyone, while being itself everywhere and nowhere' (Hall, 1996 [1988]: 169). In many ways the new ethnicities project has been highly influential in seeking to heal rifts and propel ways forward from theoretical standpoints that might once have seemed irreconcilable. At the same time, it constitutes part of a reaction to a proliferation of minority identities, and specifically the rise of Muslim-consciousness and Muslim group identities. It is to this issue that we now turn.

# 4

## Local and Global Muslim Identities

In a poignant letter to *Guardian* in November 2001, a Muslim reader once complained of how ‘I have to condemn these terrorist attacks louder than other citizens, as anything less disguises hidden support for the murder of innocent civilians. [...] I cannot oppose the bombing of Afghanistan, as this amounts to treason because our troops are out there. I cannot condemn the killing of Palestinian civilians, as this means support for Hamas and Hizbullah. [...] I cannot support any cause involving Muslims around the world as this betrays loyalty to Queen and country’ (quoted in Back et al. 2002: 450). To understand this sentiment this chapter will build on the previous arguments by exploring in more detail the nature and fruition of Muslim identities; their sociological form and content, and their political implications. It specifically addresses the charges of essentialism (and/or the negation of ‘hybridity’) directed towards the idea of Muslim ‘group’ identities, and charts the conceptualisation of Islamophobia and anti-Muslim sentiment, before setting out the implications of the preceding discussion for subsequent empirical chapters. To this end the opening extract richly captures a salient anxiety directed towards contemporary public articulations of Muslim identities, specifically issues of multiple and divided loyalties, which dovetail into concerns over ‘Islamic radicalism’ and ‘violent extremism’. This requires some elaboration, and a good place to begin is with ethnographic research undertaken by Lewis (1994: 178), over a decade and half ago during the first Gulf War, in which the author reflected upon why a Bradford upper school with a largely Muslim intake was ‘pro-Iraq’ at a time of war with that country. As a ‘demonization of Islam’ took place in local and national press, Lewis describes how the youth perceived their *communal* identity to be under threat and ‘closed ranks’ on the issue with teachers and other

non-Muslim students alike. And yet, throughout the same period in the same school, no more than two or three students prayed in an area set aside for prayer. The fact that their grievances did not translate into prayer, but instead heightened their sense of an ‘associational’ identity (Modood, 1997), supports the distinction between Islamic and Muslim identities in my account of Muslim-consciousness, made in Chapter 3 and further elaborated below. Namely: the latter are more negotiated or less prescriptive than the former. These dynamics require some excavation with more grounded accounts. For example, Greaves (2007) has insisted that an increasing self-identification of second and subsequent generations as ‘Muslim’ constitutes a reaction to the aspect of their identity believed to be under attack. This is informed by ‘the feeling of “otherness” powerfully generated by western racism and orientalism. In this context it is likely that the images of Muslim civilians seen to be dying and suffering in various hotspots around the world ... will impact upon the emotive ties inherent within identity construction’ (Greaves, 2007: 22). This appears fairly straightforward and perhaps too simplistic when contrasted with the findings of Jacobson’s (1997, 1998) ethnographic research among youth of Pakistani and Bangladeshi backgrounds in East London. Her thesis begins by returning to Barth’s (1969) argument, as discussed in Chapter 3, that ethnic groups should be defined according to the boundaries that actors *subjectively* determine themselves, and not simply according to *objective* classifications based upon ascribed cultural features. Jacobson takes this to hypothesise that while ethnic and religious cleavages can coincide with one another, they often offer contradictory modes of self-definition. She specifically points to the following tendency among her sample to emphasise a distinction between religious, cultural and ethnic facets of identity construction:

[W]hereas ethnic boundaries are becoming increasingly permeable and cultural boundaries are (re-) negotiated, the religious boundaries are remaining clear cut and pervasive and thus serve to protect and enhance attachments to Islam.

(1997: 240)

The explanation she offers for this distinction develops from the way in which ethnicity is understood as an attachment to tradition and custom intertwined with cultural practice. Ethnicity here is perceived as non-religious in origin. This allows youth of Pakistani and Bangladeshi descent to distinguish between the universalism of religion and limited

locality of cultures that migrated from South Asia with an older generation ('disparate loyalties from a disparate place'). Or else as O'Toole and Gale's (2008: 154) study of the Muslim youth organisation, Muslim Justice Movement (MJM), reports:

The members of the MJM articulated a commitment to religion which they consciously decoupled from ethnic identification. Thus, whilst acknowledging a continuing 'connection' to Pakistan, the following member of the group laid claim to a hyphenated 'British Muslim' identity, suggesting that loyalties attached to place of birth and those relating to faith are not mutually exclusive.

In other words, for those who were brought up in Pakistan and Bangladesh, and migrated to Britain as adults, Islam was squarely located in an oral tradition which was ultimately linked to life-cycle rituals. This form of Islam was seeped in rural traditions and was inevitably influenced by non-Islamic conventions (and arguably had more to do with the Pakistan they left behind than with contemporary Pakistan). Among Jacobson's British-born sample, a more discrete Islam is consumed and reproduced that is, by and large, central to their sense of who they are since

... they affirm their belief in its teachings and regard it as something in relation to which they should orient their behaviour in all spheres of life and which therefore demands of them a self-conscious and explicit commitment.

(1997: 239)

In comparison to this religious identity, Jacobson argues that ethnicity is more peripheral and is not regarded as a basis from which to frame their experience of the world. It is worth noting too how Knott and Khokher (1993) and Dwyer (1999) have shown that young Muslim women draw a distinction between 'religion' and 'ethnicity' in rejecting their parents' subscription to traditions that are less consistent with the aspirations of these young women themselves. This frequently builds upon a self-conscious exploration of religion as a means of promoting advancement in education, career opportunities and so forth. Jacobson (1997) refers to this development as the 'religion-ethnic culture distinction' and contrasts it with her second 'religion-ethnic origin distinction' which involves a perception of identity in terms of one's attachment to a place, while one's religious identity as a Muslim denotes belonging

to a global community which transcends national boundaries (see also Bagguley and Hussain, 2008). As Mandaville (2009: 498) reiterates,

Among British Muslims born and raised in the UK, from about the late 1980s/early 1990s, there emerged what might be thought of as a search for a 'universalist' Islam. To some extent this took the form of a rejection of what they saw as the parochialised religiosity of their parents. This 'village Islam', as many saw it, was mired in a past that had little relevance to the challenges of daily life in twentieth-century, globalising Britain.

This then invokes the idea of the Muslim 'ummah' or 'community of believers' (Sayyid, 2000) and echoes Ali's (1992: 113 cited in Modood et al., 1994) assertion that 'the global appeal of intellectual Islam offers the possibility of a wider world to live in', particularly when enacted in the local community, since youth can use the political and intellectual teachings of Islam to argue and resist parental pressure (based upon an explicitly cultural understanding of Islam) as much as the pressures of racism and exclusion they experience from the majority group. One element in this process, according to Nielsen (1984), is the growing tendency of young people to reject certain customs from overseas that their parents have resurrected in their British localities. A significant factor is the frequent encounter between Muslims with different ethnic backgrounds and cultural expressions, all of whom hold a valid claim on Islam.

What these transactions also facilitate is the adoption and promotion of trans-national Muslim and Islamic identities that are traditionally critical of nation-state citizenship, and are typically termed 'Islamist'. This requires some conceptual disentangling that can be approached by turning to Mondal (2008: 35) who conceives 'Islamism' as 'a form of Muslim politics concerned with political behaviour embedded in Islamic principles, usually directed at creating an [supra-national] Islamic state'. This may be contrasted with Lambert's (2008: 33) narrower distinction in insisting that an *Islamist* is 'a term used to describe an Islamic political or social activist'. This in turn seems closer to what Mondal, again drawing upon Mandaville, casts as a Muslim politics directed towards 'a more inclusive formulation that does not pursue the establishment of formal Islamic political systems' (ibid). Perhaps a better definition of an 'Islamist' or 'Islamic activist' is someone who believes or states that their politics is derived from Islam or gives primacy to Islamic causes. In this way we can distinguish it from a 'Muslim activist'

who would be concerned with the well-being of Muslims in tandem with the well-being of society as a whole.<sup>1</sup>

### **Islamism and British Muslim 'radicalism' and 'extremism'**

There is of course a great deal of anxiety directed towards Islamic identifications and associations, particularly concerning matters of radicalism and violent extremism. It is argued, however, that while Islamist identities are by definition challenging, they neither need be 'extremist' nor 'violent'. Indeed quite the opposite can be true. One good illustration of this may be garnered from the former head of the Metropolitan Police Service Muslim Contact Unit (MCU), Robert Lambert's (2008) insider account of a London-based police and community initiative. This initiative worked in partnership with British Islamist groups that are widely portrayed as 'radical' and 'extremist'. Yet in a series of projects since as early as 1994, London-based Islamist Muslim youth workers have been galvanising non-violent responses against *Al Qaeda* propaganda through forms of community engagement that champion education. While these groups have been challenging *Al Qaeda* propagandists long before the issue was recognised by the government, these groups' limited inclusion in counter-terrorism efforts has invited significant controversy. As Lambert (2008: 33) details, this controversy emerges from the charge that, in seeking Islamist involvement, the MCU has become an 'appeaser of extremists' and has succumbed to an 'ideological Stockholm Syndrome'. These charges are premised upon a conflation of Islamism and *Al Qaeda* philosophies or traditions of thought, and the powerful assumption that 'political radicalism' leads to violent extremism. Such tensions are elaborated in Lambert's (2008: 34) insistence:

The fact that al-Qaeda terrorists adapt and distort Salafi and Islamist approaches to Islam does not mean that Salafis and Islamists are implicitly linked to terrorism or extremism-nor does it mean that individual Salafis and Islamists are likely to be terrorists or extremists. [...] However, it is axiomatic that by the time they become al-Qaeda suicide bombers (or other active terrorists) UK Muslim recruits have bought into an ideology that distorts strands of Salafi and Islamist thinking.

The idea of Islamism will be further discussed below and while the idea of Salafism will reoccur, it won't be centrally discussed so that it is worth noting here how Lambert (2008: 33), drawing upon Esposito (2003),

uses the term to refer to a 'name derived from salaf, "pious ancestors", given to a reform movement that emphasizes the restoration of Islamic doctrines to pure form, adherence to the Qur'an and Sunnah, rejection of the authority of later interpretations, and maintenance of the unity of ummah – that is, a global Muslim fellowship'. One of the most salient Muslim illustrations of the conflation Lambert is critiquing may be found in *The Islamist* – a highly influential account by the self-professed 'former radical' Ed Hussein. In his memoir of a time spent in various burgeoning and politically active Muslim groupings in London during the 1990s, Hussein traces and critically recounts a journey through a number of Islamist organisations that overlapped with or operated among East London's Bangladeshi communities, but which also held transnational ambitions. These allegedly included the East London Mosque, Jamaat-e-Islami (JI), Young Muslims Organisation (YMO) and the Islamic Society of Britain (ISB), among others.

Hussein's account insists upon intellectual and political co-dependencies in the contemporary articulations of otherwise very disparate strands of modern Islamic political thought. This need not be invalid, however, when he describes where Islamist activists and organisation take their own sources of influence and inspiration and so forth. Much of this is genealogically premised upon an earlier 'Islamism' ushered in under the austere Islam of Wahhabism, promoted by the eighteenth-century Arab cleric Muhammad Ibn Abd al-Wahhab. Hussein's account of Islamism moves outwards from this earlier incarnation to couple Hassan al-Banna, who founded the Muslim Brotherhood (MB) in Egypt in 1928, with Abu A'la Mawdudi, who founded the Jamat-e-Islami in northern India in the 1930s, with another Egyptian Sayyid Qutb, writing in the 1950s and 1960s. What is omitted in these moves is the contextual bearing that each of these figures wrote in broadly anti-colonial and pre-Independence eras (perhaps with the exception of Qutb). This is repeated in Hussein's linking of Taqi al-Nabhani, who founded Hizb ut-Tahrir (HT) in Jerusalem in 1953, to contemporary *Al Qaeda*-inspired philosophies, a reading which leads Hussein (2008) to conclude that Islamists are 'all at one with Wahhabis in creed'.<sup>2</sup> Indeed, of all these groupings it is the supra-national HT, outlawed in many Muslim countries, and particularly in the ex-Soviet republics of Central Asia, that draws his most virulent criticism. In Hussein's account the crucial issue is that such Islamist groups harbour anti-democratic ambitions in their desire for Islamic supremacy, and must not therefore be included as constituents in a political process.

It is certainly the case that HT openly, but non-violently, aspires towards what it understands as the Islamisation of societies, the world over, and boasts a detailed conception of its supra-national Islamic state, the *Caliphate*. This includes a draft constitution that, among other things, outlaws any political parties they deem un-Islamic, excludes women and non-Muslims from ruling positions, and sanctions capital punishment for apostates.<sup>3</sup> Though it is also worth recognising that in this regard HT is not typical of Islamist parties, as Ramadan (1999: 139) reminds us:

There was never any question in al-Banna's texts of reducing the *shar'ia* to the status of a criminal code. The application of this code has several pre-requisites, primarily that a society has reached a sufficient level of social justice and individual responsibility. [...] The first phase of applying the *shari'a* should involve a process of social reform with the aim of restoring very basic rights to the people. Education, together with the need for involvement in the struggle for social justice, is the watch word of the Muslim Brotherhood.

Nevertheless, what does it tell us if by the beginning of the 1990s, HT could count several thousand young British Muslim supporters among its ranks? In Hussein's account these levels of recruitment reflected a process of 'political brainwashing' that has taken place on Britain's student campuses and elsewhere, has exploited young Muslims 'caught between two cultures' and has been fostered by a segregationist multi-culturalism that has facilitated this first step of 'radicalisation' on the path to 'violent extremism'. It is worth noting, however, that while it is true that the search for identity at moments of crisis, what Choudhury (2007: para 8) describes as a 'cognitive opening', has often gone hand in hand with lack of religious literacy as two characteristics of those drawn to fringe groups, this does not mean that young people drawn to these groups remain embedded within them over a life course. Not only does Hussein's own rejection of HT illustrate this, but also Hamid's (2007: 157) ethnographic work with ex-members reports that

Many young people ... credit HT for awakening their religio-political consciousness. HT appeals to a section among young people frustrated with what they see as the inaction of traditional authority in their communities and ineffectiveness of other Islamic groups. [...] Joining HT seems, for most, to be a phase young people go through



while at college or university. As they grow older, ex-members either join more moderate groups, withdraw from the activist scene or in some cases join groups that are *influenced* by HT (emphasis added).

The concern, then, should not be to fix as 'authentic' our reading of a variety of Islamist movements but rather to view them as projects whose 'meaning, reception and political instantiation evolve' as they enter new contexts (Mandaville, 2009: 501). This could be an example of what Said (1984) once termed a 'travelling theory' or even what McLennan (2004) has termed 'verhicularity'. A related and equally pressing critique of Hussein is that in many ways his account is of decreasing relevance, unless one assumes that there have been few advances over the last decade and a half within or around the organisations he discusses. For example, Butt (2007) insists that Hussein's account 'is dated and misleading' for 'the groups he mentions, and their *modus operandi*, are more fluid and sophisticated now'.<sup>4</sup> It is also interesting to note how Hussein's description of HT as involved in violent extremism implies that violent extremists form part of traditional party structures and work with strategic political objectives in mind. This appears inconsistent with what is known of such groups, as Brighton (2007: 14) reminds us:

Al-Qaeda's jihad ... derives 'from the luxury of moral choice'. The ideology and practice of jihad become gestural rather than deliberate, ethical rather than political. Its attacks are moments of sanctimonious – self-sanctifying – violence, not coordinated events within a comprehensive strategy.

Thus, and while violent extremism is indeed meant to accomplish certain ends, it is, as Devji (2005: 3–5) argues, better conceived as 'gestures of duty or risk rather than acts of instrumentality properly speaking'. A graphic illustration of this may be found in the posthumous words of Mohammed Sidique Khan, the lead bomber of London on 7 July 2005:

Our words are dead until we give them life with our blood. I and thousands like me have forsaken everything for what we believe. [...] Until we feel security, you will be our targets. Until you stop the bombing, gassing, imprisonment and torture of my people we will not stop this fight. We are at war and I am a soldier. Now you too will taste the reality of this situation.<sup>5</sup>

It is thus problematic that Hussein has implicated a wide array of British Muslim organisations, such as the Muslim Council of Britain (MCB) and the Muslim Association of Britain (MAB), among many others, as potentially extremist because they may contain Islamists within their ranks and/or maintain very legitimate transnational links to ancestral homelands. As Mandaville (2009: 497) insists,

Muslim trans-nationalism should not be treated as a post- or near-9/11 phenomenon, but rather as a space and set of practices that have evolved over decades. The events of 9/11 and 7/7, however, certainly had enormous impact on these institutional fields-not least through the various responses of state authorities and the fact that they came to view Muslim trans-nationalism primarily through a national security lens.

This is related to Kundani's (2008: 53) critique of Hussein's distinction between true Islam as 'spiritual', 'moderate' and 'traditional', and a distorted form of Islam as 'ideology', 'extremist', 'activist', 'literalist', 'anti-western' and 'political' as over general and indeed damaging in its simplicity. As Lambert (2008: 34) has complained, 'licensing and encouraging one religious community (e.g., Sufis) against another (e.g., Salafis and Islamists) may prove divisive and provide further ammunition for al-Qaeda propagandists'. It is therefore striking that instead of offering a 'non-political' notion of Islam, Hussein is positing a very political right to name what is and what is not legitimate for governments to engage with. Another way of putting this is to draw upon Lambert's (2008: 34) analogy of Irish republicanism through which he maintains that 'one of the major lessons of that long campaign was UK counter-terrorism's failure to adequately distinguish terrorists from the Republican Catholic communities from where they sought support. [...] Nor was Irish Catholicism a key pointer to Provisional IRA terrorism'. The implication being that a more fruitful means of engaging a variety of Muslim groups, across a political spectrum, would proceed on the understanding that complex forms of democratic politics, where citizens have widely different sets of beliefs, is a challenge for – and not an obstacle to – State-Muslim engagement.

### **The curious fate of the MCB**

This was perhaps symbolised by the way in which the MCB developed and emerged as the main interlocutor in state-Muslim engagement,

and how it achieved some success in establishing a Muslim voice in the corridors of power (Radcliffe, 2004). The creation of a religion question on the national Census (Aspinall, 2000), achieving state funding for the first Muslim schools (Meer, 2009), and more broadly the innovation in socio-economic policies targeted at severely deprived Muslim groups (Policy Innovation Unit, 2001; Abrams and Houston, 2006) are illustrative examples of these successes. Inaugurated in 1997, the MCB is an expanding umbrella organisation of presently over 450 local, regional and national organisations which elects its secretary-general from a central committee. Its genesis lies in the UK Action Committee on Islamic Affairs (UKACIA) which developed during the Salman Rushdie affair as the most effective means of raising mainstream Muslim voices.<sup>6</sup> The MCB's stated aims include the promotion of consensus and unity on Muslim affairs in the UK, giving a voice to issues of common concern, addressing discrimination and disadvantages faced by Muslims in Britain, encouraging 'a more enlightened appreciation' of Islam and Muslims in the wider society and working for 'the common good'.<sup>7</sup> Yet MCB too was intertwined with the anxieties over 'Islamism' and its pre-eminence waned in the mid-2000s as it grew critical of the Iraq War and the so-called War on Terror. Indeed it faced considerable public criticism from both government and civil society bodies (particularly of the centre-right) for allegedly failing to reject extremism clearly and decisively. Such charges were largely circumstantial owing to the links between the MCB members and the Islamist organisation Jamat-e-Islami, which was founded in northern India in the 1930s by Abu A'la Mawdudi. Nevertheless, David Cameron, widely anticipated to be elected prime minister in the next general election, has likened the MCB to the far-right British National Party (BNP) (Cameron, 2007). Allied to these complaints has been the issue of how 'representative' of British Muslims the organisation actually is – a question that has plagued it since the early days but which has had a more damaging impact upon its credibility when allied to handful of other complaints.<sup>8</sup> One outcome of this political critique has been the extension to a plethora of other, though much less representative, Muslim organisations (such as the Sufi Muslim Council (SMC) and the Al-Khoie Foundation) of the invitation to represent British Muslims in matters of consultation and stakeholders. At the same time, and as is further elaborated below, newer advisory groups (such as the Mosques and Imams National Advisory Body [MINAB]) do not seek the same remit of representation as the MCB, while other older bodies such as the Islamic Sharia Council (ISC) continue to be an affiliate member of the MCB.

## **Muslim 'group' identity: essentialism and hybridity**

This raises a broader issue concerning how the discussion thus far has implicitly relied on the idea of 'groups' without making an explicit justification. Muslims in Britain, as the world over, are predominantly Sunni, and while the majority of the single largest group (Pakistanis) are Barelvis; the majority of the remainder are Deobandis. Both these Sunni sects have their origins in the reformist movement set in motion by Shah Waliullah that came into existence in post-1857 British India, after what is commonly termed the 'Indian mutiny' but is best seen as India's first war of independence. Moreover, while both these groups were concerned with ways of maintaining Islam as a living social force in a non-Muslim polity and ruling culture (Modood, 1992), they were also adversaries in their approach to maintaining a Muslim religious consciousness (see Robinson, 1988). Now based upon data from the last decennial census (2001), there are well over 1.6 million people in Britain who report an affiliation with Islam by voluntarily self-defining as 'Muslim'. This represents 2.9 per cent of the entire population and makes Islam the most populous faith in Britain after Christianity (72 per cent); more numerous than Hinduism (less than 1 per cent, numbering 559, 000), Sikhism (336, 000), Judaism (267, 000) and Buddhism (152, 000). It is generally accepted, however, that the actual number of Muslims is higher because of initial undercounting, comparatively higher levels of fertility and subsequent inward migration. Nevertheless, a breakdown of the census data on Muslim constituencies according to ethnicity identifies 42.5 percent of Pakistani ethnic-origin, 16.8 per cent Bangladeshi, 8.5 per cent of Indian and – most interestingly – 7.5 per cent of White Other. This is largely taken to mean people of Turkish, Arabic and North-African ethnic origin who choose the White Other category on the census form. It also includes Eastern European Muslims from Bosnia and Kosovo, as well as white Muslims from other European countries and not an insignificant and growing convert community (estimated to be over ten thousand in number; see Anwar and Baksh, 2003). Black-African (6.2) and Other Asian (5.8) census categories dominate the remaining ethnic identification options. Even with this heterogeneity, it is still understandable – if a little misleading – that British-Muslims are associated first and foremost with a South-Asian background, especially since those with this background make up roughly 68 per cent of the British Muslim population, have a greater longevity in residence and have been more politically active to date. Nevertheless, this heterogeneity of ethnic, national and theological

cleavages has led Ansari (2004: 3) to insist that 'presumptions of Muslim homogeneity and coherence which claim to override the differences ... do not necessarily correspond to social reality. A Sylheti from Bangladesh, apart from some tenets of faith, is likely to have little in common with a Mirpuri from Pakistan, let alone a Somali or Bosnian Muslim'. This is supported by Halliday's (1999: 897) concern to focus analysis upon 'the intersection of identities' since

it is easy to ... study an immigrant community and present all in terms of religion. But this is to miss other identities – of work, location, ethnicity – and, not least, the ways in which different Muslims relate to each other. Anyone with the slightest acquaintance of the inner life of the Arabs in Britain, or the Pakistani and Bengali communities, will know there is as much difference as commonality.

While these assessments are not without foundation, and should help counter an understanding of Muslims in Britain as a monolithic group, one of the arguments of this chapter is that certain concerns transcend Muslim difference – particularly since the majority, albeit a slim majority, of British-Muslims have not migrated to Britain but have been born here. Shared concerns are likely to encompass the ways in which to combat anti-Muslim racism or cultivate a positive public image (heterogeneous or otherwise), or a desire among some Muslim parents to school their children in Islamic traditions and so on. For example, it is particularly noteworthy that while support for the present Labour government decreased among all minorities in the last general election, it did so radically among some Muslim groups. The most dramatic example being the defeat of the incumbent MP in the predominantly Bangladeshi London constituency of Bethnal Green and Bow by George Galloway, a former Labour MP, who led the anti-War Respect party. One particular issue that this raises is over whether a discernable British Muslim identity has given rise to a discernable 'Muslim vote' in Britain, for it is clear that Muslim organisations at the last general election campaigned on a distinctive equality agenda that drew attention to the ways Muslims have become victims of the anti-terrorism campaigns and related Islamophobia (Modood, 2005c). If we continue with this example, a number of implications can be drawn out from these developments that include differences between Muslim and non-Muslim ethnic minority voting patterns, as well as the extent to which Muslim political electoral participation is 'closely connected to the size of the local Muslim population [which] indicate that registration, like

turnout, is affected by the forces of [Muslim] mobilisation' (Fieldhouse and Cutts, 2008: 333). One example of Muslim electoral mobilisation was much in evidence when the MCB issued a ten-point check card to encourage Muslim voters to evaluate various politicians' positions on matters concerning both domestic and foreign policy.<sup>9</sup> The reception of such a strategy by a former leading Labour politician provides a lucid illustration of the electoral impact of attitudinal and social shifts among the contemporary Muslims of his former constituency:

For more than 30 years, I took the votes of Birmingham Muslims for granted ... if, at any time between 1964 and 1997 I heard of a Khan, Saleem or Iqbal who did not support Labour I was both outraged and astonished. [...] The Muslim view of Labour has changed. [...] Anxious immigrants who throw themselves on the mercy of their members of parliament are now a minority. Their children and grandchildren will only vote for politicians who explicitly meet their demands. [...] In future they will pick and choose between the parties and ask: 'What have you done for us?'

(Hattersley, 2005)

The central narrative running through this account is that of a confident British Muslim democratic engagement that is further illustrated by Sher Khan (2005) of the MCB:

Our position has always been that we see ourselves as part of this society. I do not think that you can be part of it if you are not willing to take part in electing your own representatives. So, engage with the process of governance or of your community as part of being a citizen of this community. We think it is imperative.

(Quoted in Charter, 2005)

It is a view that coalesces with the following description by Idris Mears, formerly director of the Association of Muslim Schools (AMS):

I think that what is interesting is that a kind of British Muslim Identity is only just emerging. I think that's basically because the schools and communities were controlled by a framework led by the elder generation and that people still saw themselves as an immigrant minority coming together to protect their culture, and in a sense still relate to another place being home. I would call them English Muslims, Welsh Muslims and Scots Muslims because British still has a sense of

being abstract and being a political identity whereas region has much more to do with place and invites the rest of society to say 'yes you're an English Muslim' rather than an Asian Other that is suggested by British Muslim. Then something will have actually changed, both in how the Muslims are viewed but also in how they see themselves ... At that point I think the Muslims become much more relevant to general society and we'll start to see some very interesting things happen, I think.

(Mears, Interview, 1 April, 2006)

This returns us to Jacobson's research discussed earlier in the chapter but also suggests that a more nuanced analysis is required which does not place ethnic identities in binary opposition to religious identities. This requires some elaboration that can be further illustrated by turning to Werbner (2004: 897–911) who distinguishes between 'pure' and 'impure' spheres of Pakistani diaspora identity in Britain. This is important because Werbner has argued that in opposition to increasingly anglicised South Asian cultural negotiations, Muslims in Britain have become problematised through their religious rather than ethnic identities:

Whereas Asians are seen to be integrating positively into Britain, contributing a welcome spiciness and novelty to British culture, Muslims are regarded as an alienated, problematic minority: their mosques are depicted as hotbeds of radicalism and anti-western rhetoric ... The tension between the two discourses, pure and impure, is necessarily also a source of friction in British Pakistani internal politics between those espousing pragmatic integration and those articulating a more oppositional, exclusionary politics.

As the electoral participation example illustrates, it is empirically problematic to maintain Werbner's assertion that those positioned in the 'pure' (Muslim) sphere are relatively oppositional or exclusionary, for it can also be the case that they espouse an equally inclusive notion of public participation as those in the 'impure' (South Asian) sphere. What is important is that in considering these issues, we should not mistake the acceptance of minority cultural expressions by a mainstream orthodoxy, as being the sole yardstick of minority integration, particularly since the cultural specificities of one minority identity might not be commodified or consumed in the same way as another. What is being argued then is that Werbner risks confusing the two separate issues of (1) how certain forms of difference may or may not lend themselves to synthesis, and

(2) whether certain forms of difference are exclusionary by their own logic *rather than circumstance* (i.e., in the face of majority contempt). This repeats the distinction between multicultural and communitarian conceptions of multiculturalism set out in Chapter 1, and also negates the potential of Du Bosian synthesis by endorsing an exclusive conception of plural-Britishness and hyphenated identities. As such both Jacobson and Werbner perhaps overemphasise the distinctions between 'religion-ethnic culture/origin' and 'pure/impure' spheres. This is because, in contradiction to its Barthesian inheritance, recent social anthropology has often overlooked the extent to which religious communal identities can themselves inform ideas of ethnicity. For example, subscribing to a Muslim identification is not necessarily synonymous with religiosity alone, but relates to a transformation of ethnic identity within the context of British society. As Samad's (1997) research among young people of Pakistani descent in Bradford highlights, modern interpretations of Islam are accessed in various mediums and, according to Samad, encourages a move away from the oral tradition of Islam that still regulates the lives of the older generation who arrived as immigrants. Complementing this shift in identification is the move away from *biraderi* or regional-based identifications, towards a Muslim identification which 'glosses' over the sectarianism that permeates Islam for the older generation, even if it encounters a newer one in a British context. As a result, identification with Pakistan, or a particular region of Pakistan, becomes less significant and 'Muslim' becomes increasingly prominent:

Through a burgeoning body of literature in English, the youth can also lever open a space on generational issues. In gravitating towards a universal Islam, and glossing over the differences that have been so divisive to the older generation, youth of Pakistani descent in Bradford can be seen to have assimilated since this only happens when – paradoxically – they become more British

(Samad, 2002)

This is evident in the Fourth National Survey (FNS) data (Modood et al., 1997) discussed in the previous chapter, but is contested by authors such as Alexander (2000, 2002) for whom current interests in Muslim identity have informed a public discourse that is heightened by both concerns of Islamophobia and the fear of 'Islamic radicalism'. Both of which have '...concurred in the positioning of Islam at the centre of political and academic discourse as Public Enemy Number One – Britain's Most Unwanted, as it were' (Alexander, 2000: 14).



Alexander recounts the splintering of the 'black' consensus, most notably in relation to the Rushdie affair, as leading to increasingly 'inward looking' and 'self-defining difference' which serves to create 'seemingly insurmountable boundaries' between various minority ethnic communities in Britain: 'Difference may be in, it may be all there is, but it is applied differentially to communities and often obscures more than it reveals' (Alexander, 2002: 553). The splintering of difference along religious lines has, moreover, reproduced perceptions of a 'culture conflict', with young men being portrayed as caught between the ethnicity of their parental culture and the universal, self-definition derived from Islam. This religious identification, she argues, is often presented as a defensive reaction to forms of racism and hostility that cannot be rationalised with reference to their parental culture:

Like Rastafari before it, Islam thus stands as a psychological barricade behind which Pakistani and Bangladeshi young people (usually young men) can hide their lack of self-esteem and proclaim a fictional strength through the imagination of the *umma*.

(Alexander, 2002: 553)

The general point being made is that such perspectives lead to a 'reification' of essentialised and problematised identities, articulated in an increased concern about 'the Muslim underclass'. This serves to locate Pakistani and Bangladeshi communities as the lowest point in a hierarchy of the deprived, and positions 'Muslims as the unwilling and resentful heirs of a culture of disadvantage, and as the perpetrators of burgeoning "Asian" criminality' (Alexander, 2002: 15). Alexander's thesis is, therefore, threefold. Firstly she accuses writers like Modood of advancing a reified Muslim subjectivity which, having shifted the debate on minority identity in Britain away from a black/white duality, succeeds in creating a new Muslim/non-Muslim duality. Secondly, she argues that the outcome of focusing explicitly upon a Muslim identity will serve to dislocate minority ethnic groups from their 'shared structural positionings' and common experiences of racism. Finally, she argues that the long-term outcome of this trend is likely to involve a move away from the idea of identity as something that is fluid and malleable, to something that is no longer allowed to be 'hybrid' because it is difficult to mobilise around heterogeneity.

Taking each point in turn, the idea of a group intrinsically involves some degree of positioning within and between the sites of 'boundaries'. These are not unproblematic, can be multiple and may be informed by

common experiences of racism, sexuality, socio-economic positions, geographical locality and so forth. In this sense, all groups are socially constructed, and it is clear that people tend to associate with those with whom they perceive to share some affinity. One of the reasons that it is important to recognise Muslim identity as a 'group' identity is that this is how it is understood by many Muslims themselves. For the purposes of research, therefore, the category of 'Muslim' becomes no less valid than categories such as 'working class', 'woman', 'black' or 'youth'. As Modood (1994: 9) has long argued, it is inconsistent to protest against the use of 'Muslim' as an analytical category simply because it has the same 'dialectical tension between specificity and generality' that all group categories are subject to. This is not to 'essentialize' or 'reify' the category of Muslim as Alexander charges, however, since it can be 'as internally diverse as "Christian" or "Belgian" or "middle-class", or any other category helpful in ordering our understanding of contemporary Europe; but just as diversity does not lead to the abandonment of social concepts in general, so with that of "Muslim" (Modood, 2003: 100). The argument offered here is that expressions of Muslim identity in all their contested variety cannot be dismissed simply because they are subject to dialectical tensions, as Sayyid (2000: 40, 48) reminds us:

[T]he formation of all identities is relational and exclusionary. Identities based on faith, gender, class, culture (or whatever) all have this exclusionary and relational logic... sometimes, the critique of essentialism has the effect of turning all social identities into facades ... all social identities are heterogeneous since they do not have an essence that can guarantee their homogeneity ... but one should not confuse the existence of social identities as being necessitated by some essence ... The idea that unless there is total agreement among Muslims it is impossible to think of a Muslim presence, would suggest that a collective is only possible under conditions of unanimity.

Alexander's second objection, however, is less valid. As Chapter 3 has shown and as the rest of this book will document, 'shared structural positionings' and 'common experiences of racism' are no longer sufficient grounds upon which to examine the experience of Muslims in Britain alone. The discussion of Islamophobia will make this clear. In fact, one of the reasons that Muslim identity should be recognised differently from that of 'Black', 'Asian' or 'Minority group' is that Muslims are subject to discrimination and exclusion as a group, and so the terms of protest against discrimination both refuse and accept the group

identities upon which discrimination has been based. This is lucidly captured by Maleiha Malik (2005: 50):

If Muslims see their sense of identity reflected in legal and political institutions, and they see their concerns being taken seriously by these institutions, they are more likely to comply with the obligations of these institutions without feeling coerced. Therefore, in order for Muslims to feel that their concerns are being accurately reflected, it is vital that policy makers and legal and political institutions recognise Muslims as a distinct social group.

This attends to the prospect, set out in Chapter 1, that institutions and social practices attribute a minority status to some inherent qualities in the minority group, as if those qualities were the *reason* rather than the *rationalisation* for not taking their sensibilities into account. As Chapter 3 delineated from Du Bois, this would mean that the subject group is more likely to be disenfranchised than alienated so that it is not so much cultural *difference* as *cultural disenfranchisement* that would shape its struggle, that is, demands for incorporation necessarily invoke the differences that have denied incorporation in the first place. This does not, however, require us to roll back to an understanding of identity as necessarily hostile to 'hybridity'. Concepts of 'hybridity', and related ideas of 'syncretism', 'creolisation' and 'melange', have all been widely deployed in discussions of racial and ethnic identifications (Bhabha, 1994; Gilroy, 1987; Werbner and Modood, 1997). Similarly, the concept of diaspora, although not at first sight necessarily associated with processes of mixing, can also be deployed to the same kind of effect, evoking a context or dynamic which creates an overlapping heterogeneity (Gilroy, 1993a; Brah, 1996). In this sense, hybridity is understood as a powerful counter to accounts of primordial, essential or exclusive identities, either in ethnic, national, religious or racial settings, and is seen as subversive and dislocating of entrenched categories, particularly in post-colonial contexts. Such accounts assume, however, that to talk of an essential identity is necessarily exclusivist and, as further empirically demonstrated in the case study of Muslim schools, fails to appreciate the differences between 'strategic essentialism' (Spivak, 1988) as a positive type of collective self-identification, and 'reification' which silences differences (Werbner, 1997: 229). Alexander seems to have difficulty making this distinction, and so is blind to the broader argument that the focus upon 'British-Muslims' represents a recognition of 'complex forms of Britishness' emphasised by British Muslims themselves who are

'attempting to politically negotiate a place in an all-inclusive nationality' (Modood, 1998: 389). In this way we can hope to 'retain a description of social group differentiation, but without fixing or reifying groups' (Young, 2000: 89) so that the following statement by Sher Azam – a community leader in Bradford – should not strike us as extraordinary:

We call ourselves British Muslims. Whether or not anybody acknowledges us or accepts us, we have decided that this is our country, this is our home and this is where our children and grandchildren have decided to live.

(quoted in Lebor, 1997: 129)

At this juncture it is worth reiterating that Islam and Muslims in Britain have only relatively recently achieved the sort of prominence accepted as a familiar reality today. Poole (2002: 3) describes how in recent years Muslims have moved from 'the margins of coverage in the British news media' and from being a 'distant object in the consciousness of the majority of the British people' to now forming 'an uncomfortable familiarity'. She continues, 'Islam is suddenly "recognizable" but it is the form in which Islam is known that is of concern here'. Indeed, as Kundnani (2008: 43) reminds us, 'a great deal hangs on the three letters separating Islam from Islamism and the two can easily be conflated or linked together structurally'. The British author Martin Amis is illustrative of this tension in his expression of 'respect' for Islam, what he terms 'the donor of countless benefits to mankind, and the possessor of a thrilling history. ... But we do not respect Islamism' (Amis, 2008: 50), and the way in which he has used the term 'Islamist' interchangeably with 'Muslim' is to inform a journalist that 'the Islamists' are 'gaining on us demographically at a huge rate'. Or take the following statement from Douglass Murray, Director of the Centre for Social Cohesion, a branch of Civitas:

Conditions for Muslims in Europe must be made harder across the board: Europe must look like a less attractive proposition. And of course it should go without saying that Muslims in Europe who for any reason take part in, plot, assist or condone violence against the west (not just the country they happen to have found sanctuary in, but any country in the west or western troops) must be forcibly deported back to their place of origin ... Where a person was born in the west, they should be deported to the country of origin of their parent or grandparent.<sup>10</sup>

There appears to be several components to this sentiment which inter alia rely upon an essential idea of Europe that is closed to Muslims. Concomitantly, the civil and political rights of Muslims are less meaningful, and their ethnic origins serve as an important means of ascertaining where they *really* belong. Murray's anti-Muslim sentiment, therefore, simultaneously draws upon signs of race, culture and belonging in a way that is by no means reducible to hostility to a religion alone, which suggests that religion has a new sociological relevance because of the ways it is tied up with issues of community identity, stereotyping, socio-economic location, political conflict and so forth. On the other hand, and especially given that religious discrimination in most western societies does not usually proceed on the basis of belief but perceived membership of an ethno-religious group (for example, Catholics in N. Ireland, Muslims in the countries of former Yugoslavia and Jews in general), Murray's account is consistent with an established tendency of targeting religious groups and communities as opposed to beliefs and opposition to beliefs. Yet the extract illustrates how this need not be a pure 'religious discrimination' phenomena for it also traffics in stereotypes about foreignness, phenotypes and culture. Here, there are obvious similarities between forms of anti-Semitism and anti-Muslim sentiment that remain underexplored (Meer and Noorani, 2008), and which may herald important differences as well as similarities (Bunzl, 2007). The question these issues pose for any concept of Islamophobia is whether it can, among other things, analytically capture the racial and cultural dynamics of the macrohistorical juxtaposition between 'Europe' and 'Islam'; sufficiently delineate the racialising component of Murray's insistence from a critique of Islam as a religion; and more broadly summon enough explanatory power to stipulate how more established organising concepts within the study of race and racism may, in some Hegelian fashion, be developed and formulated in a sociologically convincing manner. Indeed, it is striking to note the virtual absence of a venerable literature on race and racism in the discussion on the Islamophobia; thus Trevor Phillips (2009: vii), the current chair of the Equality and Human Rights Commission (EHRC), can insist,

Islamophobia has become a convenient though inaccurate analogue for racism. [...] The intimate relationship between the position of British Muslims and the wider geopolitical and security questions of a post-Cold War world has made any comparison with racial groupings seem eccentric.

## Islamophobia, anti-Muslim sentiment and cultural racism

Perhaps one explanation for this disconnection surrounds how an informed discussion of anti-Muslim discourse has been bedevilled by the correct use of terminology (Richardson, 2006). While the origins of the term Islamophobia have been variously traced to an essay by two French Orientalists (Dinet and Baamer, 1925), 'a neologism of the 1970s' (Rana, 2007: 148) and an early 1990s' American periodical (Sheridan, 2006), what is undisputed is that the idea of Islamophobia became increasingly salient during the 1980s and 1990s, and arguably received its public policy prominence with the Runnymede Trust's Commission on British Muslims and Islamophobia (CBMI) (1997), *Islamophobia: A Challenge for Us All*. Defined as 'an unfounded hostility towards Islam, and therefore fear or dislike of all or most Muslims' (ibid.: 4), the report proposed eight argumentative positions<sup>11</sup> conceived as encapsulating its meaning, and through which the commission sought to draw attention to its assessment that 'anti-Muslim prejudice has grown so considerably and so rapidly in recent years that a new item in the vocabulary is needed' (CBMI, 1997: 4). This, of course, was before global events had elevated the issue to a prominence previously only hinted at, and which resulted in a second sitting of the commission that heard testimonies from leading Muslim spokespeople of how 'there is not a day that we do not have to face comments so ignorant that even Enoch Powell would not have made them' (Baroness Uddin quoted in CBMI, 2004: 3).

While we may all be guilty of sometimes spending 'far too much time deconstructing the key terms of social debate and far too little time analysing how they function' (Bunzl, 2005: 534), such an exercise here would be instructive, not least because one of the difficulties with how the commission conceived Islamophobia stems from the reference to an '*unfounded* hostility towards Islam'. This clearly entails the interpretative issue of establishing hostility as 'founded' or 'unfounded',<sup>12</sup> and what the CBMI was perhaps naive in not anticipating was how the term would also be *politically* criticised for, among things, allegedly reinforcing 'a monolithic concept of Islam, Islamic cultures, Muslims and Islamism, involving ethnic, cultural, linguistic, historical and doctrinal differences while affording vocal Muslims a ready concept of victimology' (Ozanne, 2006: 28, see also Afshar et al., 2005). For other critics the term neglected 'the active and aggressive part of discrimination' (Reisigl and Wodak, 2001: 6) by conceiving discrimination as a collection of pathological beliefs, inferred through the language of '-phobias'; with the additional complaint that the term does not adequately account

for the nature of the prejudice directed at Muslims. This is advanced in Halliday's (1999) thesis and is worth examining because Halliday accepts that Muslims experience direct discrimination *as Muslims*. He nevertheless considers Islamophobia misleading because,

[i]t misses the point about what it is that is being attacked: 'Islam' as a religion *was* the enemy in the past: in the crusades or the *reconquista*. It is not the enemy now [...] The attack now is not against *Islam* as a faith but against *Muslims* as a people, the latter grouping together all, especially immigrants, who might be covered by the term.

(Halliday, 1999: 898 original emphasis)

So in contrast to the thrust of the Islamophobia concept, as he understands it, the stereotypical enemy 'is not a faith or a culture, but a people' who form the 'real' targets of prejudice. While Halliday's critique is perhaps richer than many others, particularly journalistic accounts discussed in Meer (2006, 2007b, 2008) and Meer and Modood (2009a) (cf. Malik, 2005), what it ignores is how the majority of Muslims who report experiencing street-level discrimination recount – as testimonies to the 2004 Runnymede follow-up commission (CBMI, 2004) bear witness – that they do so when they appear 'conspicuously Muslim' more than when they do not. Since this can result from wearing Islamic attire, it makes it irrelevant – if it is even possible – to separate the impact of appearing Muslim from the impact of appearing to follow Islam. For example, the increase in personal abuse and everyday racism since 9/11 and 7/7 in which the perceived 'Islamicness' of the victims is the central reason for abuse, irregardless of the validity of this presumption (resulting in Sikhs and others with an 'Arab' appearance being attacked for 'looking like bin Laden'), suggests that discrimination and/or hostility to Islam and Muslims are much more interlinked than Halliday's thesis allows.

One illustration of this may be found in the summary report on Islamophobia published by the European Monitoring Centre on Racism and Xenophobia shortly after 9/11. This indicated a rise in the number of 'physical and verbal threats being made, particularly to those visually identifiable as Muslims, in particular women wearing the hijab' (Allen and Nielsen, 2002: 16). Despite variations in the number and correlation of physical and verbal threats directed at Muslim populations among the individual nation states, one overarching feature that emerged among the fifteen European Union countries was the tendency for Muslim women to be attacked because of how the *hijab* signifies

an Islamic identity (ibid.: 35). The *overlapping* and *interacting* nature of anti-Muslim and anti-Islamic prejudice directed at Muslims can be further illustrated in the attitude polling of non-Muslim Britons one year after 9/11. This showed that

There could be little doubt from G-2002e [31 October–1 November, YouGov, n=1,890; *The Guardian*, 5 November 2002; <http://www.YouGov.com>] that 9/11 had taken some toll. Views of Islam since 9/11 were more negative for 47%, and of Britain's Muslims for 35% (almost three times the first post-9/11 figure in G-2001f [8–10 October, NOP, n=600; *Daily Telegraph*, 12 October 2001]). [...] Dislike for Islam was expressed by 36%, three in four of whom were fearful of what it might do in the next few years. One quarter rejected the suggestion that Islam was mainly a peaceful religion, with terrorists comprising only a tiny minority.

(Field, 2007: 455)

What these examples make manifest are the confusions contained within working references to racial and religious antipathy towards Muslims and Islam, but this is not unique to conceptualising anti-Muslim sentiment, as debates concerning racism and anti-Semitism betray (Meer and Noorani, 2008). This is illustrated in Modood's (2005c: 9–10) description of anti-Semitism as 'a form of religious persecution [which] became, over a long, complicated, evolving but contingent history, not just a form of cultural racism but one with highly systematic biological formulations'. He continues,

[C]enturies before those modern ideas we have come to call 'racism' ... the move from religious antipathy to racism may perhaps be witnessed in post-Reconquista Spain when Jews and Muslims were forced to convert to Christianity or be expelled. At this stage, the oppression can perhaps be characterised as religious. Soon afterward, converted Jews and Muslims and their offspring began to be suspected of not being true Christian believers, a doctrine developed amongst some Spaniards that this was because their old religion was in their blood. In short, because of their biology, conversion was impossible. Centuries later, these views about race became quite detached from religion and in Nazi and related doctrines were given a thoroughly scientific-biologic cast and constitute a paradigmatic and extreme version of modern racism.

(Ibid.)



Now this should not be read as an endorsement of the view that all racism can be reduced to a biological racism. Indeed, in the example above, modern biological racism has some roots in pre-modern religious antipathy – an argument that is also made by Rana (2007). As such we should guard against the characterisation of racism as a form of ‘inherentism’ or ‘biological determinism’, which leaves little space to conceive the ways in which cultural racism draws upon physical appearance as one marker, among others, but is not solely premised upon conceptions of biology in a way that ignores religion, culture and so forth. This is because anti-Muslim sentiment simultaneously draws on signs of race, culture and belonging in a way that is by no means reducible to hostility to a religion alone, but in a way that suggests that religion has a new sociological relevance because of the ways it is tied up with issues of community identity, stereotyping, socio-economic location, political conflict and so forth. Neat and categorical delineations within terminology are thus made implausible by variations in the social phenomena that they seek to describe and understand, so that a more nimble and absorbent nomenclature is preferred.

## **Implications**

So where does this leave our discussion of Muslim-consciousness? Firstly, it suggests that the literal and prescriptive accounts, surveyed at the beginning of Chapter 3, do not satisfactorily explain the adoption and promotion of Muslim identities per se. That is to say that where the common and defining factor is a reference to Islam, this permits enormous scope to continually imagine and re-imagine what a Muslim identity entails. Does this mean that it is incoherent for Muslim identities to be articulated as simultaneously valid but competing ways of expressing hopes, beliefs and desires? The argument offered here is that expressions of Muslim identity in all their contested variety cannot be dismissed simply because they are subject to the same dialectical tensions – between the general and the particular – as other categories (Modood, 1994).

Conceptually, Muslim collectivities can be theorised by the sorts of groupings elaborated in ideas of ethnicity, including Barthian accounts of boundary maintenance. This is important because it begins to explain how subscribing to a Muslim identification is not necessarily synonymous with religiosity alone, but relates to a transformation of ethnic identity within the context of British society. For example,

the existence or prevalence of Muslim identity might be assessed by whether there is strong, moderate, weak or no attachment to the sites of boundaries understood as structuring Muslim behaviour. This might include orthodox activities such as collective worship or adherence to ritual, but also behaviour deemed Islamic by those partaking in it but not expressly derived from a spiritually prescriptive one alone. This might include becoming involved in electoral politics or setting out to educate children by running schools. At the same time, it is important to remember that these behavioural norms need not provide the foundations for attitudinal expressions of Muslim group membership or vice versa. This is relevant because, as the FNS data reports, the use of labels and the willingness to associate oneself with groups on a general level can inform patterns of associational identities that equally harbour a 'capacity to generate community activism and political campaigns', and so should not be seen as weak simply because they emerge in a 'mixed form' (Modood et al., 1997: 337). All of this means that the subjective criterion is preferred over the objective since, as discussed in relation to the debates and reactions to the Rushdie affair, expressions of identity remain situational and can become more pronounced at some points and less at others. To understand them requires inquiry into the ways people see themselves and seek to be recognised. However, although this subjective element is crucial, the adoption of Muslim identity is not reducible to an instance of individual choice. For the reasons outlined above, the framing of Muslim identity in contemporary Britain is not free of external pressure, objectification and racialisation. That is to say, cultural racism and Islamophobia seek to degrade and vilify both the civilisational heritage in the abstract, and the physicality of Muslims as the subject. Thus a Muslim appearance, whether or not the bearer is in fact Muslim, becomes a reviled site of contempt, and a signifier for all things Muslim or Islamic.

This leads to the second broad conclusion, which is that earlier political formulations have been instrumental in recognising and protecting identities that are equally unstable, contested or seemingly dependent upon 'choice', that is, categorisations of racial and ethnic minorities generally, including Jewish and Sikh identities. As Chapter 6 argues, constructed hierarchies of legitimate or illegitimate difference should not be mistaken as a natural order of things. Such normative grammars of involuntary identities are obviously disrupted by the emergence of Muslim identities which seek all the benefits and protections afforded to other minority identities. These identities are neither

passive objects of racism nor frozen articulations tied to their country of origin. They have emerged in Britain as an articulation of Muslim-consciousness. What is addressed next is how these forms of Muslim-consciousness relate to cases of Muslim mobilisations for certain forms of civic status.

# 5

## Muslim Schools in Britain: Muslim-Consciousness in Action

I think we're at a very interesting stage. The metaphor I use is that the first Muslims that came here were like the farmer standing on the ground; they were standing on it but didn't have roots in it. But their seed has been scattered with some falling on good ground, others falling on stony ground and yet some being blown away in the wind. In some ways we're only now at the beginning of establishing a genuine Muslim presence in the United Kingdom and that presence is from the seed of the second and third generations.

Idris Mears, Association of Muslim Schools,  
(Interviewed by Meer on 1 April 2006)

Earlier chapters have delineated the emergence of a heterogeneous Muslim identity and characterised it as a form of Muslim-consciousness. Reporting on the first of three case studies, this chapter examines the relationship between this Muslim-consciousness and the civic status Muslims are seeking through the mobilisation for schools. In the opening quotation, the director of the Association of Muslim (AMS), Idris Mears, figuratively traces the emergence of Muslim schools in Britain, presently numbering over one hundred and thirty in the independent sector and ten with state funding. While their number may indeed support Mears' vision of a 'flowering' British Muslim identity, their place within the British education system remains the subject of intense debate (Tinker, 2007; Meer, 2007a; Parker-Jenkins; Hartas & Irving, 2005; Fetzer & Soper, 2004). Frequently named in various deliberations concerning Muslim civic engagement, political incorporation and social integration, to some commentators Muslim schools represent little more

than an irrational source of social division (Dawkins, 2006; Grayling, 2006; National Secular Society (NSS), 2006; Bell, 2005; Humanist Philosophers' Group (HPG), 2001). Many Muslims, meanwhile, view their existence as an antidote to a prescriptive or coercive assimilation, and herald their potential incorporation into the mainstream as an example of how 'integration' should be based upon reciprocity and mutual respect (Ameli, Azam & Merali, 2005; Association of Muslim Social Scientists (AMSS), 2004; Hussain 2004; CBMI, 2004). These differing sides of the spectrum, it appears, are illustrative of the way in which Muslim schools have emerged as a highly salient issue that on some occasions reinforce, and on others cut across, political and philosophical divides.

At the same time, and while the proliferation of literature on Muslims in Britain has multiplied as one seeming crisis has given way to another, very little research has consciously tried to investigate how an increasingly salient articulation of Muslim identity connects with the issue of Muslim schooling (as it equally might with other key arenas of British citizenship, including protection from discrimination, an issue taken up in Chapter 6). Thus, and despite sustained Muslim mobilisations for Muslim schools within and across diverse Muslim communities, surprisingly little is known of *how* these mobilisations are being undertaken, *what* is being sought and, more generally, *why* Muslim schools are deemed to be an important issue for some Muslim communities.

It is argued that Muslim schools make an ideal case through which to examine the emergence and meaning of Muslim-consciousness within and among British Muslim communities themselves, alongside the way that this is understood at an official level. In part, this is due to the significant interaction that is required between Muslim parents, Muslim educators, local education authorities (LEAs) and various government departments throughout the creation, operation and monitoring of Muslim schools in the manner described below. By characterising the Muslim-consciousness discussed in Chapter 5 as a kind of self-consciousness *for itself*, located squarely in the Du Boisian tradition set out in Chapter 2, the current chapter explores the relationship between this consciousness and Muslim mobilisations for faith schools. This chapter chiefly examines whether an incorporation and reflection of Muslim-consciousness in education can assist or prevent this Muslim-consciousness from turning inwards, rather than striving outwards, in potential synthesis, as a meaningful and reciprocal British Muslim identity.

- For these reasons, the first part of this chapter examines the relationship between governmental policy and identity articulations presently informing Muslim mobilisations, before contextualising these mobilisations within a historically peculiar British schooling context. The second part discusses some of the broader philosophical, political and sociological literature concerning how Muslim educators answer frequently made charges against Muslim schooling.

Particular attention is afforded to the argument for autonomy, the role of 'civic assimilation' in the remaking of British Muslim constituencies, as well as Muslim curricula objectives and concerns over social cohesion. Each of these issues is explored through the adoption of an integrated case study to ask

- Firstly, *why* have there been sustained Muslim mobilisations on the issue of Muslim schools within and across diverse Muslim communities?
- Secondly, *what* does the engagement or non-engagement of Muslims over the issue of education reveal about their incorporation into a rubric of British citizenship, specifically with respect to their civic status and participation?
- Thirdly, *how* can a recognition and reflection of the substantive elements of a Muslim-consciousness within the sphere of education attend to the sorts of double-consciousness discussed in Chapter 2?

## The policy context

It is worth briefly setting out the public policy context with respect to Muslim schools here at the beginning, where a concise overview can be gained by turning our attention to a recent watershed in Muslim schooling, in order to facilitate more advanced discussion later in the chapter. This watershed was achieved in 1998 when, after eighteen years of a Conservative administration, Tony Blair's newly elected Labour government delivered on a promise in its election manifesto and co-opted two primary schools, *Islamia School* (in Brent, London) and *Al-Furqan School* (in Birmingham), into the state sector by awarding them Voluntary Aided (VA) status, and with it an allocation of public money to cover teacher salaries and the running costs of the school. It arrived 'fourteen years and five Secretaries of State after the first naive approach' (Hewitt, 1998: 22), when Muslim parents and educators had only begun to get to grips with the convoluted application

process to achieve state funding, and were operating in the context of a Conservative government that was hostile to the idea of state-funded Muslim schools.

Both the aforementioned *Islamia* and *Al-Furqun* schools had already undergone a strict inspection by the Office for Standards in Education (OFSTED) and had more than met the appropriate governmental criteria required of independent schools applying for state funding. Alongside the obvious, such as the delivery of a good standard of education and the economic feasibility of a school, these criteria require (1) the adoption and delivery of the National Curriculum (ranging from a 'thinner' to 'thicker' adoption depending on whether the school is VA or Voluntary Controlled (VC) as discussed below); (2) the appointment of appropriately qualified staff; (3) the provision of suitable school buildings; (4) equality of opportunity for both male and female pupils; and (5) consideration of parental demand. All of this is of course premised upon the 'need' for a school in a given area based upon the number of available pupil spaces. In the past, this has been cited as the principle reason for – having met all other criteria – refusing some Muslim schools to opt into the state system, while simultaneously inviting other religious schools in similar areas to do so (see AMSS, 2004: 20 and Parker-Jenkins 2002: 279).

The success of these two schools was given further impetus in the Government White Paper, *Schools: Achieving Success* (2001). This developed into a more reserved public commitment after the northern riots in the summer of 2001 were partly understood as an outcome of Muslim self-segregation, and the discursive fall-out of 9/11 bled into public and media appraisal of all Muslim and Islamic education, often likening it to certain *Madrasses* found on the subcontinent where rote learning takes precedence over the cultivation of 'independent' thinking. For example, Labour MP Tony Wright, commenting on Muslim faith schooling, stated that '[b]efore September 11 it looked like a bad idea, it now looks like a mad idea'.<sup>1</sup> By the time the initiative reached the legislature in the form of the Education Act 2002, however, it regained some of its initial impetus. Para 5.30 sets out the Government position in its fullest, stating that

[f]aith schools have a significant history as part of the state education system, and play an important role in its diversity. Over the last four years, we have increased the range of faith schools in the maintained sector, including the first Muslim, Sikh and Greek Orthodox schools. There are also many independent faith schools and we know that some faith groups are interested in extending their contribution to state education. We wish to welcome faith schools, with their distinctive

ethos and character, into the maintained sector where there is clear local agreement. Guidance to School Organisation Committees will require them to give proposals from faith groups to establish schools the same consideration as those from others, including LEAs. Decisions to establish faith schools should take account of the interests of all sections of the community.

Thus eleven years and four Secretaries of State later the current number of state-funded Muslim faith schools has climbed to ten. In addition to those named above, this figure includes *Al-Hijrah* (a secondary school in Birmingham), *Feversham College* (a secondary school in Bradford), *Gatton Primary School* (in Wandsworth, South London), *Tauheedul Islam Girls High School* (Blackburn, Lancashire), *The Avenue School* (another primary school in Brent, London), *Orchard Primary School* (in the borough of Lambeth in London), *Bolton Muslim Girls' School* (a secondary in Lancashire) and *Slough Islamic School* (a primary yet to be opened).

Given the existence of over 4,700 state-funded Church of England schools, over 2100 Catholic, 33 Jewish and 28 Methodist schools, among others, Muslim campaigns for equality of access and opportunity in the faith schooling of Muslim children, in the state sector, is indicative of 'a modern society which is widely perceived as increasingly secular but is paradoxically increasingly multi-faith' (Skinner, 2002: 172). If we consider how successfully the influential public policy document on British education, the Swann Report (1985), had shifted the mainstream agenda away from faith schooling in the state sector as a realistic educational option for minority ethnic children, this 'paradox' is even more interesting. Fearing that faith schooling for minority students would intensify rather than alleviate their difficulties, the Swann Report concluded that

the establishment of 'separate' schools could well fail to tackle many of the underlying concerns of the communities and might also exacerbate the very feelings of rejection and not being accepted.

(Swann, 1985: 509).

These 'underlying concerns' are discussed in the next section of this chapter, but it is worth noting that they include the complaint by Muslim parents and educators of being afforded an impaired citizenship in not receiving the same ratio of provisions available to other major faith groups. Such complaints suggest that any sense of rejection has only increased (see below and AMSS, 2004; Anwar and Bakhsh, 2003) and is accentuated when we review the current situation of the Church



of England overseeing just over a quarter of all state schools and the near impossibility of their being de-coupled from the Established Church (neither desired nor proposed by advocates of Muslim faith schooling) (Modood, 1997b). For example, Arzu Merali from the Islamic Human Rights Commission (IHRC), a proponent of Muslim schools and co-author of a report on the topic (IHRC, 2005) argues that her organisation's involvement has been precipitated due to this very issue:

Our involvement has come on the back of a very real perception amongst the Muslim community that the struggle was to challenge a really lopsided way of funding faith schools by not basing it upon need or demographic variations and so forth. There was an understanding of why Catholic schools were funded but not why newer faith groups like Jewish communities were afforded these provisions and Muslim communities, with the largest range of children of school age in any community, weren't given the same support. It's part of the established Islamophobia, a perception of Muslims that sees something wrong with them, that they lack the capacity and so on.

(Merali, interview 12 June 2006)

One way of examining whether or not this is a valid complaint is to look at the very issues Merali raises, namely the numerical and demographic data on Muslim children, including their ethnic composition and what it means in terms of identity articulations. This includes a consideration of whether or not a recognition and reflection of Muslim constituencies in the ratio of educational provisions afforded to Muslims can be explained by reference to an 'established Islamophobia'.

### **Key data and identity implications**

Numerically, Muslim children of school age are disproportionately present in the British education system, making up nearly six per cent (500,000) of the school population from under three per cent (1.8m) of the national population (Halstead, 2005: 104, see ONS, 2005). Reflecting the particularly youthful demographic of British Muslims, where 33.8 per cent fall into the 0–15 year age bracket and 18.2 per cent into the 16–24 year category (Scott, Pearce and Goldblatt, 2001), in some LEAs Muslim children comprise a significant presence within school districts and wards. This is partially the result of concentrated settlement patterns by first-generation migrant workers (often intensified by 'white flight' to the suburbs [cf Ratcliffe, 1996]) which, in cities such as Bradford, means

that roughly 33 per cent of total school population is of predominantly Muslim minority ethnic origin (OFSTED Audit Commission, 2002). The outcome is that 'a significant number of inner city schools in Bradford almost exclusively serve the Muslim population' (Halstead, 2005: 110), a pattern not uncommon in other cities home to significant post-war minority ethnic settlement.

Consistent with the findings of Chapters 3 and 4, Muslim pupils throughout the British education system herald a diverse ethnic composition which mirrors that of the Muslim population as a whole. Alongside the Pakistani (40 per cent) and Bangladeshi (20 per cent) contingent, it includes Turkish and Turkish Cypriot; Middle-Eastern; East-Asian; African-Caribbean (10 per cent); Mixed race/heritage (4 per cent); Indian or other South Asian (15 per cent); and not an insignificant number of White converts and Eastern-Europeans (1 per cent) (Burgess and Wilson, 2004). However, and as the concluding parts of Chapter 4 stressed, this ethnic heterogeneity need not rule out the prospect of an over-arching and differentiated Muslim identity. This is because Muslim educators appear to recognise this diversity while adopting what Werbner (1997) and Modood (2005c) characterise in their different ways as a type of 'strategic essentialism' (Spivak, 1988). This means that although Muslim pupils are 'multi-cultural, multi-racial and multi-lingual in nature, it is the faith dimension of their lives which provides a unifying character' (Parker-Jenkins, 1995: 93). This understanding is clearly very evident in the view of Tahir Alam, trustee of *Al-Hijrah* secondary school, director of the teacher-training wing of the *Al-Hijrah Trust*, and chair of the MCB education committee:

[T]he experience they [pupils] will have in the school context will be broader than that of their home life. They will retain their, for example, Bangladeshi type cultural understandings of Islam, traditions, notions and beliefs so on, they will have those but they will get broader as people from different understandings will be there as well. And many of these [Muslim] schools have children from Somali backgrounds, Arab backgrounds, Pakistani and Bangladeshi and so on. So they are quite mixed from the point of view of national and cultural backgrounds, but the unifying thread is of course Islam in Britain.

(Alam, interview 20 May 2006).

The head teacher of *Islamia*, Abdulla Trevathan, and deputy head of *Al-Hijrah*, Akhmed Hussein, both share this understanding when they report their enthusiasm in encouraging ethnically heterogeneous but

Islamically inclusive interpretations of Muslim identity within the ethos of their schools:

[C]hildren come to see that there are Muslims who come from a different culture who have a different way of doing things, and yet there's very strong common themes i.e. the Qu'ran and prayer. For example, we have some kids here from North Africa where during prayer the hands are down by the sides, and again differently kids from Iraq so there are all these different encounters going on. It's actually very freeing but stresses that amongst that diversity there's essential themes.

(Abdulla Trevathan, interview 6 March 2006).

Children at our school are not from one ethnic culture. We have children from Africa, Pakistan, India, Bangladesh, Indonesia and many other backgrounds, as well as England. When they are present in this setting, there is no separation between those cultures ... once pupils have an understanding of their over-riding faith, and what their faith says about how to relate to people with other values, their mind will be more open.

(Akhmed Hussein, 9 February 2002, quoted in *The Tablet*).

This rehearses much of the discussion in the opening sections of the Chapter 3, with respect to what 'Islam' and 'being Muslim' entails, and is returned to in the closing sections of this chapter with respect to the ideals contained within Muslim school curricula. It is worth noting, however, that this imagining of a Muslim and Islamic identity in Muslim schooling goes hand in hand with a re-imagining of British identity. This is very evident in Trevathan's characterisation of the *Islamia Primary* 'ethos', one of the oldest Muslims schools in Britain and the first to receive state funding:

[I]f anything – this school is about creating a British Muslim culture, instead of, as I've often said in the press, conserving or saving a particular culture, say from the subcontinent or from Egypt or from Morocco or from wherever it may be. Obviously those cultures may feed into this British Muslim cultural identity, but we're not in the business of preserving ... it's just not feasible and it's not sensible ... it's dead: I mean I'm not saying *those* cultures are dead but it's a dead duck in the water as far as being *here* is concerned.

(Trevathan, interview).

Trevathan is obviously keen to partner the Muslim dimension with the British so that instead of suffocating hybridity or encouraging reification, for example, the outward projection of this internal diversity informs a Du Boisian-like pursuit of hyphenated identities. The casualty in this 'steering' of British Muslim identity is the geographical-origin conception of ethnicity, and the scramble to de-emphasise the 'ethnic culture' in favour of an ecumenical Islamic identity soon gives rise to a key complaint. This includes the lack of provisions within comprehensive schooling to cater for identity articulations that are not premised upon the recognition of minority status per se, but which move outwards on their own terms in an increasingly confident or assertive manner, based upon the subscription to a common Islamic tradition. Idris Mears, director of the AMS stresses this position:

I think a general point which is very important to get across is that state schools do not handle the meaning of Muslim identity well for the children. In actual fact, the way that general society looks at Muslims is as an immigrant minority-ethnic-racial-group and how young people are made to look at themselves through the teaching in state schools tells them 'you are this marginal group/minority group and have therefore got to integrate with the mainstream'. So there's a process of marginalisation and that often leads to resentment. But in a Muslim school that identity is built upon being a Muslim *not* an ethnic minority. The impact of being Muslim is very different because the role of the Muslims in any situation is to be the middle nation to take the middle ground and be the model as witnesses of humanity. I think it gives young people a greater sense of who they are and how they can interact in society and therefore learn that Islam is not just a thing that is relevant to minority rights. Islam is relevant to economy, to foreign policy, etc which means that we're not getting on to a stationary train but a train that is moving.  
(Mears, interview 1 April 2006).

This 'train' – which moves between different sites of boundary maintenance – was understood in Chapters 3 and 4 as an articulation of Muslim-consciousness. Mears expresses a 'clean' version of Muslim-consciousness that is free from ethnic and racial markers and therefore does not correspond to the lived reality, but is expressed as an aspiration to be realised through Muslim schooling environments. It is a desire reflected in the findings of Patricia Kelly (1999: 203) who, in her ethnographic study of schooling choices made by Muslim parents with both secular and Islamic

worldviews, concluded that 'as some less-religious families do opt for specifically Muslim education, we can consider this as an example of a decision to selectively emphasise this pan-ethnic (Muslim) group identity, in order to reap whatever benefits – economic, social and psychological as well as spiritual – it offers'.

Such a rationale permeates the AMSS' (2004: 11) manifesto, *Muslims on Education*, in which 'Muslim' refers 'not only [to] practising adherents of Islam, but also those who identify themselves 'Muslim' (without necessarily being practising) or who belong to a household or family that holds Islam as its descendant faith'. As Chapter 3 argued, this conception of Muslim identity is expressed and consolidated in survey data that inevitably includes both types, behavioural and attitudinal, but reports that 74 per cent of a representative *adult* Muslim sample in Britain say that religion is 'very important' to them (Modood et al., 1997: 331) without necessitating an inquiry into their degree of religiosity, let alone what this might entail behaviourally. It also emphasises that much of the motivation for Muslim schooling reflects the desire of Muslim parents who embrace it as an avenue through which to instil some sense of a Muslim heritage in all its heterogeneity. What this means for the development of the child's autonomy and where this desire rests in relation to the charge of 'indoctrination' (HPG, 2001) is discussed in the second half of this chapter, but it is worth noting here that there is no entirely coherent view among all Muslim parents about faith schooling<sup>2</sup> and, since around ninety-seven per cent of Muslim children are educated in state schools, Muslim parents and broader communities recognise that were they to wish to transfer aspects of their religious heritage onto their children, it is the character of state schools that they will have to change (Ansari, 2004). It is this realisation that has made schooling a 'major area of struggle for equality of opportunity and assertion of identity' (ibid., 298), and an area where 'in the face of major opposition from broad sections of ... society' (ibid.) Muslims have succeeded in having some basic 'needs' recognised, e.g., provision of *halal* (Kosher) meals. In this respect some LEAs have historically developed in directions that others have not. From a multicultural perspective, one of the most progressive is that of Birmingham, which in 1975 introduced a new Agreed Syllabus of Religious Education which 'required that pupils learn about and learn from the great world faiths present in the city' (Hewer, 2001: 517). Another was Bradford which promoted innovations such as the provision of *halal* meat in schools in 1983 (City of Bradford Local Administrative Memorandum No. 2/82, also see Singh, 1992). This is, of course, qualified by the

observation that ‘many Muslims who themselves do not favour separate Muslim schools maintain that the choice should be available to others’ (Ansari, 2004: footnote 78), parallel to choices available to other groups. The onus is then placed upon the state to accommodate Muslim communities, parents and children as they have other faiths. At the same time, the validity of this rationale – that Muslim minorities who mobilise for Muslim faith schooling are simply seeking an expansion of the faith-schooling sector – is rejected by prominent figures in both anti-religious *and* anti-racist camps alike. Terry Sanderson, President of the National Secular Society (NSS), for example, is convinced that

we’re heading towards a catastrophe unless the government change their policy, and there seems to be no difference of opinion between any of the main parties and I can’t see a change happening, and we’re heading towards further separation in education by the creation of more faith schools. The more Christian ones they create, the more the clamour becomes for Muslim schools to be created and I think it’s a disaster because the only way that we’re going to break down barriers between people is to bring them together at a very early age and this government is going in completely the opposite direction to that. It is creating schools that will keep them separate.

(Interview with Tarry Sanderson, 8 June 2007).

While the issue of ‘contact’ is discussed later in the chapter, Dan Lyndon, director of the ‘black history 4 schools’ project and a leading member of the Black and Asian Studies Association (BASA), in less apocalyptic but equally strident terms, voices similar objections on the grounds of separatism and in-egalitarianism:

I am worried about the development of faith schools because I think that just encourages separation... Personally, I would never teach in a religious school. Whatever religion, absolutely fundamentally, no. [...] I think if you took the approach of religions supporting tolerance and supporting loose moral code which we follow then I think there is no reason why they can’t be compatible with anti-racist education. I suppose if you had the idea of, if you’ve got an area where you are prioritising one over the other then that’s going to cause conflict and that’s going to cause problems. If you come from an egalitarian philosophy then hopefully that should over ride that.

(Interview with Dan Lyndon, 13 June 2007).<sup>3</sup>

The most nuanced and historically informed assessment, however, is offered by Tony Breslin, Director of the Citizenship foundation:

The fact of the matter is that if one looks at the history of the emergence of any group of faith schools they have tended to emerge from a desire to strengthen and support that faith in a particular societal setting. Catholic Schools are a case in point. I'm not convinced that we are at that starting point today. The starting point of the first generations of faith schools, were much more mono cultural societies. Faith schools, it seems to me, offer a lot in terms of ethos and all the rest of it. I just wonder whether non-faith schools can do the same thing and whether we should seek to get them to do that. [...] Part of the debate clearly about faith schools at the moment, is not really about faith schools, it's just the specificity of Muslim Schools, and I think people should be more honest about that. [...] I don't think that because a particular group was granted the right to build a faith school fifty years ago, it is a rationale to grant that to a different group now or another group in fifty years time. I think it's about saying, where is our society at.

(Interview with Tony Breslin, 12 June 2007).

Breslin is undoubtedly correct to highlight the historical dimension of faith schooling against which contemporary arguments concerning parity are often made, which is elaborated below, as well as the centrality of Muslim mobilisations to these arguments. Yet, while it may be true to say that Muslim communities have been the most vocal in seeking inclusion in the faith schooling sector, to what extent is it true to say *that they themselves* have premised these mobilisations *solely* upon the issue of parity remains to be seen. Moreover, if they have not, it begs the question as to what other factors have been salient.

### **Muslim motivations for faith schools**

Bearing in mind the diversity in being Muslim, a number of factors coalesce to inform the broad interest in Muslim schooling. The first and arguably broadest factor is paralleled by the interest in other religiously informed faith schooling, and stems from the desire to incorporate more faith-based principles into an integrated education system, so that the 'whole person' can be educated in an Islamic environment (AMSS, 2004; Hewer, 2001). This would *presuppose* faith rather than treat it as something extraneous to education and external to its major objects

(Ashraf, 1990). For example, one of the recommendations to emerge from the First World Conference on Muslim Education states that 'education should aim at the balanced growth of the total personality through the training of spirit, intellect, the rational self, feelings and bodily senses' (quoted in AMSS, 2004: 12). Two approaches proposed by the AMSS in their position paper on Muslim schools include the Steiner and Montessori approaches, both of which encourage personal and team responsibility while 'the child's creativity is also given full freedom for expression' (ibid., 19). Hence the objective is to encourage intellectual, spiritual and moral development within an Islamic ethos and framework. Thus, at *Islamia School*, Abdullah Trevathan states that a key curriculum objective is to prevent sources of Islamic guidance from becoming extrinsic to educational development, 'where the sunnah and the Qu'ran ... becomes the third person in an encounter'. In his view, children will only properly know, explore and evaluate knowledge presented within an Islamic environment if the children are incorporated into Islam's interpretative traditions:

There are two types of views of the divinity in theological perspectives. In classical terms one is *tashbih* which is like Allah's nearness, immersion in our daily life or divine interventions in daily affairs, and the other is *tanzih*: the incomparability or what they call negative theology, the absolute omnipotence, distance from the individual ... Now I believe what we're trying to do in this school is to return to a more *tashbih* ... it's very important that they're [the pupils] exposed to the classical *ussal al-fiqh* ... basically the methodology of applying principles to different situations, rather than taking or transporting rules or regulations out of another time and another place ... literally.  
(Trevathan, interview).

Perhaps surprisingly, given its pragmatic emphasis upon the present, part of this project at *Islamia School* proceeds through an introduction to classical Arabic; presented as a conduit through which this holistic immersion can begin:

We teach classical Qu'ranic Arabic. We think it's fundamental to the flowering of Muslim culture that the language of its philosophy, the language particularly of its spirituality is taught. And also there are key concepts such that if you've got the Arabic you immediately have access to that nuance, that feeling that the word evokes!

(Ibid.).



*Islamia School* is not alone in this view, for it is common to find the teaching of Qu'ranic Arabic listed on many Muslim Schools' curricula and mission statements (IHRC, 2005). This manner of incorporating faith-based principles into an integrated education system, as opposed to a more straightforward approach of teaching genesis or religious history, for example, is the preferred approach that is advocated by the Association for Muslim Schools (AMS). To this end, Ideas Mears describes how a child's understanding of the interpretative traditions within Islam is akin to wielding a powerful educational 'tool' that is simultaneously spiritual and educative:

Muslims are people that bring down a meaning to an event: we're creatures of meaning, and a Muslim expresses their real meaning by their *evada* because they see that the ultimate meaning is to be a worshipper of Allah but then bringing that down onto the axis of events changes how you act in the world. So I think the most important for Muslim schools is to give young people that as a tool in their hands that they can pick up and run with.

(Mears, interview).

The characterisation of Muslim schools as providing Muslim children with something like a 'launch-pad' is returned to later in the chapter during the discussion of autonomy, but it is important to stress that this view is not advanced naively by the Mears. In a measure of increasing confidence, critical self-evaluation and institutional networking, the AMS has been at the forefront of creating an inter-faith 'inspectorate' to monitor the content and standard of different faith-based schooling. This is informed by the recognition that while the areas of numeracy and literacy are stringently monitored by OFSTED, religious instruction is more likely to be left to the school's discretion and so may not always be of an appropriate standard:

The AMS has made an application to the DfES to deliver inspection services for OFSTED inspections of independent Muslim Schools. And we've done it in conjunction with a group of independent Christian schools – the Christian Schools Trust. We've joined together to create the 'faith schools inspectorate' and we will be able to inspect member schools: Christian or Muslim. As well as looking at the areas that are necessary in the OFSTED criteria as to whether a school is providing numeracy and literacy and citizenship skills

etc, we will be looking at how the school is delivering the religious ethos, because up until this point we accept that Muslim schools are Muslim schools because they say so. There's no real inspection of that and there can be a whole spectrum of people delivering *nothing* about Islam at all, but instead being a cultural protection zone for children and that's happened for children quite a lot, especially in the early years when the main criteria of a Muslim school wasn't about teaching Islam but the protection of Muslim girls from going into the state system. It was culturally driven rather than Islamically driven I think.

(Mears, interview).

Once again, Mears is at pains to stress the distinction between school premised upon an ethnic origin conception of Islam, driven by a desire for 'cultural protection zones', and an Islamically driven environment that moves outwards to build upon evaluative criteria already established and in place. This gives support to Jacobson's (1997) 'religion-ethnic culture distinction' discussed in Chapter 3, which argues that ethnicity is increasingly peripheral among some British Muslims. Placing ethnicity in binary opposition to religion is, however, not necessarily the best explanation of this tendency for the reasons elaborated in Chapter 4.

### **Separation of sexes**

The criticism that Muslim schools can serve as cultural protection zones is sometimes made through pointing to the evidence of Muslim parents' preferences for single sex schooling (Dawkins, 2006; Grayling, 2006; Bell, 2005; NSS, 2004; HPG, 2001). To be sure, and through an interpretation of Islam which posits that 'after puberty boys and girls should be separated' (Hashmi, 2002: 14), there is certainly a desire to develop 'safe' environments for post-pubescent children, and in this regard single-sex schooling undoubtedly appeals to Muslim parents (Hewer, 2001). The retention of single sex schools was recommended by the Swann Committee (1985) and their increasing non-availability may also be influencing Muslim parents' interest in faith schooling. Is this conservatism an example of the sorts of cultural protection zones feared by Mears? In answering this it is worth noting how, according to Trevathan, it is not an expression of separatism since 'in many ways the community want their children to be raised in a safe environment but still aspire to what successful people aspire to in the west' (Interview),

namely, social mobility through education. According to Hussain of *Al-Hijrah school*, a school which maintains separate teaching rooms, the motivation for single sex schooling is ‘to ensure that they [pupils] are more focused on their studies .... [I]t is primarily about their learning’. Elsewhere, the Muslim Parents Association (MPA) was formed in 1974 on this single issue, and continues to support the creation of a number of independent single-sex Muslim schools. In addition to *Al-Hijrah*, the creation *Feverham College* in Bradford was to some extent modelled on Catholic faith schooling (Halstead, 1991), by employing separate teaching rooms (cf. Haw, 1998). This is not a policy desired for primary schooling, however, and is contradicted by some existing co-educational Muslim schools that employ mixed teaching classes. So while the demand for single sex schooling is neither universally sought by Muslim educators, *nor is unproblematic*, it is not without precedent among other groups, and to view it as an example of Muslim patriarchy suggests that it is implausible that valid pedagogical arguments may be marshalled in support of single-sex schooling (Keaton, 1999). This is, then, undoubtedly an issue that requires further, ideally comparative, inquiry.

### **Specialist training and capacity building**

A third factor informing the Muslim interest in faith schooling is the current lack of specialist training in Islamic religious sciences, the provision of which might allow young people to ‘be educated to serve their communities as potential religious leaders’ (Hewer, 2001: 518). This includes the desire to have more British-trained theologians who can discuss theological issues with a contemporary resonance to the lived experiences of being Muslim in Britain. The immediacy of this requirement is illustrated with the example of unsuitable religious instructors, including non-British Imams who are unfamiliar with the particular contexts and experiential lives of Muslims in Britain:

The problem is that there’s a vacuum here because the mosques just aren’t set up to deal with the problems of modern people. If you import an Imam from Egypt or from Pakistan and somebody comes to them with a problem which is within a modern European context, it would often be things that the Imams would have never encountered in their lives and so have no means – or the wrong means – of dealing with it.

(Trevathan, Interview)

Tahir Alam sketches out some of the dynamics informing the considerations that schools must take into account when off-setting the desire for 'home-grown' religious instructors, with broader and more wide-ranging programmes of education:

There are schools that do actually give more curriculum time to more traditional sciences, you call it theology but I would call it traditional sciences to do with *Sunnah* and *Hadith* and those sorts of subjects. So there are schools that do specialise in this but they also do English, Maths and Science ... they just don't allocate as much time to these subjects as they would if the school was funded by the state. So there you have the flexibility as an independent institution so, currently, all those that are state funded couldn't have the luxury of being able to do that. I think schools would say that yes they would like more time but there's not enough time to deliver the national curriculum, which is a requirement, as well as devoting adequate time to really focus properly on some of the traditional sciences and subjects as well. So there's a trade-off, I suppose, and a debate about the balance in each school.

(Alam, Interview)

At the same time, Alam is not alone among advocates and co-ordinators of Muslim schooling in Britain who point to an inevitable limitation in the scope to incorporate, into the state sector, schools that deliver a greater proportion of theological education and training, in order to attend to the aspiration for establishments that can offer specialist training:

If a school wants to retain an emphasis on teaching traditional sciences, and for them that's important perhaps, then they may well be reluctant to receive funding because they then have to teach the national curriculum and compromises have to be made on other things such as teaching the Qu'ran and Islamic history to a level they would like and so on. So some of those institutions that specialise in these areas are not going to come into the state sector, because if they did they'd have to drop everything else and change the nature of their institution to a very large degree and that's not what they're about.

(Ibid.)

The enthusiasm for, and hesitation towards, being co-opted into the state sector is returned to below with a more detailed consideration of the factors informing or dissuading successful independent Muslim schools from seeking voluntary aided status.

### **Ethnocentric curricula on Islam**

Fourthly, in order to impart more accurate knowledge of Islamic civilisations, literature, languages and arts (both past and present), there is a desire to see broader aspects of Islamic culture embedded within the teaching and ethos of school curricula, which are otherwise normatively couched within a Christian-European tradition. As it stands, however, and as Alam recognises, there appears to be scope in existing conventions to address some of these concerns:

The national curriculum does lend itself to a reasonable degree of flexibility, and you can read it objectively when you're teaching geography, history or so on, and you can be fairly inclusive, barring resource issues. There's a lot of material available to teach the national curriculum from a certain sort of perspective if you like, so if you wanted to be more inclusive of the Islamic perspective whilst delivering the national curriculum, there is a pretty decent scope for that.

(Alam, Interview)

While this maybe so, it remains the case that the sorts of materials currently adopted in the teaching of Islam are often unsatisfactory. For example, Douglass and Shaikh's (2004) study found that throughout commonly used textbooks, Islam is rarely portrayed in the ways its adherents understand, but more through the ethnocentric perspectives of editors who frame their commentary for textbook adoption committee audiences. Common examples of the sorts of inaccuracies that follow from this tendency include the portrayal of the Prophet Muhammad as the 'inventor' of Islam, rather than a messenger or prophet, as well an artificial separation of Islam from other monotheistic faiths. This has led Ameli et al. (2005: 26) to argue that 'it is difficult to escape the conclusion that textbooks deliberately downplay or exclude connections between Islam and Abraham in order to maintain neat partitions among the symbols, beliefs and major figures'. This complaint feeds into the broader charge that LEAs have only 'tinkered with the largely ethnocentric curricula, leaving Muslim children feeling alienated and with damaged self-esteem' (Ansari, 2002: 22).

### **Low educational attainment**

Finally, there is concern over the lower educational attainment of some Muslim children, Bangladeshi and Pakistani boys in particular, and the

belief that greater accommodation of religious and cultural difference will help address this low achievement and prevent further marginalisation from taking place.

There is a gap between British Muslims and other groups that underscores the urgency of the need for target-based policies to address these problems if we're going to ensure that Muslims don't become an underclass in society ... underachievement in education will have a knock-on effect for employment and so on.

(Inayat Bunglawala, Interview, 21 May 2006)

According to ONS (2005) data, nearly 50 per cent of men and women of Bangladeshi ethnic origin and 27 per cent of men and 40 per cent of women of Pakistani ethnic origin hold no academic qualifications (see also Haque [2002]). While examinations are by no means the best for measuring educational outcomes among young Muslims, it is true that in relation to this general ethnic breakdown the figures are similarly concerning. According to some sources, in 2000 only 30 per cent of young males with Pakistani and Bangladeshi ethnic origin achieved five GCSEs<sup>4</sup> at grades A\*-C, compared with 50 per cent of the national population as a whole.<sup>5</sup> Within this, however, data from the National Literacy Trust (2004) quoted in Halstead (2005) highlights how in Birmingham (home to around 125,000 Muslims – the largest concentration of a Muslim population outside London) Muslim girls have been outperforming Muslim boys, with 50 per cent of girls of Pakistani origin (compared with 33 per cent of boys) and 58 per cent of girls of Bangladeshi origin (compared with 43 per cent of boys) achieving five GCSEs at grades A\*-C or more. According to Halstead (2005: 136), these figures indicate a 'sense of alienation and disaffection felt by many young male Muslims at school', an assertion given empirical support in a study undertaken by the IQRA Trust (see Pye, Lee and Bhabra, 2000), an issue that was also raised by the CMEB (2000: 152) which recommended that the government implement targets to decrease the number of school exclusions currently experienced by some Muslim groups. While it is accepted that parental education and social class play an important role in shaping these educational outcomes, Halstead (2005: 137) lists a host of other relevant issues: 'religious discrimination; Islamophobia; the lack of Muslim role models in schools; low expectations on the part of teachers; time spent in mosque schools; the lack of recognition of the British Muslim identity of the student.' According to

Alam, Muslim schools sensitive to these experiences can help elevate educational outcomes:

On the whole the Muslim schools are performing pretty well; they're better than their like for like in state sector ... In terms of the focus they provide for their children, and the dedication, and quite often many of the teachers in these schools are not even qualified teachers, yet their students get better results than people who are qualified! You do get examples where Muslim schools in the independent sector perform badly, but they're resource issues really, to do with under-funding and not really anything else ... shoestring budgets and you can't really do anything on those. Barring those sorts of schools, and there are a few around, the vast majority of schools in fact – if you take into account the student budgets that they operate on – what they do is in fact quite remarkable.

(Alam, Interview)

The academic achievements of Muslim schools Alam is pointing to include the examples of 100 per cent of GCSE entrants from *Al-Furqan Community College* (Birmingham), *Leicester Islamic Academy*, *Madani School* (Tower Hamlets), *Tayyibah School* (Hackney) and *Brondesbury College* (Brent) achieving five or more passes at grades A\*-C; along with *Feversham College* (Bradford) achieving 53 per cent of such passes, higher than the national average (and well above the Bradford average). It is also evident in the successes of *Islamia School* coming first (or third, depending on the measure used) in a district of fifty-one schools examined at the key stage-two level (ibid.). Indeed, in 2008 the Department for Children, Schools and Families reported that in terms of raw exam results, 62.9 per cent of Muslim school pupils achieved five A\*-C grade GCSEs, including English and maths – more than double the Government's floor target of 30 per cent (the average for all faith schools was 51.8 per cent, with non-religious schools, excluding selective grammars, averaging 43.3 per cent) (Morely, 2008).

### **Form and structure of schools**

Where Muslim parents have opted out of the state-sector, desires for more holistic schooling have resulted in the creation of one hundred and thirty independent schools with a Muslim ethos, educating over 14,000 pupils from ethnically diverse communities in predominantly inner city areas. These institutions deliver both 'secular' and Islamic

education, and are best described as Muslim schools with ‘the goal of living up to the standards of Islam, rather than implying its achievement’ (Douglass and Shaikh, 2004: 8). Typically established in homes, mosques and similar buildings by groups of concerned parents and community activists<sup>6</sup> (Hewer, 2001: 518), the vast majority are low-fee schools in poor quality buildings which, unsurprisingly, lack many of the basic facilities common to state schools (Walford, 2003). The main reason for this is financial insecurity. Since they rely upon community support and are seldom purpose built, they may open and close depending upon the resources and stability afforded by the local Muslim communities themselves. Thus every school is, according to Trevathan, ‘a microcosm of the society around it’, which means that despite being private institutions they are better thought of as ‘community-based schools’ since they rarely operate commercially. A fascinating illustration of the community focus involves pastoral advice to pupils’ parents:

One of the things we’ve realised frequently is that first of all we’re not just a school – we’re much more. In many ways we’re educating parents as much as we’re educating children and frequently we get a request for an appointment to see me and they’ll insist that it’s something personal, and then they’ll come in and they won’t be parents or prospective parent, but a married couple having relationship problems. So myself and Sheikh Ahmed, who is the imam here, would – if we could – give some marriage counselling. And we will do that if the parents are of our children because it’s part of our responsibility to the children as educators.

(Trevathan, interview)

A further example is *Al-Furqan* school in Birmingham, one of the first primary schools to be awarded state funding. It started in 1989 as ‘a drop-in centre for families who were home-schooling older girls rather than sending them to non-Muslim co-educational schools’ (Walford, 2003: 287). From this initial development, it progressed quickly and was later co-opted into the state-sector. This type of school contrasts, however, with ‘schools for Muslims’ and there is a subtle but important distinction between these two. In the case of Muslim Schools, ‘the intention is to develop an entire ethos consistent with religious values’, while ‘schools for Muslims’ might aspire ‘to being fully Muslim in nature but in reality tend to be characterised by a religious identity that does not go much further in terms of developing curricula and ethos, often due to staffing and financial difficulties’ (Parker-Jenkins, 2002: 278). This



distinction is sharpened by the AMSS' (2004: 11) analyses which uses the term 'Muslim School'

... to describe a school that seeks to promote an overtly Islamic education for its pupils. This is in distinction to schools with a large number of Muslims or indeed those that provide education that is acceptable to Muslims, both of which we have classified as 'Non-Muslim Schools'. In no way is this a derogatory distinction between the two.

All independent schools are now required to register with the Department of Education and Skills under *The Education (Independent School Standards) (England) Regulations* (2003). Failure to do so risks the prospect of closure and since the criteria are not dissimilar from the conditions that must be met before VA status (discussed in the next section) can be achieved, it was feared that these guidelines would have a disproportionate affect on Muslim schools. One such closure has included Scotland's only Muslim School, *Muhammad Zakariya girls' secondary* near Dundee which, having offered 'a very limited curriculum, consisting of Arabic, sewing and cookery' (quoted in the *Daily Record*, 25 January 2006), has now been removed from the Register of Independent Schools. It is therefore surprising that these guidelines are viewed as a process necessary to raising the basic standard of all would-be Muslim schools. The is evident is Mears' account:

There always was a history of starting up and then not managing to continue. Those schools were born and died, almost like they were still born, whereas now if they get through the registration process they're prone to grow very quickly. At this point I actually welcome anything that makes Muslim schools more rigorous in their own standards and it doesn't just have to be about the registration and inspection process which looks at the general criteria of Education. Now, where they do come into existence, they're stronger schools than they would otherwise have been.

(Mears, Interview)

Of course the incentive for official registration is the accompanying professional inspection and advice (Hewer, 2001: 518), with the long-term aim of becoming co-opted into the state sector under the status of a Voluntary Aided (VA) school. This process has often been co-ordinated by organisations such as the AMS and the Islamic Schools

Trust (IST), which facilitate many schools dialogue with LEAs and the DfES.

## Government funding and 'Voluntary Aided' schooling

The notion of VA schools has its roots in the organic creation of a 'dual system' (O'Keefe, 1986) organised in terms of parallel, but interacting, state and faith-based schooling. On the one hand, this resulted from the 'contributions of parish clerics to village teaching, church foundation grammar schools' of the eighteenth and nineteenth centuries, which established churches as almost 'exclusive providers in the early stages of progress towards universal education' (Skinner, 2002: 173). On the other hand, and notwithstanding the hesitancy of Victorians to get involved in 'what had, hitherto, been a purely private concern' (Parker-Jenkins, 2002: 275), the social and economic upheaval of the industrial revolution led to the realisation that education was 'an important agent of social reform to assist the nation in its economic endeavours' (ibid.). This culminated in the creation of a statutory system of public education with the 1870 Elementary Education Act. As Skinner (2002: 174) notes, however, this failed to satisfy competing Christian bodies in their views about education, the practice of providing schooling and the money with which to do so:

The established church of England was not the only powerful Christian denomination in Britain. In Scotland, the majority of Scottish people were not Anglican but Presbyterians. Protestant nonconformists were strong in Wales and England. The increase in early 18th century migration from Ireland meant that Roman Catholic presence was also increasing. *These groups stood out against the state for giving every opportunity to the Church of England to proselytise through the education system.*

(emphasis added)

In general terms, the introduction of the 1944 Education Act sought to reach a compromise between the historic contribution of faith groups and their internal differences with the increasing role of the state in education. This was pursued through awarding independent faith schools the option – subject to meeting the appropriate standards and criteria – of becoming 'Voluntary Aided' (VA) or 'Voluntary Controlled' (VC). The former status allows the provision of denominational religious instruction and acts of worship, as well as the right to appoint teachers on the understanding that the school accept half the cost of any structural or

building improvements. In addition, the majority of school administrators could be drawn from the diocesan board of education or religious authority. The latter, meanwhile, incurred no financial responsibilities but the schools would have to surrender all denominational worship, and the majority of administrators would be provided by the LEA. Significant for our discussion is that, although it was not anticipated that 'other religious groups would one day like to take advantage of the provisions' (Hewer, 2001: 518), the relevant clauses of the 1944 Act did not specify *which* denominational groups were to be included in the scheme. Less encouragingly, however, the position that Muslims have found themselves in relation to this provision is that

... new schools are rarely required and built, so that if Muslim schools are to be admitted to the Voluntary Aided category they will of necessity be already in existence. In effect, this means that, in the future, a state funded Muslim school will already exist either as a local authority 'public' school or as a private establishment.

(Hewer, 2001: 518)

This has led to a number of campaigns by Muslim organisations to take over schools with a significant concentration of Muslim pupils already in attendance. The most recent effort has culminated in a campaign by the Muslim Association of Britain (MAB) in Scotland to turn a currently Roman Catholic School in Pollockshields (Glasgow), which has an eighty per cent Muslim pupil intake, into a VA Muslim school (for more examples, see Hashmi, 2002: 15). One of the leading proponents of the MAB's campaign is Osama Saeed, who argues that

We are the second largest faith grouping in Scotland after Christianity yet we do not have a single Muslim school. Muslim children have to attend supplementary classes on weekends and evenings for their Islamic studies, and Muslim schools would go a major way to redressing this problem.<sup>7</sup>

(Saeed, 2005: quoted in *BBC News*)

It is difficult not to view this example as evidence of Hewitt's (1998: 22) conclusion that Muslims who prefer denominational education are 'merely following in the footsteps of Anglicans, Catholics and Jews in seeking to give their children a solid foundation in their own faith before they are let loose in the wider world'. Yet in many CofE primary schools, more than half of the pupils are Muslim, and in at least a dozen such

schools, more than 80 per cent come from Islamic homes. This includes five CofE schools, in Blackburn, Birmingham, Bradford, Oldham and London, that have become 99 per cent Muslim and another two in Blackburn and Dewsbury where every pupil is Muslim (Norfolk, 2009).

### Considering the charges

The preceding discussion has shown how the British education system has historically managed a multifaith system, and how the 1944 Education Act contains within it the provision for government support of schools formed by Muslim groups. What the discussion thus far has not addressed is how Muslim educators can address some of the key arguments against Muslim schools. These range from a principled philosophical opposition to all faith schooling through to more focused arguments concerning the nature of Muslim schools and their impact on social cohesion in particular.

### The argument for autonomies

One of the most commonly held views of education is that it should encourage the development of rational and moral autonomy which, in the recent liberal tradition, is characterised by the work of Ronald Dworkin (1985) Amy Guttmann (1994) and the early Joseph Raz (1986), among others. This position opposes all forms of faith schooling and strenuously argues that all autonomy-supporting societies *must* guard children from 'believers who wish to impose on them a non-autonomous conception of the good life' (White, 1990: 105). Thus, according to Akerman (1980: 139), education should provide children with 'a sense of the very different lives that could be theirs – so that, as they approach maturity, they have the cultural materials available to build lives equal to their evolving conceptions of the good'. This is a central argument contained within the Humanist Philosophers' Group's (HPG) (2001: 10) influential pamphlet, *Religious Schools: The Case Against*, which begins by charging faith schooling with 'indoctrination', characterised as limiting the autonomy of a child by implanting beliefs that neither empirical evidence nor rational argument might change. They then state that

given the importance of fundamental religious and value commitments to a person's life, such commitments should be entered into only subject to all the normal requirements for valid consent: in particular, competence, full information and voluntariness. Religious

schools ... are likely to violate these requirements, partly because of (younger) children's lack of autonomy and partly because of the nature of such schools' missions.

According to this perspective, young people in religious schools are denied both the option and opportunity to develop the competencies in making informed choices, specifically because such schools are predisposed to indoctrinate and proselytise. There are two very interesting and equally challenging responses to this argument. The first begins by rejecting the *a priori* assumption that faith schools are necessarily out to indoctrinate and proselytise. For example, and in a similar manner to which Muslim educators view their schools as a place of *Holistic Education*, the late educational philosopher Terrence McLaughlin (1992: 123) introduces the idea of multiple launch pads for autonomy. This means that although one starting point for a child arises from the experience in a common school, this does not invalidate others for

another possible and legitimate starting point is from the basis of experience of a particular 'world view' or cultural identity; a substantiality of belief, practise or value, as in (say) a certain sort of religious school. Such schools, in relation to which parents can exercise legitimate rights of choice, would not seek to entrap their pupils in a particular vision of the good, but try to provide a distinctive starting point from which their search for autonomous agency can proceed.

(Ibid.)

This offers a more contextual comprehension of how a child's autonomy may be developed and is more comfortable with competing conceptions of education among different cultural constituencies within a multicultural context that is not hostile to the wishes of religious peoples (Modood, 2005b; Spinner-Halev, 2000). Indeed, McLaughlin (1992) have gone further in arguing that it is quite feasible for faith schools to adopt an approach towards education that is *relatively* neutral – such as those favoured by the AMSS, outlined earlier. They argue that since children have to accept many things on trust in order to eventually progress to autonomy (and possibly reject those things later), religion should be treated no differently. Nevertheless, the HPG rightly questions whether indoctrination can ever be avoided, given the difficulty of teaching religion in such a way that children can grasp and appreciate it in depth without necessarily accepting beliefs which are difficult,

if not impossible, to revise or reject when one has reached an adult age. This is an important criticism which leads to a related debate about the nature of religious knowledge and the conditions under which it can be acquired. Espousing a 'Christian perspective' on this matter, Ahdar and Leigh (2005: 233) argue,

[A] Christian upbringing need not involve hampering a child's autonomy regarding critical and independent thought. It is just that critical thought and the *right* use of reason ought to be undertaken from a base of faith first. [...] This is autonomy, but not of the Enlightenment kind. It eschews self-direction and self-mastery by the individual's use of unbounded reason. The radically autonomous self cannot live the good life; reason is tainted by the Fall. We are back to a Christian paradox again. It is not a matter of fostering self-esteem but rather self-denial; lose oneself in God to truly find oneself.

The Muslim perspective meanwhile eschews the idea of reason being tainted by 'The Fall' since in Islam, humanity is brought into the world in a state of innocence (*fitra*) much like a blank sheet (*tabula rasa*). This means, 'the concept of "original sin" as presented in Christian theology is non-existent in the newborn child' (Hussain, 2004: 319), something returned to during the discussion of what a Muslim school's curriculum might look like. In the meantime we should take from Ahdar and Leigh (2005) the implication that, unless a child acquires this knowledge at a sufficient depth of understanding, they will not be able to exercise valid consent anyway, so that from their perspective the goal of autonomy is already thwarted. Accordingly, the curriculum and environment of the religious school may be essential to the achievement of a level of understanding that makes informed consent (and thus autonomy) possible.

The second potential response to the HPG's charge of indoctrination has two parts to it but begins by making a relational argument which contests the assumption that secular schools can avoid indoctrination by being areligious. For example, Arneson and Shapiro (1996) point to a sleight of hand by arguing that in non-religious contexts certain possibilities or options are only made available to adults because they have prioritised them to the exclusion of many others in childhood, for example, developing skills in certain arts or sports. As Ahdar and Leigh (2005: 228) maintain,

The rigorous keeping of a child's future to maximise adult opportunities would, in effect, deprive the child of the possibility of becoming

a professional ballerina or footballer. Could it not be argued that the same applies to religious upbringing?

A much stronger objection is made by Grace (2002: 14), however, who laments the degree of bad faith central to the charge of indoctrination against religious faith schools, specifically because secular schools are not themselves ideologically free zones:

Secularism has its own ideological assumptions about the human person, the ideal society, the ideal system of schooling and the meaning of human existence. While these assumptions may not be formally codified into a curriculum subject designated 'secular education' as an alternative to 'religious education', they characteristically permeate the ethos and culture of state-provided secular schools and form a crucial part of the 'hidden curriculum'.

The view that there is a bias permeating secularist charges against faith-based schooling, with respect to negating a child's autonomy, is shared by some Muslim educators. Although this often begins by pointing to the inconsistency described by Grace (2002), it does not end there. If we follow Trevathan and Mears' responses to this charge we find more qualified and nuanced insight than that accompanying the equivalence argument:

I'm not arguing that indoctrination doesn't take place here; it's just that it also takes place everywhere else. Secular society continues to see itself outside of dogma and doctrine – but that's ridiculous because it uses both to indoctrinate a system of beliefs and values. Now, there is *reprehensible doctrinarian* and I think that is when the child is not made free to make decisions concerning their own thinking. In the classroom, that would translate into the teacher telling them that such and such is the case and any other argument is false. If the teacher however speaks about something and says that within this understanding there are other views which he or she or 'the Muslims' may not agree with for such and such a reason – then you're presenting the child with a fuller picture.

(Trevathan, Interview)

All schools are indoctrinating processes, basically, so I think that you need to understand that before asking the question. I think there are stages of education that ought to make your understanding of

that process more acute, and I don't think that enough emphasis is given in education to the play aspect, for too many formal learning processes are coming in too early. And I think that's because of the academic success criteria that is quite prevalent amongst the Muslim community, a lot of Muslim schools also try to push the formal learning processes. Also, a non-Muslim parent might say that we want you to educate our child but they are not a Muslim therefore we don't want them to do the prayer. At that point I think the Muslim school will be quite able to say that your child will be there to observe the prayer but they won't be made to do the prayer. Neither would we stop them if they chose to or not. It's an interesting point because we would say that when a child came of age at 14 that they would have the choice anyway, so it wouldn't be relevant whether the parent said yes or no. But we haven't got to that point yet.

(Mears, Interview)

This then rehearses the objection to viewing non-religious schooling as a neutral enterprise, and simultaneously invites the different and equally broad objection to modes of political integration that try to separate public and private spheres in some civic-national convention (cf. Gutmann, 1994). The distinction is elaborated upon after a consideration of the relationship between these conceptions of autonomy and conceptions of 'good citizenship'.

### **Good citizens**

There is a genuine and problematic tension between espousing an HPG type of radical autonomy argument against religious education while, simultaneously, holding the reasonable view that the education process should contribute to the cultivation of future 'good citizens'. This is epitomised by the states' interest in ascribing and inculcating liberal or civic virtues, a point famously set out in Rawls' (1993: 199) formulation:

[P]olitical liberalism ... will ask that children's education will include such things as knowledge of their constitutional and civic rights so that, for example, they know that liberty of conscience exists in their society and that apostasy is not a legal crime ... Moreover, their education should also prepare them to be fully cooperating members of society and enable them to be self supporting; it should also encourage the political virtues so that they want to honour the fair terms of social cooperation in their relations with the rest of society.



This sort of thinking was evident in the drive in Britain for 'citizenship education' (QCA, 1998), which entailed a clear desire to engender a particular 'civic morality' among young people through imparting knowledge of political functions and historic practices, as one of the opening paragraphs of the Citizenship Education Committee, chaired by Sir Bernard Crick, reported,

We aim at no less than a change in the political culture of this country both nationally and locally: for people to think of themselves as active citizens, willing, able and equipped to have an influence in public life and with the critical capacities to weigh evidence before speaking and acting; to build on and extend radically to young people the best in existing traditions of community involvement and public service, and to make them individually confident in finding new forms of involvement and action among themselves.

(QCA, 1998: paragraph 1.5)

This begs the question, however, as to when the impetus behind wanting to form 'good' or 'active' citizens will actually conflict with the growing autonomy of the child. To put it another way: 'at what point should he or she be free to reject liberalism and make mature, illiberal, choices of his or her own?' (Ahdar and Leigh, 2005: 231). The implication being that to make the objection to faith schools on the basis that they might curtail the child's autonomy can be inconsistent, given that the inculcation of any sort of civic morality can be subject to the same charge. In our assessment of Muslim faith schooling, therefore, we should be careful not to stand behind universalistic and perfectionist positions that are overly abstracted from experiential contexts, in advance of looking at the 'hard cases' (Favell and Modood, 2003). These offer many examples of academic excellence and integrated future citizens within the context of the historically specific schooling compromises discussed earlier. This is a view shared by McLaughlin (1992: 115) who has argued that

Ethical and philosophical reflection must be conducted in relation to this fuller range of complex considerations and not in an abstract way independent of them. It is rash, for example, to condone or condemn certain kinds of separate school solely on grounds of philosophical principle. Much depends on how the institutions actually operate, and what their effects actually are on students and the broader community.

### **'Civic assimilation' and the remaking of Muslim constituencies**

The embedded reading of autonomy can be interpreted as a critique of liberal perfectionist thinking that is often too abstracted from the lived relations and real-world contexts in which Muslim schools seek to operate. It is an argument made by Parekh (2000: 202–3) when he contests the civic assimilationist approach, based upon a neat separation of public and private spheres, on the grounds that such a view fails to take account of institutions that encompass both:

The school educates future citizens, and has a political dimension. However, since children are not just citizens but also human beings and members of the relevant cultural communities, their parents and cultural community have a vital interest in their education, which makes the school a cultural institution that belongs to private or civic realm. If we stressed the former, we would have to treat the school as a public institution subject to the control of the state and ignore parental choices and cultures; if the latter, we would reach the opposite conclusion.

This sort of approach allows for the recognition of other intersecting issues affecting the articulation of Muslim-consciousness in Britain (Roy, 2004; Sayyid, 2002). The shape and impact of these issues are subject to debate, for the reasons outlined in Chapter 4, but among Muslims in Britain it is evident that there is an attempt to reconfigure what being a Muslim in the West means and part of this process is linked to the issue of schooling. As Johnson and Casteli (2002: 33) have argued,

Islam in the West is itself undergoing a change. As part of this change, Muslim schools are engaged in creating an identity for the school, the students and the larger communities associated with them. Most Muslim schools in England are multi-ethnic and draw children from a wide range of social and economic backgrounds. Although mono-faith they portray diverse interpretation of Islam. [...] It would not be an exaggeration to describe their task as developing a kind of English Islam which is new and is finding its way and its identity within this new context.

We find many aspects of this argument, expressed both as a hope and objective, among Muslim educators. This has already been demonstrated

by Abdulla Trevanathan's view that – if anything – *Islamia School* is about creating a British Muslim culture. Basam Elshayyal, a teacher at *Islamia School*, captures this well when she says that 'the faith aspect in schooling is really important. We try to achieve a holistic approach to their lives rather than compartmentalising everything. The ethics and morals permeate the whole attitude of the school. So we teach them that they can be a citizen of the world and a positive contributor in every area of their lives – in the wider world, within their family, with different religious groups' (quoted in CBMI, 2004: 52). This argument returns us to the third issue motivating the desire for Muslim faith schooling. This is linked to the aspiration for more British-trained theologians who could discuss theological issues with a contemporary resonance to the lived experiences of being a British Muslim. It is argued that such developments – if publicly endorsed – could provide opportunities through which Muslim children would be able to confidently negotiate and reconcile the requirements of their faith with their rights and responsibilities as British citizens. This relationship is, therefore, almost dialectical, a view shared by Hussain (2004: 322) who concludes that 'Muslim schools are needed so that Muslim youth will be able to comprehend and contextualise Islam in their environment (Britain). Thus, this also requires the Muslim schools to try to achieve a wider British identity.'

### **Muslim school curriculum objectives and social cohesion**

In support of such a project Ashraf (1990 reproduced in Ameli et al., 2005) has outlined a possible curriculum 'Faith' framework. Interestingly, he begins by advocating an autonomy argument that seeks to 'eschew any form of indoctrination or compulsion to religion' (cited in Ameli et al., 2005: 27 – 8) before distinguishing between two core curriculum aims. The first is concerned with beliefs and values (cognitive and affective respectively), and includes the following priorities:

[...] 1.5 Awareness that god has created different racial groups so that we may know each other and live in harmony, respecting the different and differing customs, values, beliefs and languages of the main cultures of the country. [...] 1.6 Awareness that the richness of each community depends on how far it can appreciate and value the achievements of other communities and assimilate them for the benefit of its own existence. [...] 1.8 Development not only of tolerance and concern for the rights and beliefs of others, but a

commitment to practical engagement on their behalf on the basis of the awareness that in the eyes of God all have equal rights and are entitled to justice.

Meanwhile, intellectual, emotional and social skills development are addressed in the second curriculum aim:

2.1 Nurturing and development of the powers of reasoning, reflective and critical thinking, imagining, feeling and communicating amongst and between persons. 2.2 Learning how to maintain, develop and renew (and not merely preserve) the social, economic and political order on the basis of values that are fundamentally derived from great religious traditions and human practice. 2.3 Cultivation and development of the physical well being of pupils. 2.4 Cultivation and development of the abilities of communicative competence both in spoken and written form and through a number of modes including verbal, numerical, mathematical and artistic. 2.5 Awareness of the interplay of performance and change in the social process so that the roots [...] tentative nature of human condition and interaction are also understood. 2.6 Knowledge of modern science and technology and an awareness and a critical understanding of their relationship to socio-cultural ethics [...] 2.7 Mastery of scientific and other skills necessary for work and living in modern society.

It would be beneficial here to explore these ideal type curriculum interests in relation to the concerns over social cohesion and social fragmentation that frequently arise in debate surrounding Muslim schools (see Meer, 2006). For example, the HPG (2001) argue that it is the lack of 'contact' among children from different religious backgrounds in separate schools that gives rise to fragmentary social situations:

If children grow up within a circumscribed culture, if their friends and peers are mostly from the same religion and hence also, very likely from the same ethnic group, and if they rarely meet to learn to live with others from different backgrounds, this is hardly calculated to provide the acceptance and recognition of diversity. We have clear evidence to the contrary in Northern Ireland, where the separation of Catholic Schools and Protestant schools has played a significant part in perpetuating the sectarian divide.

(HPG, 2001: 35)

Although Catholic schools form an illustrative example here (see Short [2002] and McNichol [1988] for a powerful rebuttal to this example), and while the charge of ethnic exclusivism is not empirically tenable in an analysis of Muslim schools – bearing in mind the ethnic heterogeneity in the category of Muslim discussed earlier – the rest of the objection finds resonance in a commonly held view that any emphasis upon religious particularity results in inter-religious hostility. Responding to these charges, the educationist Geoffrey Short (2002: 570), drawing upon empirical work with Jewish faith schools, has argued that, since neutrality as ‘the pre-requisites of successful contact cannot be guaranteed’, the benefits of mere contact between children ‘are of limited value, for changes in attitude tend not to generalise [emerge substantively] out of the original contact situation’. This is not an advocacy for apartheid as much as a rebuttal to a commonsense assumption. For Short, the relevant consideration is not one of contact ‘but anti-racist education which can, in principle, be undertaken as effectively in a faith school as in non-denominational one’ (ibid.). This is evident – if not central – to Ashraf’s (1990) curriculum outline which uses Islamic principles to proactively accord universal dignity and worth, irrespective of ethnic, religious or racial difference.

Both Ashraf (1990) and Short (2002) might be characterised as advocates of Gordon Allport’s (1954) path-breaking work on the social-psychology of racism, which established that one of the most effective ways to impart knowledge about people different to oneself is through academic teaching in schools, rather than a naïve *laissez faire* approach which assumes that mere exposure and *contact* with ‘difference’ will resolve prejudices. This is reflected in Mears’ description:

I think the most important thing to note – and I think more of the Muslim schools are realising this – is that Islam is not solely for Muslims. It’s for all of mankind. And the role of Muslims is to establish justice and meet the needs of all people, so that Muslim schools are for all children and they’re about delivering education ... And I think that what’s going to happen with the Muslim schools is that as they find their way they will become much more creative in the way that they deliver education. That they will begin to have a significant impact on general education theory and practice in this country, and I’m really excited to see that happen. I think it’s going to be a natural growth process, and part of that will actually happen not from the existing teachers but from young people who are brought up in Muslim schools.

(Mears, Interview)

Mear's optimism may be seen as an development from the first stage solution envisaged a number of years ago by Shabir Akhtar (1992: 43), who encouraged a type of 'delayed assimilation' into the education system where 'a limited amount of isolation' can enable Muslims to 'gain the confidence and security ... to assimilate on [their] own terms'. Akhtar was of course making reference to the historical context of faith-schooling in Britain, and found himself in agreement with the Roman Catholic Bishop of Leeds, David Konstant, who has previously stated that the effect of separate Catholic schools has been integration rather than fragmentation. This, he argued, was because 'having our own school within the state system helped us to move out of our initial isolation to become more confident and self assured' (quoted in *The Times*, 1 January 1991).

### Pragmatic Muslim-consciousness

The preceding analysis has explored how a Muslim-consciousness connects to the movement for Muslim schools, and specifically why Muslim minorities are seeking an incorporation and reflection of this Muslim-consciousness within the arena of education. Rather than turning inwards, it is argued that the arena of education is witness to this consciousness seeking out new forms of synthesis in negotiating a meaningful and reciprocal British Muslim identity. An important part of this involves a pursuit for the recognition of identities that are otherwise veiled by a collage of images positioning Muslims in Britain as 'Public Enemy Number One – Britain's Most Unwanted, as it were' (Alexander, 2000: 14). In trying to shake off these attributions, the mobilisation for Muslim schools marks an important shift in the movement of a consciousness *for* itself: from a community's historical *ascribed* identity to a political *self-constructed* identity. That Muslim mobilisations are engaging with a range of established educational conventions, norms, regulations and precedents suggests that, contrary to Charles Taylor's assumption discussed in Chapter 2, Muslims in Britain are demonstrating a willingness and ability to proceed through the sorts of multicultural citizenship set out in Chapter 1. The findings of this chapter call into question the sorts of exclusivity in predetermined notions of Muslim-incompatibility presented in Taylor's thesis. In so doing it accentuates a divergence between Taylor and Du Bois' ideas of recognition, since the latter is more genuinely dialogical and does not seek to *a priori* exclude some minority claims-making from the process of politics.

## **Impaired civic status?**

It remains, however, as Osama Saeed protested earlier in the chapter, that the second most populous faith in Britain receives little state recognition in terms of faith schooling provisions. Where Muslim constituencies are granted greater participatory space in the shape of provisions for Muslim schooling, it is evident from the testimonies of Muslim educators that a synthesis between faith requirements and citizenship commitments is a first-order priority. This is the key point because it appears increasingly unjust not to afford Muslims in Britain the same ratio of schooling provisions as other faith groups, particularly since this has historically proved to be an effective method of integrating religious minorities throughout the development of the education system in Britain. Is there currency then in Merali's charge at the beginning of this chapter that Muslims are subject to an impaired enjoyment of a civic status, and that this is partly due to being perceived in certain sorts of negative ways?

## **Islamophobia and the security agenda**

The fall-out from the current security agenda described at the very beginning of this book, as well as in Chapters 1 and 4, is difficult to ignore. These include discourses of Muslims as irrational, primitive, sexist, violent, aggressive, threatening, supportive of terrorism and engaged in a 'clash of civilisations', so much so that the prospect of affording Muslim minorities faith schooling provisions would risk encouraging and further cementing these values and behaviours. Arzu Merali suspects that it is for these reasons that Muslim schools have been recognised so little and so late, while Tahir Alam sees the situation more in terms of broader issues, including the relative newness of Muslim communities in Britain, though he equally displays an awareness of external perceptions shaping the terms of Muslim minority success:

I think unfortunately, in the public arena and particularly in the media discourse, we're not beyond that ... I think sadly, this sort of spectre of segregated Muslims hating the rest of the world remains out there at the moment and Muslim schools with being flagged up in creating these monsters or fifth-columnists in British society. So, even now we'll have Muslim schools with real resources rather than scrapping around for the funding that others have, this is still going

to be this huge question mark around them in the public arena – I don't see that going away.

(Merali, Interview)

You have to remember that the Muslim community is a very recent community in this country, we're a very young community, but I think the participation levels within the last five years ... and the vibrancy of participation has been very encouraging ... There's a lot of work to be done of course, and this is the challenging situation that we find ourselves in. That we are under higher scrutiny than other communities, and how we respond to that and change wider society's perceptions perhaps will be essential to how the Muslim community develops.

(Alam, Interview)

All of the themes of political and personal commitment, of striving for self-knowledge and a sense of self and of the essential material and moral conditions necessary for self-realisation that inform a Du Boisian conception of consciousness are apparent in the preceding discussion, and return us to the typology set out in Chapter 2. Ansari (2004: 14) convincingly captures this broad feeling of being dispossessed, much of which has to do with a sense of powerlessness and political impotence:

Since the power to decide policy, distribute resources and arrange the various affairs of society rest with the majority community, Muslims have suffered disadvantage and exclusion, and consequently their identity has been shaped by negative interactions with this society.

Moreover, and having engaged with some of the main sociological and philosophical currents at work in the debate surrounding Muslim schooling in Britain, the preceding discussion advocates a more contextual sensitivity in recognising the scope for multiple and/or simultaneously valid accounts of autonomy presented in Muslim curriculum objectives and their implications for social cohesion. This simultaneously contains the Du Boisian prescription that we must recognise and value differences in order to achieve unities. This is a sentiment that is germane to another component of the kinds of multicultural citizenship surveyed in Chapter 1, anti-discrimination formulae, and it is to this that we now turn.



# 6

## Muslims and Discrimination: Muslim-Consciousness in Re-Action?

It's difficult to say that there was a point that it was ok; the last fifteen years have been quite turbulent with the development of Islamophobia being quite distinct in that period. Not that it hasn't existed before but it has been recognised at a time of a general crisis of confidence in the current legislation

Arzu Merali, Islamic Human Rights Commission (IHRC), (Interviewed by Meer, 12 June 2006)

Before the Equal Opportunities Commission (EOC) was amalgamated into a larger body in 2007, its former chair Julie Mellor once insisted that 'Britain's equality laws are a mess. Inconsistent and incomplete, they offer different levels of protection for different groups and none at all for others' (*The Guardian*, 16 May 2002). In coming to this view she was not alone. A decade has passed and numerous more legislation has been introduced since Hepple, Coussey and Choudhury (2000) calculated that a comprehensive picture of Britain's anti-discrimination architecture would need to consult at least thirty Acts, thirty-eight Statutory Instruments, eleven Codes of Practice and twelve European Commission (EC) Directives and Recommendations. It is unsurprising then to learn that a variety of commentators and public policy analysts long concerned with the welfare of Britain's ethnic, racial and religious minorities have each argued that the broad development of anti-discrimination legislation in the United Kingdom has been inconsistent (Parekh, 1990; Modood, 1992, 1994; CBMI, 1997, 2004; CMEB, 2000). That this is acutely and disproportionately felt by British Muslims in the levels of protection they are afforded, is a complaint frequently made by an increasing number of Muslim organisations (UKACIA, 1993; MCB,

1997; FAIR, 2002; IHRC, 2004a). As the opening quotation intimates, some Muslim activists argue that the level of anti-discrimination legislation protecting Muslims in Britain has been 'inconsistent and getting worse'. As Arzu Merali of the Islamic Human Rights Commission (IHRC) insists, 'I think what we can say without doubt is that the situation in the last few years has been getting worse, not just with regards to legislation but with the lack of political will to deal with it' (interview, 12 June 2006, see also Ameli et al., 2005). What this means, however, and whether such complaints are valid – in being based upon substantive cases – are key contextual questions for this chapter.

The implications of Du Boisian conceptions of consciousness and double consciousness here differ Chapter 5 where they theorised social formations 'striving' to create plural constituencies of participation as components of Muslim-consciousness. Du Bois, as elaborated in Chapter 2, is adopted here to explore how certain conceptions of discrimination might prevent Muslim minorities from being full participants in British society. For example, a key aspect of double-consciousness describes the way in which minorities feel alienated and disenfranchised because they are sidelined in the legal structure of their society; remaining bound by the *requirements* but not experiencing the *rewards* of citizenship. In this regard, and as Merali and the IHRC have already outlined, one persistent complaint concerns a perceived lack of willingness to take seriously both forms of cultural racism and Islamophobia. This was theoretically examined in Chapter 4 and is returned to in the latter half of this chapter, specifically in relation to the provisions of legal (il)legitimacy conferred to identities accentuating Muslim particularity. It is argued that if we reject a normative grammar of race and accept that legal categories of race and ethnicity must not be foreclosed to the complexities of social contingencies, that include periods of Muslim racialisation, a coherent argument for Muslim inclusion under existing anti-discrimination formulae can be made.

- Reporting on the second of three case studies, the present chapter extends the analysis of how a recognition and reflection of the substantive elements of a Muslim-consciousness within anti-discrimination formulae might attend to the sorts of double-consciousness described in chapter two.

What this chapter seeks to do, therefore, is three-fold. Firstly, it examines how we have arrived at the present situation and, secondly, where British Muslims are positioned within this legal framework. These two

issues are addressed interdependently since what will be examined is how and in what ways anti-discrimination legislation has historically attended to the experiences or conditions of prejudice faced by Muslims in Britain. One way to examine this is through a consideration of the antecedents and material outcomes of current anti-discrimination legislation, with a particular focus upon the extent to which they are informed by the types of racial equality and race relations formulations discussed in Chapters 1 and 3. Thirdly, this chapter considers the impact and scope of new EC legislation, which, supported the drive to address religious discrimination. This will proceed through an understanding of its broader implications, specifically its material capacity and limitations. Centrally, this chapter shows how the efforts for Muslim inclusion perfectly illustrate the movement from a historically ascribed identity to a politically self-defined identity that contests Muslim-specific discrimination and Islamophobia.

### **Anti-discrimination legislation**

In the pursuit of some kind of equality of opportunity, and as a criterion of the civic status conferred under a tradition of British multicultural citizenship set out in Chapter 1, Britain's anti-discrimination and equal opportunities legislation has taken an instrumentalist approach. That is, it has often proceeded through group specific legislation that has outlawed discrimination in terms of race and ethnicity, gender, disability, age, sexual orientation and so forth, while encouraging the monitoring of institutional under-representation among such groups, each of which has been moderated through legal precedent and introduced sequentially according to the political climate of the day. In the following account, Squires (2004: 75) offers a helpful catalogue of this development of anti-discrimination legislation in Britain:

The Labour governments of the 1970s introduced a range of equality laws designed to remedy group discrimination (in preparation for joining the European Economic Community): The Equal Pay Act 1970, the Sex Discrimination Act 1975 (SDA), the Race Relations Act 1976 and the Fair Employment (Northern Ireland) Act 1976. Article 119 of the Treaty of Rome (signed by the UK in 1973) also established the principle of equal pay. The Equal Opportunities Commission (EOC) and Commission for Racial Equality (CRE) were established to uphold these laws. The Disability Discrimination Act was introduced in 1995 and the Disability Rights Commission established in

2000. The Race Relations (Amendment) Act 2000 amended the 1976 Act (fulfilling recommendation 11 of the Stephen Lawrence Inquiry report) and The Race Relations Act 1976 (Amendment) Regulations 2003 implements the EC Article 13 Race Directive.<sup>1</sup>

Conspicuously absent from this accumulated legislation are any specific instruments explicitly addressing discrimination on the grounds of real or perceived religious identity or grouping. Although case law has established precedents in the application of Race Relations legislation to prevent discrimination against some religious minorities, namely Sikh<sup>2</sup> (cf. *Panesar v. Nestle Co Ltd*, 1980 [IRLR 64]; *Mandla v. Dowell Lee* (1983) [2AC 548]; *Singh v. British Rail Engineering Ltd* (1986) [ICR 22]; *Dhanjal v. British Steel plc* (1994) [unreported]) and Jewish minorities (cf. *Seide v. Gillette Industries Ltd* (1980) [IRLR 427]; *Morgan v. CSC & British Library* (1990) [DCLD 6 19177/89]), it has not been extended to Muslim minorities. This is because Muslims in Britain have not been recognised as an ethnic or racial grouping within the legal precedents achieved during application of Race Relations legislation. In a somewhat tautological fashion, the RRA extends protections to racial or ethnic groups conceived in the following way:

Racial groups are those defined by racial grounds, i.e. race, colour, nationality (including citizenship) or ethnic or national origins. All racial groups are protected from unlawful racial discrimination under the RRA.<sup>3</sup>

A clearer description might be to state that the 'multiform' concept of race in Race Relations legislation is adopted to outlaw 'inferior treatment perceived to be based on colour, race, nationality, or ethnic or national origins' (Modood, 2005b: 113). In the way that this has been applied, however, the courts<sup>4</sup> have tried to operationalise an understanding of ethnic origin that functions as a wider concept than race. For example, in the case of *Mandla v. Dowell Lee* (1983) that is discussed below, it is clear that the House of Lords concluded that there are several characteristics relevant to the identification of ethnic and racial groupings to be afforded protection. This requires some explanation and elaboration, firstly, with reference to the development of Race Relations discrimination legislation generally and, secondly, through an illustrative discussion of the case identified above.

Conceived in response to the sorts of racial conflict witnessed in the anti-West Indian violence of the late 1950s in Notting Hill, and the fear

of potential future conflict (Shakur, 1998),<sup>5</sup> there has been legislation in the United Kingdom outlawing discrimination on racial grounds since the introduction of the Race Relations Act (RRA) 1965.<sup>6</sup> This established relatively moderate legislation outlawing discrimination in access to premises open to the public such as hotels, bars and restaurants. Three years later, and running parallel to the introduction of further immigration legislation in the form of the Commonwealth Immigration Act (1968), another RRA extended these protections to the spheres of employment, housing, education and the provision of further goods, facilities and services. The main legislation currently in force is the RRA 1976 (as amended in 2000 and 2003). This provides individuals with the right to bring civil proceedings for discrimination, and includes major innovations such as a distinction between *indirect* alongside *direct* discrimination, and a statutory duty of 'positive action'.<sup>7</sup> It also furnished the then newly established Commission for Racial Equality (CRE) with the powers to conduct formal investigations as well as to assist individual complainants. This legislation was strengthened by the Race Relations (Amendment) Act 2000 following the inquiry into the London Metropolitan Police investigation of the murdered teenager Stephen Lawrence (MacPherson Report, 1999), which extended its scope to cover nearly all functions of public authorities (for the first time including the police but still excluding the immigration service), simultaneously widening the remit of the statutory duty on public authorities to promote race equality. The RRA has now been further amended by the Race Relations (Amendment) Regulations 2003, which are intended to transpose the EC Race Directive outlined below. There have been several examples of discrimination pursued under Race Relations legislation that are relevant to a consideration of the legal protections currently available to Muslims in Britain, but – perhaps ironically because the appellant was not Muslim – the case of *Mandla v. Dowell Lee* (1983) is easily one of the most significant and upon which much else hinges.

### **Mandla v. Dowell Lee and Park Grove School**

This case began after the head teacher of a private school in Birmingham refused to enrol an orthodox Sikh boy (who wore long hair under a turban) as a pupil to the school unless he removed his turban and cut his hair. The head teacher's reasons for this refusal were that the wearing of a turban, being a manifestation of the boy's religious origins, would accentuate religious and social distinctions in the school which, being a school based on the Christian faith, the head teacher wished to minimise.

In response, the boy's family sought a declaration in the County Court that this refusal to admit him amounted to discrimination against a member of a racial group under section 1(1)(b) of the RRA (1976). This maintains the following:

A person discriminates against another in any circumstances relevant for the purposes of any provision of this Act if – (a) on racial grounds he treats that other less favorably than he treats or would treat other persons or (b) he applies to that other a requirement or condition which he applies or would apply equally to persons not of the same racial group as that other but – (i) which is such that the proportion of persons of the same racial group as that other who can comply with it is considerably smaller than the proportion of persons not of that racial group who can comply with it and (ii) which he cannot show to be justifiable irrespective of the colour, race, nationality or ethnic or national origins of the person to whom it is applied and (iii) which is to the detriment of that other because he cannot comply with it.<sup>8</sup>

This section is modelled on 1(1)(b) of the Sex Discrimination Act (1975), which was introduced a year earlier and the symmetry results, on the one hand, from a practical concern to enact tested legislation and, on the other, a shrewd political manoeuvre by the then Home Secretary to find cross-party support for Race-Relations legislation from unlikely quarters that had already supported Sex Discrimination legislation. The cross-party support also empowered the CRE with the authority to issue legally binding non-discrimination notices (see Lester, 1998). Indeed, part of the provenance for the development of a more extensive definition of discrimination as including 'indirect' discrimination, was the US Supreme Court precedent in *Griggs v Duke*. This witnessed a shift away from formal equality towards a more sophisticated understanding of equality and discrimination, and paved the way for overcoming initial resistance towards endorsement of the earliest examples of positive action in British anti-discrimination law (Sooben, 1990: 38). Roy Jenkins summed up his new attitude in comments on positive action measures in the Sex Discrimination Act in the following terms:

I believe that we should not be so blindly loyal to the principle of formal equality as to ignore the actual and practical inequalities between the sexes still less to prohibit positive action to help men and women to compete on genuinely equal terms and to overcome an undesirable historical link.

(Hansard, vol. 899, column 514).

Close scrutiny of the Act reveals how it contains scope for redress in cases of *indirect* discrimination, when an individual member or entire ethnic or racial group cannot comply with a requirement, or if that requirement will have a disproportionately negative impact upon such group. Indirect discrimination thus denotes 'a rule, policy or procedure that is the same for everybody, but may specifically exclude a person or group from a benefit of opportunity, and may have unequal effects on different groups within the organisation' (Fahrenheit and Kleiner, 2001: 148). This contrasts with the more obvious form of *direct* discrimination which needs to be understood less in terms of the motive and more in terms of the decision, that is, if an employer treats an ethnic minority employee less well because of customer disapproval of ethnic minorities, or if a trade union operates a colour bar. In terms of the Mandla case, the County Court judge dismissed the original petition on the grounds that Sikhs were not a racial or ethnic group within the definition of the Act, specifically because they could not be defined by reference to ethnic or national origins.<sup>9</sup> When the boy's family appealed to the next, higher court, they did so with the argument that *the term 'ethnic' embraced more than merely a racial concept, and included a cultural, linguistic or religious community*. The Court of Appeal, however, decided that Sikhism was primarily a religion and that the adherents of a religion did not constitute a 'racial group' within the meaning of the 1976 Act and, hence, discrimination with regard to religious practice was not unlawful under the RRA. The court's rationale remained that a group could be defined by reference to its ethnic origins within sections 3(1) of the 1976 Act *only* if that group could be distinguished from other groups by definable racial characteristics, and that Sikhs had no such characteristics peculiar to Sikhs. In a final attempt that was politically and materially supported by the CRE, which itself sought further clarification on the matter, the boy's family appealed to the House of Lords, where Lord Fraser of Tullybelton outlined the Law Lords' working definition of ethnic groups as incorporating, among others (1) a long shared history the group is conscious of as distinguishing it from other groups, (2) a cultural tradition of its own, including family and social customs and manners, often but not necessarily associated with religious observance; and (3) either a common geographical origin, or descent from a small number of common ancestors – which is one of the main criterion for identifying group membership, including 'perceived' group membership.<sup>10</sup> Using these criteria, the House of Lords upheld the boy's appeal, and made the following statement in terms of the ability of Sikhs to comply with the school's uniform policy, which is worth quoting at length:

It is obvious that Sikhs, like anyone else, 'can' refrain from wearing a turban, if 'can' is construed literally. But if the broad cultural/historic meaning of ethnic is the appropriate meaning of the word in the 1976 Act, then a literal reading of the word 'can' would deprive Sikhs and members of other groups defined by reference to their ethnic origins of much of the protection which Parliament evidently intended the 1976 Act to afford to them. They 'can' comply with almost any requirement or condition if they are willing to give up their distinctive customs and cultural rules. On the other hand, if ethnic means inherited or unalterable, as the Court of Appeal thought it did, then 'can' ought logically not to be read literally. The word 'can' is used with many shades of meaning. In the context of section 1(1)(b)(i) of the 1976 Act it must, in my opinion, have been intended by Parliament to be read not as meaning 'can physically', so as to indicate a theoretical possibility, but as meaning 'can in practice' or 'can consistently with the customs and cultural conditions of the racial group'. [...] Accordingly I am of opinion that the 'no turban' rule was not one with which the appellant could, in the relevant sense, comply. [...] I recognize that 'ethnic' conveys a flavour of race but it cannot ... have been used in the 1976 Act as in a strict racial or biological sense. For one thing, it would be absurd to assume that Parliament can have intended that membership of a particular racial group should depend on scientific proof that a person possessed the relevant distinctive biological characteristics ... it is clear that parliament must have used the word in some more popular sense [...].<sup>11</sup>

In reaching this decision Lord Fraser ruminated on how in his mind 'it is inconceivable that Parliament would have legislated against racial discrimination intending that the protection should not apply either to Christians or (above all) to Jews' (ibid.), thus further consolidating the protection of Jewish religious minorities under the Race Relations legislation previously achieved in *Seide v. Gillette Industries Ltd*, (1980),<sup>12</sup> while compounding an anomaly by making reference to Christians. At this time, the adjudication led Jefferson (1983: 83) to conclude that 'a major consequence of the judgment is the protection which will be afforded to other groups. For example, Muslims will be a racial group for the purposes of the Act.' That this prediction did not materialise soon after, nor in the twenty-seven years since, points to a number of factors in the conception of racial discrimination that require greater exploration than Lee's (1997: 6) conclusion that 'the prospect of protecting Muslims was simply an extension too far for many liberal commentators and judges'.



### **Rules of extension and denial: RRA, Public Order Act (POA), Crime and Disorder Act (CDA) and 'racial Islamophobia'**

In its scope, the RRA definitional criterion was conceived to cover both ethnic and racial groupings. As we have seen, the application of RRA criteria in legal judgements has succeeded in affording Sikh and Jewish minorities these protections without extending them to other religious minorities. This is not an outcome of benign neglect, however, but has involved an active denial to legislative recourse. As Modood (2005b: 215) summarises,

Legal Judgements have included Sikhs, Jews, Gypsies, Rastafarians and others within the term [of ethnic group], but *Nyazi v. Rymans Ltd* (1988) specifically excluded Muslims. In 1991, the Appeal Court, by majority decision, overruled the recognition of Rastafarians as an ethnic group, and *CRE v. Precision* (1991) made it clear that direct discrimination against Muslims (as opposed to, say, Pakistanis) is not unlawful.

The decisive rationale common to each of these rulings is that since Islam hosts a diversity of racial and ethnic differences, being Muslim does not sufficiently meet the criteria of an ethnic or racial grouping, and so accords with the Alexander (2002, 2002) type position set out in Chapter 4. For example, in the case of *Nyazi v. Rymans Ltd* (1988) [EAT 10 May 1988 unreported] the industrial tribunal settled in favour of the employer after it held that 'Muslims include people of many nations and colours, who speak many languages and whose only common denominator is religion and religious culture' (quoted in Dobe and Chhokar, 2000: 382). Thus the comments of Lord Fraser on the ability of an individual to adhere to a rule contravening the customs and cultural conditions of their ethnic or racial group do not apply, and the sorts of formulations of ethnic and racial groupings discussed earlier, those premised upon cultural attributes of conscious value, or attributed racial identity, are also ignored. At a time when Muslims are subject to intense public focus, this type of conclusion, stressing the ethnic-origin heterogeneity of British Muslim constituencies, as a precursor to disqualifying their inclusion from the scope for legal redress under the RRA, arguably demonstrates one of the ways in which 'the Mandla formulation is out of date and serves to subvert the original purpose of the Race Relations Act' (ibid. 373). This can be detected in the manner through which the definition of ethnic or racial groups in this civil anti-discrimination

legislation has also been adopted in criminal law, through the POA (1986), which introduces the criminal offence of 'inciting racial hatred'.<sup>13</sup> As Dobe (2000: 1–2) notes,

Legal acceptance as an 'ethnic group' is crucial if members of minority groups are to be protected from the crudest manifestations of racial prejudice. Indeed neither the Race Relations Act (1976) nor the Public Order Act (1986) can be invoked to prevent discrimination or hate speech directed specifically at Muslims. [...] The irony is two-fold in that not only is a large proportion of the 'black' community conferred limited protection by statutes whose express purpose was to provide protection for them, but also that they are denied this protection when a crucial part of their identity is the basis of the discrimination (or, as the case may be, incitement).

This situation is compounded by further criminal legislation which implements the same definition in the prevention of aggravated offences of harassment, violence and criminal damage, guided by racial hatred in the Crime and Disorder Act (CDA) (1998). This means that

whilst racial groups are protected, including South Asians, an iniquitous anomaly in the law established a hierarchy of protected faith communities. Mono-ethnic faith communities benefit from protection against discrimination, aggravated offences of harassment, violence and criminal damage, and against incitement to hatred ... [and] the imposition of a positive duty on public authorities to promote equality. Multi-ethnic faith communities, like Muslims, benefit from neither protection nor equality provision. Unless it could be shown that discrimination was racial (on the grounds of colour, for example), or that it was because they were 'Bangladeshi', rather than 'Muslim', some forms of racism began to seem legitimised if not entirely legal.

(Allen, 2005: 53).

Although Allen's reading risks mischaracterising faith communities, since neither Sikh nor Jewish religious minorities are 'mono-ethnic', the inadequacy of the ways in which ethnic and racial groupings are conceived in the British legal context, including the ways in which racism is understood and legislation formulated to prevent and off-set, is increasingly apparent. For example, Jewish minorities in Britain can incorporate Ashkenazi Jews from Poland, Berber Jews from Algeria and

African Jews from Ethiopia – all of whom may have different languages, customs and cultures. It is also feasible that Sikhs, through conversion, could incorporate different ethnic groupings. The importance of recognising this is not to rehearse the anti-essentialist argument examined in Chapter 4, but to argue that – like British Muslims – Jewish and Sikh minorities can be ethnically diverse and yet – unlike their Muslim counterparts – be considered an ethnic and racial minority in terms of the legislative redress directed towards ethnic and racial minorities. According to several figures, some of these ambiguities can be explained via the interpretation of key judgements with respect to how current precedents might be related or extended to others. Notice, for example, Lord Fraser's passing reference to Christians and Jews in terms of who would and would not conceivably be protected. This leads Barbara Cohen, chair of the Discrimination Law Association (DLA) and former head of CRE legal policy, to argue that, while she finds the terms qualifying Sikhs as an ethnic or racial group compelling, those advanced in relation to Jewish minorities are less so:

I understand how and why we consider Sikhs as an ethnic group through Lord Fraser's extended judgement which set out a definition of 'ethnic group' that has then been applied in various other cases ... but I'm less convinced regarding the precedent established in the *Seide v. Gillette* where the court found that Jews are an ethnic group ... the decision was never tested in the higher courts nor have any later cases sought to re-open this question.

(Interview, 7 March 2006).

Part of Cohen's scepticism may be sourced to her subscription to the view that a certain degree of homogeneity is required among groups in terms of their make-up vis-à-vis coverage afforded under the RRA. In contrast to Arzu Merali and the IHRC, who have 'been calling for a recognition of the fact that there is such as thing as racial *and* religious discrimination according to the religious category by which people identify themselves and are identified against' (interview), Cohen's comprehension proceeds through a distinct separation of race and religion:

I do not believe there is one homogenous Jewish community in this country. The position of Muslims or Roman Catholics is that they are world religions and in the UK there are Muslims – or Roman Catholics – of many different ethnicities, and I think it would be

more difficult for Muslims to bring themselves within the definition of an ethnic group as laid down in the *Mandla* case. So I'm saying that it's not necessarily logical to expect an almost routine extension in the application of a law protecting people against race discrimination to all religious groups.

(Cohen, interview).

Opting for a more contextual and historically nuanced reading, the last head of CRE legal policy, Razia Karim, contends that these past precedents only really make sense when viewed in their historical function as the only legal instruments that were available to post-immigrant minorities seeking redress for discrimination:

[P]eople who felt that they had been discriminated against, and they believed it was on the grounds of their religion, had to use other laws to seek protection. The only one that was really available to minorities was the RRA, but to bring your complaint within the RRA you had to argue that the discrimination was on the grounds of race ... but really if you read the those cases, what the judges are concerned with is identifying an ethnic group. [...] That Muslims didn't have a cultural tradition of their own, which included family, social customs and manners etc because it's a much wider group and people come from different parts of the world and bring into their religion *different* customs and manners, even though the over-riding one was an Islamic one.

(Razia Karim, interview, 18 May 2006).

So in Karim's analysis the issue is very much one of a religious minority being discriminated against on the grounds of their ethnicity as opposed to their religion. In contrast both to Karim and Cohen's position, Lord Lester (one of the architects of each of the bills that led to the 1965, 1968 and 1976 RRAs) maintains that there *is* sufficient scope within current Race Relations legislation to cover both ethnic and religious minorities *provided* that the discrimination faced by each group takes a racial form. This is a key point because, in Lester's view, the same coverage afforded to Jews *is* available to Muslims if the target group have a shared ethnicity – real or perceived – as appears to be the case in what he understands as 'racial Islamophobia':

It has been clearly established for a quarter of a century, since the decision of Mr Justice Slynn, in 1980 as President of the Employment

Appeal Tribunal in 1980 in the case of *Seide v Gillette Industries*, that Jews are included within the Race Relations Act only as victims of racial, and not religious discrimination. [...] Jews are protected under the Race Relations Act not because they have a shared religion but because of their shared ethnicity, whether real or perceived by anti-Semitic discriminators. Exactly the same protection applies to Muslims ... who are protected if they have an ethnic identity as well as a religious one; for example, because of their colour or national origins. The typical anti-Semite who persecutes Jews does not usually do so because of their religion but because of what he regards as their tainted ancestry and their blood. [...] It is racial anti-Semitism ... that is made unlawful under the Race Relations Act, just as racial Islamophobia is covered.

(Lord Lester, Hansard, 9 November 2005).

According to Lester the way in which the RRA was conceived can afford redress to discrimination suffered by Muslims, regardless of the reality of group heterogeneity, because it is the *perception* (as Lord Fraser ruled with respect to the popular use of race) of homogeneity that the discriminator proceeds from. The key issue, then, is Lester's insistence that religious – as well as ethnic – minorities can be subject to 'racial' discrimination:

The true position may be summed up in this way. There is religious anti-Semitism and there is racial anti-Semitism. Before the 19th century, anti-Semitism was primarily religious in nature, based on Christian or Islamic interpretations of Judaism. That form of prejudice and discrimination is directed at the religion itself and usually does not affect those of Jewish ancestry who have converted to another religion. That form of anti-Semitism is covered in the religious discrimination provisions in this Bill [Incitement to religious hatred Bill], just as religious Islamophobia is covered.

(Ibid.).

Despite the controversial charge of doctrinal anti-Semitism against Islam, given the strong evidence suggesting that anti-Semitic discourses have only very recently been imported into the Islamic vernacular – from Europe – in the post-War era of conflict over Israel (Armstrong, 2003; Sayyid, 2005; Halliday, 1999), Lester's delineation does provide another conception of where doctrinal religious discrimination *ends* and racial religious discrimination *begins*. This distinction was considered in

Chapter 4 in Halliday's (1999) critique of the idea of Islamophobia, where it was argued that many British Muslims recount heightened discrimination and abuse when they appear 'conspicuously Muslim'. The increase in personal abuse and everyday racism since 9/11 and 7/7, in which the perceived 'Islamic-ness' of the victims is the central reason for abuse, regardless of the validity of this presumption (resulting in Sikhs and others with an 'Arab' appearance being attacked for 'looking like bin Laden'), suggests that racial and doctrinal religious discrimination are much more interlinked than both Lester and the current application of civil RRA and criminal legislation recognise.

It should therefore come as no surprise to learn that there remains considerable dissatisfaction among Muslims that current regulations do not provide protections equivalent to those enjoyed by Sikhs and Jews. This dissatisfaction arises from the disparity that if a Muslim is attacked because they are wearing the *hijab* or walking from a mosque, wearing a beard, tunic or turban, for example, the higher penalties incurred by perpetrators of racial harassment under the CDA (1998) would not be conferred against such perpetrators of religious harassment. Similarly, this was a blind spot in the POA (1986), in which only incitement to racial hatred, denoting 'hatred against a group of persons defined by reference to colour, nationality (including citizenship) or ethnic or national origins' is covered (the definition of 'ethnicity' in section 17 remains as that established under the application of RRA legislation). As discussed below, the illegality of the incitement of others to hate members of a group because of their religion remains highly ambiguous and must meet a disproportionately high threshold before prosecutions become an option. This will continue to allow the British National Party (BNP) to campaign, as it has during the last two general elections (and several local and European elections), on what it describes as 'the Muslim problem'. Similarly, when the London Borough of Merton asked the Crown Prosecution Service (CPS) to prosecute those engaged in anti-Muslim incitement – following the distribution of offensive and threatening material by a BNP member – they were refused on the grounds that Muslims were not a racial group and therefore not covered by the POA (1986). This is despite the same BNP member pleading guilty to distributing similar material inciting racial hatred against Jewish inhabitants of Merton (cf. *R v. DPP ex parte London Borough of Merton* [CO/1319/1998]). Indeed, the CRE has recounted how it failed to persuade the West Yorkshire CPS to prosecute the BNP for distributing a leaflet headed 'Islam: Intolerance, Slaughter, Looting, Arson, Molestation of Women' in an area with existing community tensions (Qureshi, 2005).

According to Dobe and Chhokar (2000: 373), instances such as these ‘undermine even the limited rationale underlying the Public Order Act (1986) [to prevent the outbreak of social disorder]. In areas of high Muslim concentration, where literature inciting hatred against Muslims is distributed, there is a substantial risk not only of an increase in crime motivated by the hatred of Muslims, but also of general violence and disorder’.<sup>14</sup> This was arguably witnessed during the summer of 2001 when several Northern English cities were subject to civil unrest and rioting since according to Allen (2003) and Bagguley and Hussain (2008) each of these events incorporated a response to incursions by Far Right organisations into predominantly Muslim communities. It is interesting to learn that race-equality practitioners too concede this in supporting the view that there is enough scope under current coverage to protect racialised religious minorities. The following comment from Razia Karim addresses this very issue and so is worth quoting at length:

I’ve raised this with the CPS in some particular areas before, including one where they were presented with a BNP leaflet. We referred it to the CPS and said that it was being distributed in an area with a high number of Pakistani residents who found it intimidating, abusive, threatening and insulting and we think you should prosecute. They were adamant they couldn’t because it was directed against Muslims who are not covered by incitement to racial hatred. We argued that you can take the view that if it is circulated or distributed in an area with a concentration of a racial group – then you have to view it as an incitement to hatred of a racial group. [T]here is an example in Glasgow where a BNP activist had sent out material that was anti-Muslim but circulated it in an area with a sizable Pakistani population and there were prosecutions there. Even though on the face of it the leaflet was directed against a religion, they were actually stirring up hatred against a racial group. But this is where we come to the practise of what police and CPS officers do or don’t understand, and this particular CPS region were adamant that they could not and would not prosecute. I think it could have been done under the incitement to racial hatred provisions, but there was reluctance amongst the decision makers to do that.

(Interview).

This reading also supports the argument put forward in Chapter 4 that what is required is a more contextual account of racism *per se*, its interaction with cultural difference and the relationship between cultural

racism and Islamophobia in fuelling an incitement to religious hatred. As such it returns us to the summary report on Islamophobia published by the European Monitoring Centre on Racism and Xenophobia shortly after 9/11, and which indicated a rise in 'physical and verbal threats being made, particularly to those visually identifiable as Muslims, in particular women wearing the hijab' (Allen and Nielsen, 2002: 16). Despite variations in the number and correlation of physical and verbal threats directed at Muslim population among the individual nation states, one overarching feature among the fifteen European Union nation states that emerged was the tendency for Muslim women to be attacked because the *hijab* signified a Muslim identity (ibid.: 35).<sup>15</sup> Critics nevertheless dispute this. In a television documentary, for example, Kenan Malik has argued that

the Islamic Human Rights Commission monitored just 344 Islamophobic attacks in the 12 months following 9/11 – most of which were minor incidents like shoving or spitting. That's 344 too many – but it's hardly a climate of uncontrolled hostility towards Muslims. [...] It's not Islamophobia, but the perception that it blights Muslim lives, that creates anger and resentment. That's why it's dangerous to exaggerate the hatred of Muslims. Even more worrying is the way that the threat of Islamophobia is now being used to stifle criticism of Islam.

(Transcript of 'Are Muslims Hated?',  
30 Minutes, 8 January 2005, Channel 4).

Malik is not alone in holding this view and there are several problematic issues that arise in his analysis that may also be evident in others' (Joppke, 2009a; Hansen, 2006). Firstly, it is easy to complain that Muslims exaggerate Islamophobia without noting that they are no more likely to do so than others who might exaggerate colour-racism, anti-Semitism, sexism, ageism, homophobia or many other forms of discrimination. That is, that his claim remains a political rather than a comparatively informed empirical claim. Secondly, and more importantly, Malik limits Islamophobia to violent attacks and ignores its discursive character in prejudicing, stereotyping, direct and indirect discrimination, exclusion from networks and so on, and the many non-physical ways in which discrimination operates. Thirdly, Malik draws upon data gathered prior to the events of 7/7, following which, according to the same source (the Islamic Human Rights Commission) and using the same indices, there were reported to be 200 Islamophobic incidents in the first two



weeks after the bombings. The overwhelming argument, therefore, is that if we reject a normative grammar of race and accept that legal categories of race and ethnicity should not foreclose deviations arrived at from social contingencies, including periods of Muslim racialisation, a coherent argument can be made for Muslim inclusion under coverage established by RRA legislation. This argument for inclusion could in fact follow that set out by Lord Simon of Glaisdale in his ruling that

‘racial’ is not a term of art either legal or scientific ... This is rubbery and elusive language – understandably when the draughtsman is dealing with so imprecise a concept as race in its popular sense and endeavouring to leave no loophole for evasion.<sup>16</sup>

If social contingencies are acknowledged, it becomes possible to apply the Mandla formula to Muslims not only on the grounds of racial criteria, but also with respect to ethnic criteria according to the definitions discussed in Chapters 3 and 4, not least in thinking about the sorts of group boundaries premised upon cultural attributes of conscious value.

### **Religious aggravation or incitement to religious hatred?**

Partly responding to some of these concerns, and reports of increased anti-Muslim racism and Islamophobia, the government introduced legislative provisions under Part 5 of the Anti-terrorism, Crime and Security Act (ATCSA) (2001) which criminalised religiously aggravated offences. Section 39 of this Act amends part 2 of the CDA (1998) by incorporating religion into its offences covered by sections 28 to 32. This means that, in theory, the provisions of the CDA that cover assaults, criminal damage, public order offences and harassment, now also cover ‘racially or religiously aggravated’ offences. As a result, if an offence is motivated (wholly or partly) by racial or religious hostility towards members of a racial or religious group based on their membership of that group, the offender may face increased fines and/or sentence enhancement. Since December 2001 there have been at least eighteen prosecutions in England and Wales for religiously aggravated offences, eight of which resulted in convictions, with six amounting to public order offences. One such case was that of *Mark Norwood v. DPP* (2003) [EWHC 1564], in which the high court upheld the conviction of a religiously aggravated offence committed by a member of the BNP in Gobowem, Shropshire, who displayed a poster depicting the devastation of the World Trade

Centre in New York under the words: 'Islam out of Britain ... Protect the British People'. In his ruling against the plaintiff's defence that the poster was not motivated by hostility towards Muslims as a group but, rather, towards Islam as a religion, Lord Justice Auld ruled,

The poster was a public expression of attack on all Muslims in this country, urging all who might read it that followers of the Islamic religion here should be removed and warning that their presence here was a threat or danger to the British people. In my view, it could not, on any reasonable basis be dismissed as merely an intemperate criticism or protest against the tenets of the Muslim religion, as distinct from an unpleasant attack on its followers generally.

(quoted in Ahdar and Leigh, 2005: 381).

Although this ruling cut away some of the rationale behind supporting the introduction of generic legislation outlawing the incitement to religious hatred, it remains the case that such legislation was still desirable to many Muslims because of its potential to bring the protections afforded to all religious minorities into some sort of parity. Clause 38 of the aforementioned ATCS Bill amended part 3 of the POA to extend the existing provisions on incitement to racial hatred to cover incitement to religious hatred as well. It proposed to make an offence of using words, behaviour, or displaying written material deemed 'threatening', 'abusive' or 'insulting' with the intention or likely effect that hatred would be stirred up against a group of people targeted because of their religious beliefs or lack of religious beliefs. It was thus argued that the incitement to stir up hatred would have to be aimed at people and not ideologies, and that just as race is not defined in the remit of race-relations legislations (but rather through precedent and case law), neither would be religion in the incitement legislation.

Following a coalition forged by opposition parties in the House of Commons and House of Lords, however, with much public support from campaigners (including people who feared an embargo on telling religious jokes), the government was forced to amend the legislation to criminalise only 'threatening' behaviour and not that deemed 'abusive and insulting'. It also meant that people could only be prosecuted if it was demonstrated that they intended to stir up hatred – not if they were 'reckless'. So that while the original proposals would have applied to a situation where the defendant did not actually intend to stir up religious hatred, the changes meant that the offence would only apply if the prosecution could establish sufficient grounds for premeditation.

The strong opposition that ensued throughout each incarnation of the Bill has been documented elsewhere (Meer, 2007b, 2008) and included coalitions of satirists and liberals, conservatives and Christians, most notably the comedian Rowan Atkinson, Liberal Peer Lord Anthony Lester (an architect of the RRA), senior Barrister David Pannick QC, the Conservative Party front bench and former Archbishop of Canterbury, Lord Carey. This unique convergence did not escape the notice of the liberal feminist Joan Smith (2007), who commented, 'for once I find myself on the same side as the right-wing columnist Melanie Phillips and Don Horrocks of the Evangelical Alliance!'. As Chapter 7 discusses, one of the most striking features in the political discourse throughout the discussion of this legislation was a dissonance between some Muslims, who argued that the recourse to law was necessary at a time of increased prejudice, intimidation and incitement of hatred, and the mainstream media which presented it as an example of Muslim incompatibility vis-à-vis British culture and tradition. *Contrary to viewing it as an attempt to incorporate a confident Muslim-consciousness into the public sphere, it was argued that Muslims were seeking to put their beliefs beyond scrutiny.* That there was such little sympathy among anti-discrimination liberals with impeccable credentials, particularly Lord Lester, to understand the lived experiences of Muslims, was reminiscent of the Rushdie Affair discussed in Chapter 3 and has continued to inform the British Muslim view that the discrimination faced by Muslim groups is less urgent or important than that faced by other groups. In the words of Iqbal Sacranie, then Secretary General of the Muslim Council of Britain (MCB):

The aim was to provide a level playing field so that the protections that applied to race would be extended to religion; for example, criminalising reckless, abusive and insulting behaviour directed at an individual because of their faith. It would have given Muslims the same protection afforded to Sikhs and Jews in the UK (Sacranie, 4 June, 2006).

A measure of the depth of hostility to proposed legislation may be garnered not only by the incredible height of the bar raised, but also the length of time and variety of attempts required to introduce a weaker instrument.<sup>17</sup> And yet it is also important to note how the proposed legislation was not *universally* supported by all Muslim bodies, as Merali of the IHRC makes clear:

We are kind of nervous about cutting down on free speech; whilst we do have a strong position which accepts that there has to be curbs on

hate speech, we were reluctant to support this legislation because it arrived in the context of a security agenda, which itself was very, very problematic ... [inaudible]. Secondly, we also looked at the experience of what happened when they introduced incitement to racial hatred and it was primarily, and has until today, been used disproportionately against black activists. We were not supremely confident that, with or without the current climate, anything better would happen with the incitement to religious hatred. We were very sceptical of the improvements available with that particular piece of legislation.

(Merali, interview).

The Muslim Parliament, led by Dr Ghayasuddin Siddiqui, similarly maintained,

Freedom of speech and liberty may be inconvenient at times but are values we must all uphold. The Labour Party is cynically seeking to placate Muslims by promoting fudge legislation in Parliament, which they know will not get passed. [T]he campaign led by a section of the Muslim community for a new law on incitement to religious hatred, amidst an atmosphere of heightened expectation is unwarranted.

(Press Release, 7 March 2005).

Both share with Barbara Cohen, commentating in her capacity as chair of the Discrimination Law Association (DLA) as well as a former head of CRE legal policy, a view that the proposed legislation was a 'cynical' attempt to mollify Muslims aggrieved at the war in Iraq; not least the MCB who had been lobbying for such legislation, the introduction of which was designed

to keep the MCB happy and to keep them supporting New Labour! It was initially offered like the jam on top of some very intrusive legislation: the Anti-Terrorism, Crime and Security Act 2001, which could be seen as likely to target Muslims; this part of that bill was subsequently dropped because of the opposition to the substance of that bill. The government then quite cynically put it in its election manifesto to win the Muslim vote, and to some extent this worked.

(Cohen, interview).<sup>18</sup>

Recognising the political context in which it was introduced, however, does not undermine the original argument in favour of – nor the continuing requirement and legitimacy of – this legislation. Indeed, and

although Cohen thinks that ‘the Lords were right to send it back with the proposed amendments’, she recognises the remaining discrepancy in the level of protection and scope for redress that continues to inform the Muslim complaints of inequality:

[T]he key thing with the law as it stands is that it doesn’t cover subjectively defined ‘insulting and abusive’ experiences but ‘threatening’ behaviour. Obviously this will mean a discrepancy between inciting religious hatred and inciting racial hatred. [...] The Discrimination Law Association had a long internal debate on what our position should be; in the end we adopted a 4-pronged approach: firstly that the government was perhaps the body most responsible for stirring up hostility towards Muslims; secondly that most of the examples of ‘inciting hatred’ that have been used in the debates involved matters that could and should be dealt with under the existing criminal law – so the fault lies with the police and their lack of response creates lack of confidence by the Muslim community to report incidents; thirdly, any legislation that might inhibit freedom of speech should be carefully scrutinised; and fourthly that the law should provide equivalent protection for all religious groups.

(Ibid.)

The second of her four issues, that concerning the lack of political and judicial will to prosecute anti-Muslim racial discrimination, returns us to Lester’s argument concerning the applicability of current legislation, and proves crucial when trying to understand why established anti-discrimination legislation has never been extended to protect Muslims. Razia Karim rests this firmly at the door of criminal justice agencies:

[W]e would bring complaints to the CPS or the Police and they would say, ‘look, we can’t do anything about this because there is no protection from religious hatred’. So every time you got a complaint about an advert, a BNP poster or leafleting, the police would say, ‘sorry, we can’t do anything’. So we saw a gap in the protections. Whereas Sikh and Jewish people could draw on protections because they’re an ethnic group and can draw on incitement provisions. [...] I think we’re happy that we’ve got something on the statute book [but] I actually think that our concerns are even bigger practical ones, which is that even with the incitement to racial hatred provisions, we’ve seen them be *under* used. They really are not used very often or frequently to protect people from racial hatred.

Although the Norwood finding is a good indication that the judiciary is not wholly ignoring anti-Muslim racism and Islamophobia, this does not offset the desire for much broader anti-religious discrimination legislation that is comparable to the broad range of protections afforded under existing RRA legislation, including the imposition of a statutory duty. An objection thus arises when institutions make space for, and promote a positive duty to recognise, some religious practices and this is not made equally available to other faiths. When allied, for example, with instances of lesser recognition being afforded to Muslim employees to take time off from work for religious festivals, then institutional Islamophobia becomes a legitimate charge, where the grounds for refusal are based upon an objection to making allowances for Islam in particular. Continuing with this example of employment legislation, it is possible to identify an interface between the genuine improvements and their limitations in terms of resolving some of the tensions outlined above. The following section elaborates this point through a discussion of the ways in which recent legislation has been adopted.

### **Article 13 and the Treaty of Amsterdam**

There has been no consistent level of protection against racial discrimination across the EU and, like the UK, there has been little legislation that consistently protected people from discrimination that takes place on grounds of religion, disability, age or sexual orientation.<sup>19</sup> In recognition of this the EC introduced the following Article 13 of the Treaty of Amsterdam in 1997:

Without prejudice to the other provisions of this Treaty and within the limits of the powers conferred by it upon the Community, the Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament, may take appropriate action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

(Office Journal of European Communities C325/33, pp. 11 and Council Directive 2000/78/EC).

This article was enacted through the issuing of two directives which meant that 'in effect, the British framework has been "uploaded" to EU level' (Geddes and Guiraudon, 2008: 129). Indeed, it was not only the British but also some variation of the Dutch model, both of which are 'linked to a network of actors including NGOs and academic activists

with good links to European institutions, particularly the Commission and the Parliament' (ibid. 133). The Anglo-Dutch-led Starting Line Group (SLG), although never present at actual negotiating tables, is illustrative of the way in which tested practises from British and Dutch contexts could be marshalled and mobilised to influence 'the content of legislation because they had been fed into the Commission policy development process'. Barbara Cohen provides an interesting contextual insight when she recounts that

the Race Directive was approved in Europe very quickly – this was when Haider had been elected in Austria and there were too many racist incidents across Europe so no Member State would want to be seen to be voting against an anti-racism measure. For the next directive there was much more politicking going on. The Catholic Church used its influence so protection for religious organisations is particularly good.

(Interview).

The broad directives issued to member states were two-fold. The first established a general framework for equal treatment in employment and occupation (*the Employment Directive*), which would require member states to make discrimination unlawful on grounds of racial or ethnic origin, religion or belief, disability, age or sexual orientation in the areas of employment and training. The second directive implemented the principle of equal treatment irrespective of racial or ethnic origin (*the Race Directive*). Like the Employment Directive, the Race Directive required member states to make discrimination on grounds of racial or ethnic origin unlawful in employment and training. Unlike the employment directive, it went further in requiring member states to provide protection against discrimination *in non-employment areas*, such as education, access to social welfare, and the provision of goods and services. These directives were accompanied by an 'Action Programme' set up by the Commission which allocated a budget of one hundred million euros over six years to fund practical action by member states in promoting non-discrimination in all the areas covered by the earlier directives; in many respects mirroring the approach of the RRA in promoting proactive initiatives in combating discrimination in member states.<sup>20</sup> In a similar manner to the way in which the RRA has operated, the scope of the *Employment Directive* is not limited to an employee's actual religion or belief; it is simply that they are treated less favourably *on the grounds of* religion or belief. Hence, 'the discriminator's perception

(whether accurate or erroneous) of the religion or belief of the person discriminated against will therefore suffice' (Ahdar and Leigh, 2005: 305). The *Race Equality Directive*, meanwhile, required member states to establish bodies as an institutional support for equal treatment provisions, but it is arguable whether it endorses proactive measures to promote equality within institutions. For example, the positive action clause in the Directives, which was phrased as an exception rather than as an explicit means to achieve equal treatment, 'offers an insufficient basis for such an approach [because] the Directives remain focused upon individual litigation against specific acts of discrimination once they have occurred' (Rudiger, 2007: 49). This begs the question as to what contribution these directives could make where they did not *increase* the levels of protection that were already available in Britain. As such, according to Claude Moraes MEP, also a former trade unionist and equalities lawyer, they have made an uneven contribution to the British anti-discrimination landscape:

[T]he race equality directive was not a huge advance because we already had a fairly comprehensive Race Relations Act. But it did improve it in the area of burden of proof and it also showed the UK that this was the right way to go and stopped any kind of regression or going backwards in terms of race equality legislation. The key areas which are still to be fully developed in the UK are disability and age, and in both these areas the employment directive has been helpful in pushing the UK further than we were going, as well as religion of course.

(Interview, 3 January 2008).

Thus for Moraes the impact has mainly been political, which is not to be understated in his view, in shoring up a particular approach, while in practical terms it has moved the burden of proof away from the claimant onto the organisation or party against whom a charge of discrimination is made. This is also true of the *Employment Directive*, perhaps the most meaningful addition to the British legal landscape, and which was implemented in domestic legislation through the Equality Employment (Religion or Belief) Regulations (2003), and which has been invoked in a number of occasions of which the following examples are typical. The first was the case of *Khan v. NIC Hygiene Ltd* (2005) where an employee was suspended without pay and had his contract terminated for using his annual 25-day holiday entitlement and another week's unpaid leave to make a pilgrimage to Mecca. It later transpired that although he had



requested this leave in good time he had received no response from his employer and was advised by his trade union (Transport & General Workers Union) that if he had not heard anything he could assume his request for leave would be granted. An employment tribunal held that he had been unfairly dismissed in contravention of the employment directive, specifically because his employers had not made a reasonable accommodation of his religious requirements even though they had been notified in good time. In another case of *Mohammed v. Virgin Trains* (2005), a rail worker claimed that he had been dismissed because he had refused to trim his beard shorter than the ten centimetres that he argued was required by his faith, and that his requests to wear a religious skullcap had repeatedly been refused. The employer argued that Mr Mohammed had been offered the job after agreeing to trim his beard to comply with the company's 'neat and tidy' facial hair policy, and that he had been told that he could wear a skullcap if it was in the corporate colours. In this case the employment tribunal found that there was no religious discrimination because Mr Mohammed's dismissal was based purely upon poor performance. According to Huang and Kleiner (2001: 128), these examples are symptomatic of a much broader trend where 'requests for religious accommodation in the workplace may well explode over the next decade'. They continue,

In the 1960s and 1970s, blacks and women fought for their rights. In the 1980s and 1990s, it was gays and lesbians. Now it has turned into employers and employees and the battlefield is religion in the workplace. As a result, workers are suing employers for the freedom to express their religion.

(Ibid.)

The difficulty with this reading is that such requests have been in evidence from Muslims in Britain since as far back as the 1970s, perhaps exemplified by the case of *Ahmed v. ILEA* (1976) [1QB36CA] where it was deemed not unlawful to deny a Muslim teacher the time to observe prayers for an hour on Friday afternoons. Nevertheless, it may appear that Huang and Kleiner's analysis is correct insofar as episodes of discrimination are rarely discussed in public and media discourse unless the facts of a case are especially newsworthy. This analysis is endorsed by Paul Johnson, deputy editor of a national broadsheet newspaper, *The Guardian*, who maintains,

Some of the issues surrounding discrimination are very difficult. Sometimes in some newspapers they aren't interested in understanding

these ... I think it's an easy thing to slide into this characterisation of one particular community ... as having one approach to life in Britain but not of Britain.

(Interview, 29 January 2008).

The *Race Equality Directive*, meanwhile, shares with the RRA the criterion of racial and ethnic groupings that exclude religious minorities and which may result from the assumption that religion would be covered by the parallel *Employment Directive*. This initially invited the criticism that, although encompassing the important arena of employment, it would continue to deny Muslims in Britain broader legal protections in the areas of social welfare, including health care, and public services, education and housing, among others (Merali, interview). This has now been addressed, in Britain at least, by the Equality Act (2006), which is of particular import given the levels of disadvantage experienced by Muslim minorities in these very areas (Abrams and Houston, 2006; Policy Innovation Unit (PIU), 2001; Modood et al., 1997). For example, Abrams and Houston (2006) found that Muslims have disproportionately lower incomes and higher rates of unemployment. They have comparatively lower skills both in education and in vocational training. They are more likely to reside in deprived housing situations and disproportionately suffer from bad health.

There is also an issue of how these directives have been implemented, since the government *initially* adopted them via secondary legislation by transposing them onto existing legislative instruments, rather than introducing a new Parliamentary Act. This is, according to Cohen, because 'the government felt that after the Stephen Lawrence Inquiry and the Race Relations (Amendment) Act 2000 they had spent enough time dealing with race and that their priorities and parliamentary schedules wouldn't allow for another race bill' (interview). A new Single Equalities Act was advocated both by the Commission on the Future of Multi-Ethnic Britain (CMEB) (2000) as well as the Forum of Action against Islamophobia and Racism (FAIR). The latter argued that a single act would show 'the indivisibility of the principle of equality and ... place all grounds of discrimination on an equal footing ... More importantly, the amalgamation would rid the anti-discrimination law of the confusion, complexities and inconsistencies that currently exist (FAIR, 2002: Section 4, Paragraph 20). These arguments are evaluated in the next section but it is worth noting how some of the issues highlighted by FAIR were already raised when Human Rights Act (1998) came into effect in October 2000, and which required the British government to

make legislative provisions compatible with the European Convention on Human Rights (ECHR). Of course, Human Rights legislation is not suited to addressing more subtle or low-level religious discrimination. For example, it cannot be used *directly* against private bodies and is less capable of detecting indirect discrimination. Indeed, since the HRA promotes a more individualistic approach which considers the majority of people in need of protection from some form of discrimination, it perhaps risks de-emphasising specific experiences of historically disadvantaged minorities. The implication for policy-making purposes is that uniform rights for individual citizens could take precedence over recognising the situation of diverse and disadvantaged *groups* in society (Modood, 2007). In so doing, this may facilitate a shift from a group-based approach to a focus on individual rights. While such a move might assist the principled operation of human rights legislation in promoting, for example, the right to religious freedom, it may be less sensitive to promote specific anti-discrimination measures. So while the former could protect the right to practise religion in accordance with religious beliefs, as is exemplified by provisions including Article 9 of the ECHR, the latter approach might be concerned with how discrimination against religious minorities picks out individuals on the basis of discernible characteristics, and attributes to them an alleged group tendency, or emphasises those features that are used to stigmatise or reflect pejorative or negative assumptions based on the individual's real or perceived membership of that group (Meer and Noorani, 2008).<sup>21</sup> This begs the question then as to whether an increasing focus upon the former risks ignoring how different minorities are disadvantaged in different ways, and moves the emphasis away from a more specific recognition of diversity. Rudiger (2007: 52) argues that this is observable at the EU policy-making level where a new focus upon human rights informed the plan to turn the European Centre on Monitoring Racism and Xenophobia into an EU human rights agency. It is to these issues that we now turn through examples of recent changes to longstanding British approaches that have historically recognised diversity in their promotion of equality.

### **Harmonising different commissions and legislation**

On 30 October 2003, the Government announced its intention to establish a single Equality and Human Rights Commission (EHRC). This announcement followed the consultation – *Equality and Diversity: Making it Happen* – which launched the most significant review of UK equality institutions in a generation. The review stated,

We [the government] want to see a Britain where there is increasing empowerment of all groups, with economic empowerment a key goal; where attitudes and biases that hinder the progress of individuals and groups are tackled; where cultural, racial, and social diversity is respected and celebrated; where communities live together in mutual respect and tolerance; and where discrimination against individuals is tackled robustly.

(Equality and Diversity, 2003: Part 1, section 2).

The Government then issued a White Paper entitled *Fairness for All: A New Commission for Equality and Human Rights*. The enabling legislation, the Equality Bill, was considered by parliament and introduced as The Equality Act (2006),<sup>22</sup> and was a precursor to a Single Equality Act (SEA). The latter was included as the Equality Bill in the draft legislative programme announced by the Government in May 2008 followed by a consultation in July. This combined all UK equality enactments so as to provide comparable protections across all equality strands.<sup>23</sup> Those explicitly mentioned in the Equality Act (2006) include age; disability; gender; proposed, commenced or completed gender reassignment; race; religion or belief and sexual orientation. This act is particularly noteworthy because it is probably the first occasion on which equality and diversity have been expressly linked,<sup>24</sup> and are presented as a blend of traditional non-discrimination obligations, substantive equality goals around equal participation and statutory duties to promote respect for diversity, human dignity and human rights.<sup>25</sup> However, while the statutory duty required of the EHRC in section 3 of the 2006 Equality Act *does* encompass religion, the more substantive 'equality duty' (which is an important element of the race relations legislation, sex discrimination and disability rights legislation) does not as yet include the newer three strands of discrimination (religion or belief, sexuality, and age). The significance of the equality duty upon public authorities to have due regard to the need to eliminate unlawful discrimination and promote equality of opportunity (sections 71 RRA, 49A DDA, s76A SDA) is summarised by Hand (2008: 603):

Each imposes the general positive duty together with specific duties which should help the authorities meet their general duty; each, by way of a specific duty, requires most authorities to publish 'equality schemes' which, *inter alia*, show how the authorities go about monitoring their activities for any adverse impact on the protected groups; and each requires the authorities to undertake monitoring

of the workforces with regard to numbers of staff and applicants for employment or promotion.

While including these new strands within the greater equality duty has been proposed in the new Equality Bill, it is set to face objections from the House of Lords, where Lord Anthony Lester (2008: 570) has already indicated his opposition to such a move on the grounds that 'the extension of the equality duty to religion, conscience and belief (and non-belief) would be fraught with difficulty ... it would be divisive and unworkable to treat religion and belief (including disbelief and non-belief) in the same way as the other strands'. This is significant because it was Lester's amendment on similar political grounds that weakened the Incitement to Religious Hatred Legislation 2006. This means that while there are enough grounds in the Equality Act (2006) to allow the EHRC to conceive non-discrimination in a substantive sense, reflecting a complementary relation between non-discrimination and equality of opportunity,<sup>26</sup> if it transpires that the greater equality duty is not extended to religion there is a concern that public authorities will not be required to proactively take the needs of Muslim communities into account.

### **Equality and Human Rights Commission (EHRC)**

As it has already been indicated, during 2004 the government consulted widely on its proposals for the role and structure of a new equalities body that would simultaneously monitor the implementation and application of the different anti-discrimination strands. As Klug recalls,

The Government's position ... was that either there wouldn't be commissions for the new areas covered by anti-discrimination legislation or there would be a single equality body to cover all anti-discrimination law. There was never realistically going to be 6 commissions.  
(interview).

This body became operative at the end of 2007, which makes it too soon to assess its progress in any meaningful way, not least because it had a six-month setting up period in which its final agenda was set, and organisational issues of staffing and structure completed. With an annual budget of nearly sixty million pounds it is easily 'one of Europe's largest human rights bodies' (Birt, 2006: 4), and having amalgamated the powers of the CRE, EOC and Disability Rights Commission (DRC),

as well as assuming a similar role overseeing other equality strands with respect to sexual orientation, religion or belief, and age that have emerged from the *EU Employment Directive*, it is perhaps unsurprising to learn that some anti-discrimination stakeholders anticipate that the new commission will face difficulties. It should be noted, however, that the EHRC has no powers to assist individuals in cases under other legislation, for example discrimination on one of the protected grounds that falls outside the scope of anti-discrimination legislation but is within the scope of the HRA (1998) and Article 14 of the ECHR. Indeed, a related issue that was first raised in the original white paper, *Fairness for All: A New Commission for Equality and Human Rights*, concerns how very few of the EHRC's resources will be allocated to assisting individual victims of discrimination. Despite its name, the EHRC will have a mainly policy role in promoting understanding and encouraging good practice, though it does have powers under section 30(3) to institute or intervene in judicial review or other legal proceedings. And like the bodies it replaced, the members of the new Commission are appointed by the Secretary of State to serve for a fixed term and are funded centrally from the Home Office departmental budget to which the EHRC will report to annually. Hence there is nothing to suggest that the EHRC has any greater independence than the equality bodies it has amalgamated and, as its remit will also include basic human rights, there is a concern that some real independence from government may be essential. As such, during the consultation there were strong representations that the EHRC should report directly to parliament or a committee of parliament instead of to the executive. This was the relationship between the earlier commissions, including the CRE, and various governments, and there is a widespread suspicion that the CRE's silence on racial profiling and stop-and-search of Muslims, as well as other examples in the non-pursuit of complaints of anti-Muslim discrimination, not least surrounding the imposition of anti-terrorism legislation, stemmed from its close relationship to the home office. For example, Merali argues 'it [the CRE] positioned itself very much in the government camp, dictating from the top down on what it is to be a minority; what we can get and what we should expect, rather than actually looking at their experiences ... and how to redress that' (interview). Moreover the present Chair of the EHRC, previously chair of the CRE, Trevor Phillips, is an outspoken critic of multiculturalism and has already stated that Muslim faith schools pose a threat to the coherence of British society, and that British Muslims seeking to abide by principles of the shar'ia should leave the country (Bowcott,

2006). According to one Muslim commentator this 'propensity to rhetoric has arguably helped to isolate and stereotype Muslims rather ... than understand, support and help them' (Birt, 2006: 4). What it also suggests is that the delivery of anti-discriminatory and equality policy on the basis of religion 'is in the hands of someone who has such little sympathy or liking for Muslims' (ibid.). While this may be a little strong, there certainly appears to be a dissonance between the head of the EHRC and Muslim communities on a number of key issues concerning the public recognition of Muslim identities, not least over the lack in desire for this new body to address issues of anti-Muslim discrimination. Indeed, some Muslim organisations were already pointing to a loss of confidence in the CRE specifically along these lines. This complaint was situated in a general picture of CRE operational withdrawal described by Cohen<sup>27</sup> and supported by former head of legal policy at the CRE, Razia Karim.<sup>28</sup> While the latter rationalises this withdrawal in terms of a broader CRE strategy, the former laments the practice as self-defeating. The view among some Muslim organisations that established equality bodies had proven ineffectual is not easily explained away by stressing operational imperatives, however, and there is evidence that Muslim bodies such as the Islamic Human Rights Commission (IHRC) are increasingly materially supporting cases where the claimant is not otherwise assisted. These are not, however, compelling reasons against amalgamating different equality commissions per se, as much as a critique of the dissonance between religious discrimination and race relations legislation; the latter being wider and stronger and so strengthens the hand of the Commission in protecting groups which fall under the 'racial' banner. A more specific and critical issue facing the Commission concerns that of a dilution in its enforcement powers, and it is worth quoting Claude Moraes MEP on this point:

[B]ecause of the nature of the political struggle which created equalities legislation and because those political struggles were at different stages, what a single equalities commission then does is dilute areas that were very strong ... you are no longer talking about any minority because you are putting gender, disability, age – *in fact I would suggest that today you are talking about the majority of the British population when you are talking about who is covered by the single equalities commission*. The people excluded are the minority that would be white male heterosexuals, if you are young of course, not old, which is a tiny group, or a small group.

(Interview).

The risks associated with de-emphasising historically disadvantaged minorities in institutionalising a more generic approach returns us to the earlier discussion surrounding Human Rights legislation. Yet these are met with some very important counter arguments in favour of amalgamating the different equality commissions. One is the long-held view that individual commissions are 'perceived to be too partisan' and that where there is 'a potential for that to be overcome' the opportunity should not be ignored (Lafleche, interview). This is particularly relevant to redressing the issue of multiple discrimination where a single equalities commission is not only able to arbitrate with greater even-handedness, but can pursue several issues of discrimination simultaneously. Moreover, fitting the enforcement of these strands together could perhaps deepen the public policy understanding of equality and non-discrimination, so that by drawing upon examples of 'best practice' from each commission, an amalgamated body might craft a better method of implementing and monitoring both the old and newly formulated anti-discrimination protections that have emerged from Article 13. Another argument in favour of a single commission concerns economies of scale and the use of limited funds in achieving the maximum impact in exactly the sort of ways Peter Herbert of the Society of Black Lawyers conceives that cutting-edge anti-discrimination litigation should proceed. While there is hope in the fact that Britain's complex anti-discrimination framework is under review, as discussed in the next section, there is no immediate prospect of a resolution to this, which means that in the meantime the status quo must prevail through an 'associated government machinery that is awkward, divided among different government departments and ministers' (Lovenduski, 2008: 4).

### **Single Equalities Act (SEA)**

While a draft legislative programme and consultations are presently underway, a Single Equalities Act may not be introduced until 2010, and the Runnymede director, Michelyne Lafleche, remains 'pessimistic' over whether it will ever be introduced and particularly over 'what negotiations will have to take place' – even if, in her view, 'this it is the only way we have to go' (interview). One method of approaching such an act is elaborated in the advocacy of equalities solicitor Robin Allen QC (2003: 8), and consists of taking the texts of the existing legislation and other provisions as the raw material with which to create a single more serviceable piece of legislation. This is characterised as a 'patchwork' approach which consists of three elements: (1) the choice of material,



(2) the care in construction and (3) the harmony achieved by the overall design. Taking each in turn, this would (1) materially include legislation summarised at the beginning by Squires, specifically the Equal Pay Act (1970), the Sex Discrimination Act (1975) and the Race Relations Act (1976); (2) in construction there would be a basic unity across definitions of discrimination including indirect discrimination and burdens of proof, so that (3) its design would be more comprehensible but not simply a compilation of a large number of discrimination rights without any added purpose, and in sum would develop

[a] simple and accessible code which will promote real equality, since otherwise equality law will be an easy target for the cynics and detractors and an unjustifiable burden on those who have to administer it. It must be flexible allowing for change as it happens ... and it must be universal else it cannot claim the title of a Single Equality Act.

(Allen, 2003: 15).

Genuine harmonisation, however, would entail extending protection from discrimination in goods, facilities and services to the grounds of age, sexual orientation and, of course, religion and belief. Indeed, full parity would require mapping the race, gender and disability equality duty, discussed earlier, onto each of the newer grounds. After grappling with these sorts of issues during two years of consultation and debate, the Discrimination Law Review's feed-back culminated in a Green Paper in June 2007 that provided the basis for a Single Equality Act but which was 'widely criticised as rowing back on existing provisions' (Spencer, 2008: 10) and is understood to have been discarded. Specific concerns focused upon the way in which such bill, if enacted, could 'permit regression ... without it appearing as regression' (Lafleche, interview), and which may only be realised through test cases by which time it would be very difficult to correct. This concern shares something with others, elaborated earlier, and which focus upon a potential dilution of powers in an amalgamated body. These are not universally shared concerns, however, and according to Klug, the arguments against a single equalities act 'are much weaker than the arguments that existed against a single commission. Its effectiveness will be a question of political will. There's no inevitability about losing focus because of a single Act' (interview). Moreover, while different equality strands continue to provide different levels of protection, it will compound Merali's sense of an equality hierarchy in which some groups are better protected

than others. There is thus optimism in Moraes' assessment that 'there is no need for anyone to be levelled down' (interview) and, indeed, the clear advantage rests in the prospect of 'levelling-up' equality protections. This, of course, requires both a political as well as legislative dimension that is dynamic enough to span civil society. In the interim, Merali's complaint perfectly captures the Muslim objection to how anti-discrimination legislation has both historically been conceived and how it currently operates to exclude Muslims, creating a hierarchy of protected identities in recognising the racism perpetrated against some religious minorities and not others.

## Implications

This chapter has argued that Muslims in Britain are the subjects of a dissonance in not being beneficiaries of anti-discrimination legislation – as Muslims – while remaining full recipients of its obligations. This impairs the sorts of civic status that Muslims enjoy and returns us to the Du Boisian characterisation set out in Chapter 2 and which describes the way in which minorities feel alienated and disenfranchised because they are sidelined in the legal structure of their society, remaining bound by the *requirements* but not experiencing the *rewards* of citizenship. It is argued that what is required is a principled operation of anti-discrimination legislation vis-à-vis Muslims which can distinguish between the right to religious freedom *and* the right to non-discrimination on the grounds of religion. For example, while the former is concerned with those who are committed to Islam as religious believers, the latter could be concerned with how discrimination against Muslims has the ability to pick out individuals on the basis of discernable characteristics, to assign individuals to a group, to give emphasis to those criteria that are used to stigmatise and that reflect pejorative or negative assumptions based on the individual's membership of that group. This chapter has argued that a more flexible approach should be adopted, one that draws upon factual evidence and gives weight to the self-perception of individuals and their communities about their own sources of identity. Such an approach might allow us to explore the social contingencies of a Muslim identity; its saliency and interaction with other sources of identity. Indeed, this chapter has shown how the efforts for Muslim inclusion perfectly illustrate the movement from a historically ascribed identity to a politically self-defined identity that contests Muslim-specific discrimination and Islamophobia. This movement is complemented by evidence that Muslim bodies such as the IHRC are increasingly materially supporting

cases where the claimant is not assisted by established bodies because the complaint concerns anti-Muslim discrimination. It is important to recognise that these arguments also contain discursive dimensions that are a central and not a minor feature. To explore what is meant by this, Chapter 7 examines the representation of Muslims in public and media commentary. This includes a discourse analysis of the salient themes through which this representation is proceeding and how Muslims themselves are responding to it.

# 7

## Muslims in Public and Media Discourse

We've often been in a very uneven playing field in the mainstream media, with the Tabloid press often rushing to air the most outlandish voices, the most radical voices at the expense of ordinary Muslims. Because these are often given huge publicity without a necessary context as to how on the fringe the radical groups are or what their numbers amount to compared to the mainstream Muslim view.

(Inayat Bunglawala, Interview, 21 May 2006)

The manner in which minorities are publicly represented is integral to Du Bois' account of double consciousness, as Chapter 2 illustrated through his discussion of the 'veil' and the construction of the *self*. That external narratives on minority identity impinge upon the sorts of consciousness minorities experience, is a concern captured in his protest that 'our worst side has been so shamelessly emphasised that we are denying that we ever had a worst side [so that] in all sorts of ways we are hemmed in' (1903: 127). This is why Du Bois encourages the cultivation of a positive public representation of minorities, so that they might transcend the 'peculiar sensation' that they are indeed 'a problem'. For these reasons public and media discourses can make an important contribution to the sorts of civic status that minorities experience. An inquiry, therefore, into these currents might contribute something meaningful to our specific concern with Muslim-consciousness in Britain. With this in mind, the purpose of the present chapter is to explore some of the ways in which Islam and Muslims are portrayed in public and media discourse, and how some British Muslims are responding by *representing themselves* through a proliferation of Muslim media sources.

It is worth noting at the outset that Islam and Muslims in Britain have only relatively recently achieved the sort of prominence accepted as a familiar reality today. In adopting a similar timeframe to that spelling out the emergence of Muslim-consciousness in previous chapters, Poole (2002: 3) describes how in recent years Muslims have moved from 'the margins of coverage in the British news media' and from being a 'distant object in the consciousness of the majority of the British people' to now forming 'an uncomfortable familiarity.' She continues, 'Islam is suddenly "recognizable" but it is the form in which Islam is known that is of concern here.' While the manner in which Islam might be recognised is various, for as discussed in Chapters 3 and 4 there are multiple ways in which Islam may be conceived, this chapter will examine salient negative discourses, so that we can examine how and in what ways the 'Muslim problem' rests or departs from what we know of British Muslim minorities as discussed hitherto.

## **Muslims and free speech**

Earlier chapters have discussed the issue of cultural racism and Islamophobia and the ways in which anti-Muslim discrimination is or is not recognised within current anti-discrimination formulae. As the Chapter 6 elaborated, one example touches upon the overlapping concerns of racial equality and religious discrimination which surrounded the introduction of Incitement to Religious Hatred legislation. Indeed, when the creation of this offence was first proposed in a 2001 Parliamentary Bill, it became subject to intense public and media debate, a factor which both advocates and opponents have cited as critical to the eventual introduction of much weaker legislation by Parliament.<sup>1</sup> One of the most striking features of this public and media commentary was the dissonance between Muslim groups who argued that the recourse to law was necessary at a time of increased objectification, intimidation and incitement to hatred, and the mainstream media which presented it as an example of Muslim incompatibility vis-à-vis British culture and tradition. For contrary to viewing it as an attempt to incorporate an unimpaired Muslim-consciousness into the public sphere, it was argued that Muslims were seeking to put their beliefs beyond scrutiny, something premised upon a hermeneutic separation of the involuntary and voluntary identities of race and religion. A further charge concerned the extent to which the government was thought to be compromising hard-won freedoms by cynically placating 'angry Muslims' who were dissatisfied with foreign policy. A third and dominant discourse characterised the proposed legislation as something sought by extremists

in their broader project of 'Islamising Britain'. Indeed, this last theme drew upon *and* overlapped with others surrounding 'Muslim and Islamic Terrorism' in the manner unpacked in the following sections.

## Race and religion are different phenomena

One of the key objections to the proposed incitement to religious hatred legislation was captured in the actor and comedian Rowan Atkinson's signature statement made throughout various incarnations of the bill: 'To criticise a person for their race is manifestly irrational and ridiculous but to criticise their religion, that is a right' (quoted in *The Liverpool Daily Post*, 7 December 2004). This is because '[t]here is an obvious difference between the behaviour of racist agitators ... and the activities of satirists and writers who may choose to make comedy or criticism of religious belief, practices or leaders, just as they do with politics. It is one of the reasons why we have free speech' (quoted in *The Sunday Times*, 4 December 2004). While there is little here that might have been prohibited through the proposed instruments, the operating assumption is that satire and critique – as opposed to incitement to hatred – would be quelled, while the possibility that the very same 'racist agitators' might use religion, as previously demonstrated, to incite hatred appears to have entirely escaped Atkinson's distinction. A cruder form of this logic was invoked by the commentator and liberal activist Joan Smith, who, writing in the centrist-libertarian *Independent* newspaper, argued, 'Race is a biological fact, and it is wrong to hate people because they belong to a particular ethnic group; religion is a set of ideas, voluntarily adopted, which may or may not be offensive to members of other faiths' (*Independent*, 8 December 2004). The conflation of the concept of ethnicity with that of race is particularly interesting in this quotation and is employed in a way which denies that either concept is socially constructed or in any way complex. Indeed, the uncritical recitation of racial biology in protestations that race and ethnicity are somehow concrete and inescapable facts which represent truly 'involuntary' identities, while religion is entirely socially constructed and voluntary, has been a common tendency among a range of commentators on the subject. For example, it is a device employed by the former Conservative MP and political sketch writer Matthew Parris who, in the liberal-conservative paper, *The Times*, argued that 'with race relations, the intention is to protect individuals, not ideas, from attack. The difficulty here is that (broadly speaking) race defines a human group, rather than an idea, so racial attacks are almost by their very nature hateful towards individuals and therefore easily criminalised. Religion, however, is essentially an idea, not

a group' (*The Times*, 11 December 2004). The view that this legislation fell outside the Racial Equality paradigm was most trenchantly put by Polly Toynbee, of the liberal-left *Guardian*, who argued that she reserved the 'right' to affront religious minorities on the basis of their faith:

[I]t is now illegal to describe an ethnic group as feeble-minded. But under this law I couldn't call Christian believers similarly intellectually challenged without risk of prosecution. *This crystallises the difference between racial and religious abuse. Race is something people cannot choose and it defines nothing about them as people. But beliefs are what people choose to identify with [...]* The two cannot be blurred into one – which is why the word Islamophobia is a nonsense.

(*Guardian*, 10 June 2005, emphasis added)

There are several implications to Toynbee's position that return us to the discussion of 'voluntary' and 'involuntary' identities set out in Chapters 3 and 4, and which can be elucidated by considering the following analogy. Suppose that a Jewish person could 'pass' for being non-Jewish. Where they might be subject to discrimination on the grounds of their Jewishness they should, according to Toynbee's logic, use this option so that they are (a) less *offensive* to others and (b) less *offended* by others. In other words, Toynbee's logic dictates that those subject to discrimination or hostility should choose, where possible, to change their identity in order to avoid discrimination. This, of course, invites the tyranny of the majority and contravenes every liberal conception of autonomy, freedom of conscience and expression which Toynbee herself seeks to uphold. Yet, such views are openly displayed in her discussion of Muslims; views that include her unrepentant statement that, 'I am an Islamophobe and proud of it' (*Independent*, 23 October 1997).

### **Designed to placate angry labour Muslims**

The discursive exclusion of Muslims from the Racial Equality paradigm runs parallel to accusations that the complaint of anti-discrimination is used politically by Muslims to seek concessions. For example, Michael Burleigh of the right-wing *Daily Telegraph* insists,

Those claiming to speak for the Muslim community have played to the traditional Left-wing imagination by conjuring up the myth of 'far-Right extremism'. In reality, evidence for 'Islamophobia' – as distinct from a justified fear of radical Islamist terrorism or a desire

to protect our freedoms, institutions and values from those who hold them in contempt – is anecdotal and slight.

(Burleigh, 9 December 2004)

The claim that the Labour government was only pursuing the legislation in order to protect votes may well have some truth in it, although, as previously catalogued, the offence was first proposed in the Anti-terrorism, Crime and Security Bill 2001, before the Iraq War. Whatever the underlying factors motivating the government, an acknowledgement of the political context in which the offence was initially introduced should not undermine the original argument in favour, nor the continuing requirement and legitimacy, of such legislation. To be sure, and as Chapter 6 clearly demonstrates, the remaining discrepancy in the level of protection and scope for redress continues to inform Muslim complaints of inequality. Nevertheless, and in agreement with Toynbee, Burleigh dismisses Islamophobia as a myth and rationalises hostility to Muslims on the grounds of self-preservation. He is supported in this view by Simon Heffer of the *Daily Mail*:

The result of this politically correct desire to pander to one small section of society will be that everyone will have their freedoms constrained. [...] Moreover-you can be sure that the law would not lead to the appearance of Muslim extremists in court for attacking the majority religion of Christianity. I cannot see why we should make their religion immune from our intellectual or humorous assault.

(11 December, 2004)

Heffer's friend (we) / enemy (they) distinction operates on the understanding that Muslims do not form part of the greater British constituency that shares with 'the majority religion of Christianity' a stake in the national space. These claims and rhetorical techniques perfectly illustrate the way in which Du Bois characterised the operation of the veil, in that the majority do not see anything other than their own mastery – defined in this case as being a religious majority – when they look upon Muslim minorities.

### **Extremists and freedom of speech**

The complaint that 'extremists and fundamentalists will be the ones to use this law, rather than mainstream groups' was also made by senior barrister Neil Addison. For example, he claimed, 'if a small Muslim group decides to bring a case against a Christian church in England, then everyone



who reads about the case will blame all Muslims for it. This kind of action would cause resentment, and divisiveness' (quoted in the *Lancashire Evening Post*, 22 November 2004). On one level, this was a very reasonable concern for the welfare of an already resented minority. On another it contributed to the view that

this new legislation is nothing to do with good race relations. It is solely based on the Government's eagerness to pander to Muslim fundamentalism, whose aggressive mentality treats even the mildest criticism as an outrage... No other religious group is demanding any change except the Muslims.

(McKinstry, 2005)

McKinstry's accusation that the proposed legislation constituted nothing less than a pandering to an aggressive Muslim mentality is a characterisation which was stretched further by Toby Young of the *Mail on Sunday*, who, invoking the Rushdie Affair, rationalised the present issue in terms of a continuing thread of 'fundamentalism', since 'they've been lobbying for a change in the law to make it illegal to attack the Islamic religion ever since Salmon Rushdie published *The Satanic Verses* in 1988' (12 December 2004). In not a dissimilar way, for Peter Hitchens, the proposed legislation threw into relief broader civilisational concerns, which conflated issues of difference with those of conquest. For, while 'the idea of Islamic Britain may seem highly unlikely now ... we should remember that Muslim armies came within an inch of taking Vienna in 1683 and were only driven from Spain in 1492' (*The Daily Mail*, 2 November 2003). Such racialized alarm is characteristic of a debate marked by a manifest misunderstanding of the issues, not least the idea that proposed legislation sought to protect a religion from critique. At times, the claims of these various commentators display a complete failure to interrogate the socially contingent aspects of racism and identity. Even more worryingly, much of the common sense argumentation in fact displays a much more malign characteristic in propagating the myth that Muslims have an enough influence and power to curtail freedom of speech with the broader aim of the Islamisation of Britain.

### **Importation or reference to European discourses**

To some extent this also reflects an importation of European discourses vis-à-vis the 'advanced' state of negative relations with Muslims on the Continent. For example, following the Danish newspaper *Jyllands-Posten's*

publication of cartoons 'satirising' the Prophet Mohammed, the ensuing fallout across Europe was clearly presented in some mainstream quarters of the British press as a European-wide 'clash of civilisations'. In this way Holland, for example, was referred to by one *Sunday Times* commentator as 'the canary in the mine':

Where Holland has gone, Britain and the rest of Europe are following. [...] Holland – with its disproportionately high Muslim population – is the canary in the mine. Its once open society is closing, and Europe is closing slowly behind it. It looks, from Holland, like the twilight of liberalism ... not least freedom of expression. All across Europe, debate on Islam is being stopped ... and in Britain the government seems intent on pushing through laws that would make truths about Islam and the conduct of its followers impossible to voice.

(Murray, 2006b)

While these characterisations were more prevalent in centre-right publications, the view that the cartoons formed part of a broader continental problem was not localised to the centre-right. For example, Bruce Anderson of the *Independent* argued that

[t]he cartoons did not create the tension. They merely highlighted it. They have forced Europe to face a problem which most political elites would rather ignore, although it will be one of the major questions of the next few decades: How are we to achieve peaceful coexistence with Islam?

(Anderson, 6 February 2006)

In more combative terms, the cartoons were described by the *Daly Mail* columnist Richard Littlejohn in a clash of civilisations rhetoric:

[T]he publication of a couple of cartoons in Denmark has absolutely nothing to do with freedom of speech. This is war. [...] In Holland, it was the murder of a Dutch filmmaker deemed guilty of showing insufficient respect to Islam. In Spain, it was the slaughter of hundreds of commuters in Madrid. In France, it is the routine desecration of Jewish graveyards and synagogues.

(Littlejohn, 2006)

These considerations, it is argued, are more advanced on the continent than they are in the UK because 'in Holland and Belgium, liberals have

woken up to the fact that Muslims and Islam are not their ally. What will it take before their equivalents do the same here?' (Hitchens, 2006, *Mail on Sunday*).

### **'Islamic Terrorism'**

It is arguable that the most incendiary and combative opposition to preventing hate speech directed at Muslims drew upon salient currents that couple Islam and violence through the category of the 'Islamic Terrorism'. This is an analytically unhelpful category, because terms such as 'terrorism', 'extremism', 'fundamentalism' and 'Islamism' tend to be highly contested and relational – and therefore demand qualification and contextualisation. This point is convincingly made in Denooux's (2002) argument that the term 'fundamentalism' is particularly misleading because of the connotations derived from its origins in early twentieth-century American Protestantism, and so is not easily applied to Islam and Muslims. Despite the problematic nature of the term, it remains the case that 'fundamentalism is made flesh by drawing upon examples of "Islamic Fundamentalism"' with the effect that 'Islamic fundamentalism has become a metaphor for fundamentalism in general' (Sayyid, 1997: 7–8). In reality, and as Chapter 4 discusses, the dividing line between such categories as 'extremists' and 'moderates' is not only context-specific, but also highly porous, constantly shifting and dependent upon subjective value-judgements (Modood and Ahmed, 2007). Nevertheless, it is increasingly common to find the portrayal of a seamless association between the two by taking 'an image and set of terms [to] provide a basic model which can be deployed again and again as the organising theme in a cumulative shaping of social perception' (Trew, 1979: 142). This is an example of what Jackson (2007) has called a culturally embedded 'hard' discourse because so many other assumptions compound and reinforce it. One of these is that since Muslims and 'Islamic terrorists' are products of a fanatical strain of Islam, the violence that is committed by Muslims 'evolves out of something inherent in the religion, rendering any Muslim a potential terrorist' (Poole, 2002: 4). While some scholars go to great lengths to argue that most Muslims consider violence and terrorism to be an egregious violation of their religion (see Haliday, 2003: 107), at the level of public discourse, attempts to decouple this view are often dismissed as oversensitive. Thus Tony Blair could insist that

[t]here is a new and virulent form of ideology associated with a minority of our Muslim community... let us not be foolish, in our

desire not to cause offence... it's daft to deny the fact that they justify their extremism by reference to religious belief.

(Blair, 8 December 2006).<sup>2</sup>

One of the arguments that this has given rise to is that 'moderate' Muslims must take the lead in fighting the extremism that underpins this 'Islamic terrorism'. For example, Baran (2005: 84) argues that a central counter-terrorism task is 'to find ways of helping moderates win the theological and ideological civil war currently taking place within the Muslim world' (see also Haqqani, 2003). Similarly, when the former Foreign Secretary Margaret Becket asked Muslims in Britain 'to stand up to extremists' (quoted in *The Guardian*, 9 November 2006), or when another former government Minister, Patricia Hewitt, stated that Muslims 'in positions of responsibility and leadership need to stand up against the propaganda and against the perverted form of extremist Islam that a dangerous minority in the Muslim community wants to impose' (quoted in the *New Statesman*, 25 July 2005), they were rehearsing the views expressed by a range of other senior ministers.<sup>3</sup> And one recent illustration of the porous nature of these dividing lines emerged in the news that that government was considering plans, in a draft of the strategy of Contest 2, to define Muslim organisations 'extremists' (and therefore disqualify them from state funding) if they either advocated a pan-Islamic state encompassing many countries, promoted Shar'ia law, believed in jihad, insisted that homosexuality is a sin or failed to condemn the killing of British soldiers abroad (Dodd, 2009).

## Divides loyalties

One of the most striking features of the public discussion surrounding Muslims in Britain since 9/11 is the extent to which it is marked by a concern over dual and divided loyalties and, even more so since 7/7, public perceptions of the threat posed from Muslim disloyalty, a fear that frames and reduces complex choices to binary options. This is affectively illustrated in the following readers' letters:

Muslim soldiers have expressed their reluctance to fight in Iraq as they may kill fellow Muslims. The old question for these Muslims has become: who is sovereign: Queen (the State) or Mohamed? Unfortunately those who perpetrated the 7/7 bombings clearly gave their answer to that question.

(Letters, *Independent*, June 10 2006)

Muslim fundamentalists feel no loyalty to Britain and the values of democratic and peaceful debate, because they adhere to an ideology which does not see any value in Britishness.

(Letters, *Times*, 9 June 2006)

Elsewhere in the press, and throughout the discussion of how such problems will endure, British Muslim leadership is accused of appeasing such militant views

If foreign extremists are a major problem so, alas, are a minority of British-born Muslims who place religious fanaticism above any notion of loyalty to their country. In such circumstances one would hope for wise leadership within the Muslim community. Instead, the supposedly 'moderate' Sir Iqbal Sacranie pops up to say that the July 7 attacks would not have happened if we had not gone to war in Iraq. What will be the reason given for the next attack; that we are too pro-Israeli, or too tough on Iran. This will not do. Those who feel blind loyalty to Islam and none whatever to Britain should go and live in an Islamic country and leave the rest of us in peace.

(Leader, *Daily Express*, 3 June 2006)

At first sight it may seem that there is little mileage in searching for a comparator to this problematisation of British Muslim allegiances, in the way some comparisons could be made in the examination of Muslim mobilisations for Muslim schools or anti-discrimination legislation. However, if one moves away from the contemporary specificity and focuses upon processes of racialisation, a possible analogy reveals itself. This can be found in the way in which British Jews at around the turn of the century were associated with anarchism and Bolshevism.<sup>4</sup> More specifically, an analogy turns on the following poles according to which a religious minority is characterised as a potential threat: Jews/Anarchist Bolsheviks; Muslims/Islamic Terrorists. It is worth remembering, for example, that from the 1860s onwards there were a number of Anarchist uprisings and bombings throughout Europe, and London soon became a refuge for some of those involved in these movements. While most anarchists were peaceful, a tiny minority resorted to violent attacks such as the bombing of Greenwich Observatory in 1894 – described at the time as an 'international terrorist outrage' because anarchist violence was an international phenomenon:

In Europe it claimed hundreds of lives, including those of several heads of government, and resulted in anti-terrorism laws. In the siege of Sidney Street in London in 1911, police and troops confronted east European Jewish anarchists. This violent confrontation in the heart of London created a racialised moral panic in which the whole Jewish community was stigmatised. It was claimed that London was 'seething' with violent aliens, and the British establishment was said to be 'in a state of denial'.

(Malik, 2007).

Long before the 'Londonistan' (Phillips, 2006) thesis characterised the capital city as a hot-bed of 'Islamic terrorists', it was East End Jews who were said to pose an inassimilable threat. The *Evening News* (22 May 1891), for example, stated that '[t]he advance of Socialistic and anarchical opinion in London is commensurate with the increased volume of foreign immigration'. Areas in which relatively high numbers of Jews settled in the East End of London were referred to as 'colonies', apparently 'swarming with socialists and Anarchists of every type and almost invariably a Jewish immigrant' (ibid., quoted in Holmes, 1979). During conscription at the time of the First World War, Jews were unwilling to align themselves with a Czarist Russia that had been responsible for the pogroms. Yet, at the same time, public discourses were widely presenting Russian socialism as the ideology of 'the Jews'. As Holmes (1979: 208) recounts,

In common with the Britons, a central stress was placed upon Britain and the British Empire as the repositories of Christian civilisation and it was this system which was believed to be under attack from Jewish influences ... while the expression of this fear varied to some extent according to the writer, it was often linked to Jewish involvement with Bolshevism. The course of such discussions – which like any other form of socialism was regarded as an alien creed – could be described as nothing less than an attempt to gain world primacy in line with the prophecies contained in *The Protocols*.

In the words of S. H. Jeyes, nearly all Jews were 'politically unfit to be suddenly transplanted into those democratic institutions for which we have adapted ourselves by a long course of self-governing liberty' (quoted in Garrard, 1971: 53). Furthermore, Jews were also characterised as preying upon freedom of speech and other liberties in the manner

Muslims are characterised to above. Indeed the connection with the contemporary representation of a clash of civilisations seems striking. Connolly (2005: 6) makes precisely this point:

The cold war generated McCarthyism as an extreme response to threats that the Soviet Union posed to Christian faith and capitalism together. The terrorism of Al Qaeda, in turn generates new fears and hostilities, and priorities. The McCarthyism of our day, if it arrives, will connect internal state security to an exclusionary version of the Judeo-Christian tradition.

Such discursive linkages were evident during and after 1917 as the Civil War in Russia pitched Bolshevik and British interests against one another. Under the ownership of Lord Northcliffe, *The Times* was implicated in this discourse by, among other things, underpinning its critique of communism with reference to a 'Jewish-Bolshevik' conspiracy. What is of most interest here is the intentional use of religious references and the conflation between religion and terrorism. For example, the projection of a Jewish vengeance via Bolshevism informed *The Times'* accusation that those who supported peace with the Bolsheviks at the Paris peace conference of 1919 were doing so *because* they were Jewish. This campaign culminated in the publication of *The Protocols of the Elders of Zion* by *The Times* alongside an article titled 'The Jewish Peril' (8 May 1920, reproduced in Kaddish, 1992: 31).

It is helpful to compare past similarities to current public and media discourse which assimilates the threat of terror with anti-Muslim sentiment, in the way that Jews became the common denominator in anti-Bolshevism and anti-Semitism. The fact that such similar trends are visible in the anti-Semitism of the early twentieth century and the explicit anti-Muslim sentiments in circulation now, suggest that the distinctions between 'racial' and religious categories are less impervious than current formulations of civil and criminal legislation allows. Indeed, it is a recognition of this claim that has facilitated certain protections for Jewish minorities in the past. However, as Chapter 6 discussed, this recognition has not yet been expanded to afford Muslim minorities today the same level of protection.

### **Inassimilable and problematic**

This last point might be drawn out further by considering the ways in which current conceptions of Muslim cultural dysfunction are presented

as explanations for what is described as 'Islamic terrorism'. Indeed, some commentators have argued that Muslims are inherently problematical because they are incapable of making certain transcultural changes:

When a generation of Lenny Henry and Meera Syals made it possible to invite others to laugh with them about their own communities, those communities entered into the canon of Britishness. [...] ... the most dangerous divide now is in culture – and that means Muslim. British Muslims arrested last week as terror suspects had families as British as Meera Syal's – yet culturally they inhabit another universe. (Toynbee, 7 April 2004, *The Guardian*)

While, as discussed in Chapter 4, Werbner (2004) draws a nuanced distinction between anglicised and religious South-Asian diasporas, *The Guardian* columnist, Polly Toynbee, presents Muslims as particularly problematic because they cannot ridicule themselves, and this denies them entry 'into the canon of Britishness'. In considering this claim, we should be careful not to mistake the acceptance of minority cultural expressions by a mainstream orthodoxy as being the sole yard-stick of minority integration, particularly since the cultural specificities of one minority identity might not be commodified or consumed in the same way as another. This returns us to the different types of multiculturalism discussed in Chapter 1, and by reflecting on these different concepts, we can see that Toynbee is confusing the issue of how certain forms of difference may or might not lend themselves to synthesis, with the separate issue of whether certain forms of difference are exclusionary by their own logic *rather than circumstance* (i.e., in the face of majority contempt). As a form of pathologising, this represents one of the key techniques within rhetorical argumentation strategies that present a series of general assumptions about Muslim communities in a way that belies any variation within this group. Without any regard for the contingent and ever-renegotiated nature of Britishness, Toynbee disqualifies British Muslims from it. It is a tendency she shares with Charles Moore who, in the following extract, subscribes to an equally revealing fatalism:

Once there are Islamic financial institutions, how long will it be before Muslims insist that the state and business direct all their monetary dealings with Muslims through these institutions (boycotting businesses with Jewish connections en route)? How long before Muslims, extending the logic of their concentration in places like



Bradford and Leicester, seek to establish their own law within these areas, the germ of a state within a state? And how diverse would such a state be?

(21 August 2004, *The Daily Telegraph*).

Moore emphasises an extreme possibility of many potential outcomes and Holmes (1979: 20) has suggested that similar techniques were used to suggest Jewish communities desired self-segregation and were attempting to achieve these subversive ends through the malign exercise of Jewish social, political and financial power. This was particularly true of the newer Jewish immigrants who were attributed a degree of inflexibility derived from their orthodoxy. The practice of working on Sundays, for example, was presented as un-English (Gartner, 1973: 52), and the ensuing opposition often reflected a rank and file anti-Semitism evidenced in the words of union leader Ben Tillet, in the official Independent Labour Party (ILP) paper *Labour Leader*:

If getting on is the most desirable thing in this earth then the Jew, as the most consistent and determined money grabber we know is worthy of the greatest respect. That his money grabbing is not universally respected only proves that the bulk of civilised nations, even now, do not believe in the commercialistic idea of clean hands and blood-stained money.

(19 December 1894, quoted in Cohen, 1985: 76)

In the present context, the unwillingness to uncritically conform to secular liberal values is equally salient and is being construed as the greatest obstacle facing Muslim integration. In both cases there emerges a tendency towards malign exaggeration of religious and cultural customs, which is far from the reality of these groups' actual social, economic and political power. For example, both numerically and in terms of social, political and economic power, Jewish East-Enders were, for all intents and purposes, powerless. Yet, they were portrayed as exerting enough power to be able to carve out a 'new Jerusalem' on British soil. Similarly, the topic of Muslims and Islamic law, or Shar'ia, is often used to manufacture a threat. As Richard Littlejohn of the *Daily Mail* bemoans,

There must be no more concessions, no special treatment, no more apologies for perceived slights for which we are not responsible. Otherwise where does it end? Will we all have to give up alcohol, will

all women have to wear the jilbab, will Britain become a place where everything stops for prayers, simply to satisfy Muslim sensibilities?

(10 February 2006)

A good illustration of this tendency may be found in the incredibly sensationalist reportage of the Policy Exchange's (2007) notorious report on Muslim social attitudes – 'Living Apart Together'. This generated an avalanche of alarming headlines from broadsheets and tabloids across the political spectrum. *The Sun* told its readers that 'Islam kids "reject UK"' while the normally fair-minded *Independent* uncritically adopted Policy Exchange's official line in reporting that 'Young Muslims are "more militant"'. The *Daily Mail* went further in characterising Muslim youth as 'A Generation of Outsiders' while *The Daily Telegraph* rounded it up by reporting that '40% want Shar'ia law in Britain'. One of the astonishing tendencies displayed throughout this reportage was an uncritical acceptance of the findings from a think-tank that has an explicit political agenda. Michael Gove, the Conservative MP and author of the book *Celsius 7/7 – How the West's Policy of Appeasement Has Provoked Fundamentalist Terror and What Has to Be Done Now*, is a founding chairperson; Charles Moore is another key figure; and the report's lead author, Munira Mirza, is a long time critic of Muslim identity politics and race equality. The report itself confirmed that younger Muslims are more religiously observant than their parents. Thus 37 per cent of their sample of 16–24-year olds would like to see more aspects of Shar'ia law in Britain, and that this is roughly twice as many as a sample their parents' age. Yet it is arguable that the vast majority of people who describe themselves as Muslim in Britain already subscribe to Shar'ia by fasting during *Ramadan*, eating *Halal* food, donating to charity, observing prayers, celebrating *Eid* and so forth. While there are undoubtedly aspects of Shar'ia that sanction capital punishment, these form only very small part of a vast corpus and are no less subject to debate than those non-Shar'ia practices of capital punishment currently exercised in some liberal democracies. But these qualifications were omitted in both the report's analysis as well as the press coverage which characterised British Muslims who aspire towards some Shar'ia as medieval (indeed the *Daily Star* took its readers back a million years to the paleolithic era with the headline: 'Brit Muslims Want The Stone Age'). This is comparable to denouncing British Christians for believing in the Resurrection and demanding that British Jews abandon the Talmud, and it is arguable that such hyperbole is capable of fuelling moral panics that do more to distort and reify concerns over minority groups than to precipitate

solutions, particularly when materially ungrounded claims concerning the disastrous aspirations of minorities are consistently articulated as self-evident truths. In another example of how Muslims and Islam have been characterised as anti-modern and antipathetic to democratic and human rights. Will Hutton, for example, writing in *The Observer*, argues that

Islam is predominantly sexist and pre-Enlightenment and that is the core of the problem both within the Islamic world and in its relationship with the West. Thus, the West has to object to Islamic sexism whether arranged marriage, headscarves, limiting career options or the more extreme manifestations, female circumcision and stoning women for adultery.

(11 January 2004)

Hutton's argumentation strategy opens with a sentence which functions to simultaneously assume and conclude that Islam and 'Islamic practices' are predominantly 'pre-Enlightenment'. The result of this understanding becomes apparent when seeking to explain 'Islam's relationship with the West'. The latter is counterpoised as a corrective to pre-Enlightenment exemplars of 'Islamic sexism', practices deemed to cause the problematic nature of Islam's incapacity to relate to a non-sexist, egalitarian West. So for 'West', read 'modern'. With this in mind, Muslim contributions to British society should be restricted because what Muslim men do to Muslim women is both symptomatic of broader 'Islamic practices' and is antipathetic to 'our' beliefs. A combative response is, then, required since 'their own cultural context' is evidently unable to renew itself without a civilising hand. Such a process necessarily begins by shoring up 'our' own values and positions all Muslim practices in conflict with liberal freedoms. It is only a short step from this to Simon Jenkins (2006) of the *Sunday Times*' assessment that wearing of the veil amounts to 'an assertion of cultural separateness' since 'to a westerner such conversation is rude. If Muslim women, and it is a tiny number, cannot understand this, it is reasonable to ask why they want to live in Britain' (Ibid.) Britishness, then, is derivative of something tied up with Western cultural sensitivities and psychologies and, moreover, presented as a take-it or leave-it affiliation with little room for contestation nor revision.

### **The emergence of a British Muslim press**

The sorts of tendencies displayed in the mainstream press coverage of Islam and British Muslims, specifically the propensity for

mischaracterisation and negative generalisation, have informed the creation of alternative Muslim media sources which set out to reflect 'the Muslim or Islamic identity of both its producers and readers' and offer a perspective 'more aware of and sympathetic to Muslims' (Ahmed, 2005: 111). Publications such as *The Muslim News*, *Q-News*, *Crescent International*, *Impact International* and *Trends*; media committees at the MCB and FAIR; and radio stations such as *Radio Ummah* and *Radio Ramadan* have increasingly mobilised alternative views to those surveyed above. As Inayat Bunglawala of the MCB puts it,

We've often been in a very uneven playing field in the mainstream media, with the Tabloid press often rushing to air the most outlandish voices, the most radical voices at the expense of ordinary Muslims. Because these are often given huge publicity without a necessary context as to how on the fringe the radical groups are or what their numbers amount to compared to the mainstream Muslim view. So in the end the MCB try to counteract that unfair portrayal of the British-Muslim community at the same time as being the focus of it ourselves!

(Interview)

The content and outlook of each of these media committees and news sources is inevitably informed by the background of the source itself, including the ideological or political stance of its editors and journalists. This is also determined by whether the aim is to provide a current affairs source of information or one more concerned with addressing social and cultural issues. For example, most Muslim media press publications advertise 'Muslim relevant' events and activities; publicise charity appeals and often include book reviews. There are clear differences, however, between some publications, so it is important not to amalgamate the various types of publications into a singular genre. For example, *The Invitation* offers an accessible account of current affairs, while others, such as *Q-News*, attach much more emphasis to the impact of British and international politics on Muslims in Britain. The latter was created as a fortnightly tabloid publication, before it evolved into its current, monthly magazine format under the present editorship of Fareena Alam. It describes itself as

Britain's leading Muslim magazine, providing independent analysis, critique and review of politics, culture and ideas. We are read by second and third generation British Muslims, parliamentarians, policy

makers and educators. A third of our readership are not Muslim giving us unique place in the market as a publication which communicates the rich Muslim experience to a diverse audience. The philosophy of *Q-News* is a combination of style, appeal and relevance to the Muslim community living in the west and around the world. Over the years, *Q-News* has repeatedly set the agenda, rather than react to it. Our chief interest lies in the development of a unique and relevant Western Muslim discourse.<sup>5</sup>

In these terms of encouraging a 'Western Muslim discourse', Fareena Alam has herself described the issues that most concerned her before taking editorial control:

I was struggling with questions of who do I want to be: a Muslim journalist or a journalist who happens to be Muslim? Islam has an incredible capacity to develop distinct cultural forms and expression while maintaining its universal principles ... I want British Islam to reflect the best of my – and others' – faith and citizenship.<sup>6</sup>

While such publications are a fairly recent emergence, they convey a clear desire to move beyond solely Muslim audiences, with the editor of *Impact International* describing his belief that 'in the course of time, the Muslim media are also going to be part of the mainstream' (quoted in Ahmed, 2005: 112). Another publication, the *Muslim News*, epitomises this conviction in its determination to reach out beyond its constituency of Muslim readers, while at the same time taking pride in its role in elevating and accentuating British Muslim-consciousness. It states that 'the Muslim News has been one of the pioneers of recognising the Muslim community as a diverse faith group with a common British Muslim identity'.<sup>7</sup> Part of this process has been mediated by a remit in which the Muslim News 'reports on what the non-Muslim media does not report' (ibid.). It insists, for example, that 'in its 15 years of publication, it has exposed media establishments institutionalised Islamophobia on various issues – politics, education, employment and religion' (ibid.). A more recent and perhaps broader development takes the Muslim News' concerns and distils them through a movement named ENGAGE.<sup>8</sup> This news collective is geared towards enhancing the active engagement of British Muslim communities in the fields of politics and the media through such means as running seminars for Muslims on how to engage productively with the media by furnishing Muslim audiences with the means to effectively respond to derogatory

and inflammatory news stories. It also organises forums for journalists to interact with local Muslim communities ensuring greater access to the Muslim grass roots. Moreover, it highlights the work of journalists and other public figures promoting anti-Muslim sentiment, and was instrumental in highlighting the fabrications surrounding a *Sun* news story claiming that British Muslims had drawn up a list of prominent British Jews to attack in retaliation for the recent Israeli destruction of Gaza. As it transpires, the Press Complaints Commission (PCC) are presently investigating the extent to which the *Sun's* 'anti-terror expert' created the initial story by posting anti-Semitic comments on a Muslim website, using a pseudonym and proposing that a hit list of Jews should be drawn up.

## Implications

This chapter examined public and media discourse on Muslims in Britain. Taking its cue from Du Bois' concern with the public construction of the *self*, it has argued that negative public and media discourses can impair how Muslims see themselves. By exploring some of the ways in which Islam and Muslims are portrayed across salient axes – and comparatively in relation to some other groups – we can discern how the public construction of British Muslims can include the use of categorical assumptions about a whole group (even though such assumptions are often based either on no evidence at all, or the actions or words of very small groups or individuals). These claims, therefore, make no allowances for the variation and divergences evident in almost all social groups, and often make assumptions that religious orthodoxy is derived from the fact of difference itself, specifically with respect to the view that an adherence to (non-Christian) religious law is itself a barrier to being British. Importantly, there are evident assumptions about dual loyalties and an adherence to dysfunctional cultural practices, in the face of what are assumed to be uncontested social norms. It has been argued that this has informed a Muslim-consciousness in which Muslims are increasingly seeking to represent themselves through a proliferation of Muslim media sources. These Muslim media sources have simultaneously sought to pluralise the mainstream in reaching beyond Muslim audiences.

# 8

## Towards a Synthesised Muslim-Consciousness

In their authoritative survey of social attitudes towards ‘belonging’ in Britain, analysed according to religious groupings, Heath and Roberts (2008: 14) make the interesting finding that while Christians tend to report the ‘strongest sense of belonging’ to Britain, Muslims are considerably more likely than any other religious group to report belonging ‘fairly strongly’ to Britain. While the authors report a small variation between Muslims born in Britain and those who migrated to Britain, Muslims are no more likely than their Christian counterparts to insist that they ‘do not belong’ to Britain, and much less likely than those with no religion at all. This is an interesting finding because it implies a steadfast but qualified confidence within the self-identifications of British Muslims in a manner that goes to the heart of this book. This is because the discussion throughout the preceding chapters has explored how an emergent Muslim-consciousness connects to the sorts of civic status that Muslims in Britain are *seeking* compared to that they are *presently afforded*, and how accounts of minority consciousness gleaned from the work of W. E. B. Du Bois can elucidate our understanding of this phenomena.

These questions have necessarily included reference to the types of civic status that have prevailed for other minorities under the terms of a peculiarly incremental, and often precedent-based, British multicultural tradition. This is a tradition that is metaphorically counterpoised – in Roy Jenkins’ famous words – to ‘a flattening process of assimilation’ that has established expectations of equal treatment derived from the actual process of managing diversity rather than a substantive assumption of sameness. These issues were theoretically set out and then empirically pursued in the earlier chapters. In this way the book has insisted that

a focus upon Muslim-consciousness, alongside a consideration of the ways in which this consciousness is understood politically and discursively, not least through public and media commentary, allows us to capture an interaction between agency and structure and enables us to observe the operation of at least two types of consciousness: one that exists *in* itself and one that exists *for* itself.

This distinction has been retrieved from the work of W. E. B. Du Bois who, unlike Hegel, recognised the manner in which coercion could be a partner or competitor in processes of inter-subjective recognition, and more so than some later advocates of difference, diversity and recognition. More specifically, it is argued that Du Bois' work demonstrates how and why majority interactions impact upon the kinds of minority consciousness that can emerge and develop. Indeed, it was argued that Du Bois' ideas prove invaluable in capturing the dual character of unrecognised minority subjectivities and their transformative potential, as well as the conditions of impaired civic status that are sometimes allocated to minorities by mainstream society. In Chapters 5 and 6 these distinctions were adopted in the conceptualisation of Muslim mobilisations-as-consciousness as witnessed in educational claims-making and anti-discrimination through the *explicit* projection of Muslim group identities examined in Chapters 3 and 4. To facilitate an explanation of these developments Chapters 3 and 4 mapped the movement from a historically ascribed identity towards a politically self-constructed identity – as the emergence of a self-consciousness for *itself* – by tracing the adoption and projection of the Muslim identities embodied within this movement. Through a focus upon their form, their content and how they might be contrasted with other minority identity mobilisations within the British political context, these chapters illustrate how Muslim identities have ascended through, and sometimes in opposition to, British race and ethnicity thinking. The implications of this became paramount in the ensuing chapters, and from which at least four main types of Muslim-consciousness may be deciphered. While in truth there is overlap and interaction between each kind, it is argued that enough consistency exists in their form and content to delineate the following four tendencies. It may appear repetitive to re-state this but these tendencies are taken to reflect the Du Bosian characterisation of the development of a minority consciousness from being *in* itself (as 'impaired' and 'reactive') to a minority consciousness that is *for* itself (as 'pragmatic' and potentially 'synthesized').



## Impaired Muslim-consciousness

The manner in which minorities are publicly represented is integral to Du Bois' account of double-consciousness, as elaborated through his discussion of the *veil* and the construction of the *self*. That external narratives on minority identity impinge upon the sorts of consciousness minorities develop for themselves is a view captured in his protest that 'our worst side has been so shamelessly *emphasised* that we are denying that we ever had a worst side [so that] in all sorts of ways we are hemmed in' (Du Bois, 1999 [1903]: 127). This is why he encourages the cultivation of a positive public representation of minorities, so that they can transcend the 'peculiar sensation' that they are indeed 'a problem'. For these reasons, Chapter 7 argued that the onslaught of derogatory public and media discourses concerning British Muslims can impair how Muslims see themselves. These surround four tendencies<sup>1</sup> including, firstly, a conceptualisation of racism which assumes that the protections afforded to conventionally, involuntarily, conceived racial minorities should not be extended to Muslims because theirs is a religious identity that is voluntarily chosen. One salient, discursive, trope germane to this view laments Muslim minorities for the adoption of a 'victim mentality'. Secondly, and while religion *per se* is frowned upon among contemporary intelligentsia, Muslims in particular are identified as ripe for ridicule as part of a healthy intellectual debate in a way that obscures their experiences of discrimination. This is related to how, thirdly, while, ethnic identities are welcomed in the public space, there is much more unease about religion. This can mean that some commentators, who may otherwise sympathise with Muslim minorities, argue that it is difficult to view Muslims as victims when they may themselves be potential oppressors. Finally, it is clear that Muslims are perceived to be a disloyal minority associated with terrorism, a view that leads to a perception of Muslims as a threat rather than as a disadvantaged minority, subject to increasingly pernicious discourses of racialisation.

## Reactive Muslim-consciousness

In an example of a *reactive* Muslim-consciousness, the experience of hostile media has informed the increasing tendency for Muslims to represent themselves through a proliferation of Muslim media sources that are seeking to provide alternative perspectives from, and thereby pluralise, the mainstream. The development of this kind of consciousness was

also traced to Muslim mobilisations in the arena of anti-discrimination formulae, discussed in Chapter 6, and which, alongside education, are considered to be a cornerstone of the sorts of British multicultural citizenship (and the civic status this confers) surveyed in Chapter 1. By applying the discussion of cultural racism and Islamophobia elaborated in Chapter 4, it examined the ways in which these racisms are, or are not, recognised within current anti-discrimination protections. This proceeded through a genealogy of anti-discrimination legislation to show how we have reached where we are, to what extent the current situation works differently for different groups and where Muslims are positioned within this. It was argued that, in rejecting a normative grammar of race through an acceptance that legal categories of race and ethnicity must not be foreclosed to the complexities of social contingencies (including periods of Muslim racialisation), how a coherent argument for Muslim inclusion under existing anti-discrimination formulae could be made.

### **Pragmatic Muslim-consciousness**

The finding that chronically under-funded Muslim bodies, such as the Islamic Human Rights Commission (IHRC), are increasingly materially supporting cases where the claimant is not assisted by established bodies because the complaint concerns anti-Muslim discrimination, is illustrative of the ways in which a Muslim-consciousness *for itself* is emerging to engage and challenge established policy orthodoxies. Chapter 5 elaborated this further by examining the relationship between Muslim-consciousness and Muslim mobilisations for Muslim schools in an attempt to problematise an increasingly salient articulation of Muslim identity. Due to the significant interaction that is required between Muslim parents, Muslim educators, local education authorities and the appropriate departments of government in the creation, operation and monitoring of Muslim schools, this was an ideal case through which to examine the emergence and meaning of a pragmatic Muslim-consciousness. The inquiry focused upon priorities within and among British Muslim communities themselves but also considered the way that these have been understood at an official level. It concluded that the impulse for Muslim schools is located squarely in the Du Boisian tradition set out in Chapter 2, and that an incorporation and reflection of Muslim-consciousness in education can prevent Muslim-consciousness from turning inwards, by instead striving outwards in synthesis as a meaningful and reciprocal British Muslim identity.

## **Synthesized Muslim-consciousness**

A potential fourth type of contemporary Muslim-consciousness may be described as a synthesised or hyphenated identity. As Chapter 2 outlined, Du Bois' discussion of different sets of 'strivings' are quite distinct from the potentially debilitating effects an impaired Muslim-consciousness and the type of double consciousness that this gives rise to. This is because such 'strivings' describe a resource that lend themselves to synthesis. In drawing upon Hegelian phenomenology, it could be argued that Du Bois concluded that the fate and consciousness of different parties within a polity would necessarily become *interdependent*, or inextricably linked, in a process that meant they would effectively have to 'sink or swim' together. Similarly, one of the conclusions of this book is that a similar predicament currently faces British Muslims and society. At what point, if at all, will the emergence of a Muslim-consciousness be recognised as a legitimate constituent in British citizenship? And at what cost will Muslim constituencies be denied a participatory space in the form of provisions for Muslim schooling, discrimination legislation and non-derogatory representation in mainstream public and media discourses? Through the examples elaborated in this book, it is evident that there is a movement for some sort of synthesis by Muslims themselves. Britain boasts a public sphere that has historically included and incorporated other religious minorities. The questions with which it is currently wrestling concern the extent to which it can accommodate Muslims in a manner that will allow them to reconcile their faith commitments with their citizenship requirements.

## **The new research agenda of 'Radical Muslim-consciousness'**

This book has almost entirely focused upon mainstream Muslim communities seeking inclusion and representation within the public sphere, an inquiry that has proceeded through an explicit concern with the domestic, and not international, agendas. Having established this, it is important to recognise the ways in which newer political issues are shaping social science research and public policy agendas vis-à-vis British Muslims. One example concerns the way in which there currently appears to be a reorientation in the interest in Muslim-consciousness, a shift that is focused through a securitised lens that is no longer limited to the domestic agenda.

It is therefore appropriate to conclude this book by commenting on the content of this shift, and a potentially illustrative example of the

current reorientation can be found in Ed Hussain's (2007) account, discussed in chapter four – *The Islamist: Why I Joined Radical Islam in Britain, What I Saw Inside and Why I Left*. Hussain's biographically led arguments concern the nature of some Muslim identities, specifically their alleged 'radical' (anti-Western) and ambitious (proselytising) content. It is a portrayal of a Muslim-consciousness that has been warmly received by many non-Muslim commentators,<sup>2</sup> and suggests that an inquiry into 'radical Islam' will form part of any contemporary or emerging research agenda on Muslims in Britain. To date, however, and while several intentionally unscholarly/polemical accounts titled *Celsius 7/7* and *Londonistan: How Britain Created a Terror State Within*, by the Conservative politician Michael Gove (2006) and rightwing columnist Melanie Phillips (2006) respectively, have received much attention in public and media discourse, it remains the case that there is very little credible academic research that explores organisations such as *Hizb-ut-Tahrir* and the other fringe movements that Hussain chronicles in his account (see Hamid, 2007 for a brief but excellent exception). Nevertheless, several recent interventions from civil society, specifically the Conservative think-tank Policy Exchange and neo-Conservative Centre for Social Cohesion, testify to the interest in the emergence of 'radical Muslim-consciousness' as a contemporary research agenda, as well as the problematic nature of such inquiry.

For example, a widely circulated report titled '*Living Apart Together*' from the Policy Exchange (2007: 32) has legitimised a view that a 'radical Muslim-consciousness' has emerged from 'a deeper yearning' for identity held among 'many British Muslims'. According to the report's authors, this is because 'older forms of political and national identity have come under attack or have diminished'. That means, the authors contend, that the growth of 'Islamism in the UK over the past two decades has been encouraged by ... official policies'.<sup>3</sup> Among the policies lamented by the authors include those that have facilitated the move to devolved or regional assemblies, alongside anti-racist education programmes, equal opportunities legislation, ethnic monitoring and so forth, with little clear rationale or distinction to support their assertions. Such analyses promote deterministic accounts that obscure the ways in which the recognition of Muslim identity can provide an important means of preventing and alleviating extremism. This is because the public affirmation of a synthesised Muslim-consciousness, one that has access to equitable provisions of education, protection from discrimination and fair representation, can prevent and overcome the kinds of alienation that lends itself of violent extremism. It is

the argument of this book that this outcome is not only plausible but desirable, and some of the most convincing and nuanced research that is emerging on 'radical Muslim-consciousness' supports this. For example, in his interim submission to the Department for Communities and Local Governments (DfLG), entitled *The Role of Muslim Identity Politics in Radicalisation (a study in progress)*, Tufayal Choudhury (2007: 21–2) sets out a five-point summary. This incorporates both the individualistic and social-psychological concerns pertaining to the emergence of a radical Muslim-consciousness. Choudry's conclusions are drawn without ignoring the sociological and political dimensions of their emergence and, consequently, are worth quoting at length

*First*, the path to radicalisation often involves a search for identity at a moment of crisis. Whilst defining oneself is part of the normal process of identity formation among young people, for those who are at risk of violent radicalisation, this process creates a 'cognitive opening', a moment when previous explanations and belief systems are found to be inadequate in explaining an individual's experience. *Second*, underlying the identity crisis is a sense of not being accepted or belonging to society. The intensity of such feelings is reinforced by experiences of discrimination and racism, a sense of blocked social mobility; and a lack of confidence in the British political system. *Third*, as part of this process individuals seek to construct a sense of what it means to be Muslim in Britain today. The appeal of extremist groups reflects, in part, the failure of traditional religious institutions and organisations to connect with young people and address their questions and concerns. *Fourth*, a lack of religious literacy and education appears to be a common feature among those that are drawn to such groups. The most vulnerable are those who are religious novices exploring their faith for the first time. *Fifth*, the discourse of 'British-Islam' is emerging as a powerful response to 'radical Islam'.

It is on the last point that I would like to end this book. On the emergence of a hyphenated Muslim-consciousness achieved in a new synthesis that, for Du Bois, heralded a solution that could be re-configured in ongoing contestations of citizenship and civic status. This, believed Du Bois, would allow minorities to eschew the peculiar sensation that they are 'a problem', and instead allow them to see their 'strivings' incorporated into mainstream society and politics in a way that would herald reciprocity and mutual respect. What is preferred here, therefore, is a nationally framed focus, albeit with open boundaries, that does not

analytically advance or preclude social or political phenomena as they impact upon it. As this book has demonstrated, this means that a focus upon Muslim-identity and mobilisations through a national focus has been the most appropriate approach in capturing the meaning and operation of contemporary Muslim-consciousness in Britain, and the at least four types of which this concluding chapter has delineated. As such, this contribution has sought to make inroads into our understanding of Muslim-consciousness in Britain, with the view that this be developed further in future inquiry.

THE END.

# Notes

## Introduction

1. <http://www.guardian.co.uk/politics/2008/sep/27/dominicgrieve.conservatives>
2. Particularly the allocation of public provisions for minority cultural practices on the grounds that these deviate from a core 'majority' national identity to which minorities are required to assimilate. A recent historical example of this view can be found in the *Salisbury Review*, a conservative magazine that was founded in 1982 with the influential philosopher Roger Scruton as its editor. The incendiary role it played in the Honneyford Affair provides an excellent case study of the main political argumentation contained within this position (Halstead, 1988). Several more recent cases are discussed in Chapter 1 and Chapter 7.
3. This is perhaps a variation on Melanie Phillips' (2008) complaint that 'the undermining of Christianity from within is being exploited by militant Islamist fanatics who want to turn Britain into an Islamic state'.
4. [http://www.politics.co.uk/news/equality/muslims-more-patriotic-than-brits-\\$1293822.htm](http://www.politics.co.uk/news/equality/muslims-more-patriotic-than-brits-$1293822.htm)
5. Ideas of minority and majority groupings are problematised throughout this book not least with reference to debates concerning essentialism and reification and attributed or self-defined categories (discussed at length in Chapters 3 and 4). In the meantime the term minority group is used here to denote a sizable and/or politically significant collectivity or community of people who share a distinctive cultural identity, differing from that of a majority or mainstream in the state. The sense of belonging and loyalty among minorities might result from their sharing one or several of the following characteristics: a distinctive language, religion, nationality, ethnicity, history, racial experience or set of cultural traditions, values, lifestyles or other defining characteristics that have significantly impacted upon their lives and helped to define their identity, in both their and other people's perception. The element of perceived group membership is crucial here for – as illustrated in later chapters – the sense of belonging and loyalty among a minority might simultaneously result from the experience of discrimination, prejudice or hostility directed towards their real or alleged possession of such characteristics. Du Bois demonstrates a keen awareness of these issues, as discussed in Chapters 2, 3 and 4.

## 1 Framing Citizenship

1. Any comprehensive account of citizenship and civic status would begin with the Platonic concern with unity through friendship, characterised as 'the quality of respect for others and a sense of justice, so as to bring order into our cities and create a bond of friendship and union' (Plato, 1987: 54),

even if the Aristotelian imperative of defending conviviality against external threats was more common. See Sayyid (2005) for an interesting discussion of Greek city-state citizenship. What is of most relevance to this discussion, as will become clear, is the modern citizenship fashioned not around city-states but around nation states.

2. As Smith (1995: 99) has also argued, 'Modern nations are simultaneously and necessarily civic and ethnic. In relation to the national state, the individual is a citizen with civic rights and duties, and receives the benefits of modernity through the medium of an impersonal, and impartial, bureaucracy.'
3. This concern perhaps relies on the cultural-imaginary form of 'modernist' argument most associated with Anderson (1983), though. For a study of how this is happening in non-political urban contexts, see Kyrikiades, Virdee and Modood (2009).
4. Areas of particular Muslim settlement were focused around older, industrial towns where the initial wave of male labourers had arrived to take up work. Outside London these areas included both East and West Midlands (Blackburn; Leicester; Birmingham) South and West Yorkshire (Sheffield; Leeds; Dewsbury; Bradford) and Greater Manchester (including Oldham and Burnley).
5. This is a valid assessment despite the very problematic nature of Joppke's conflation of equality of opportunity as equality of outcome which he characterises as an example of Affirmative Action (see Joppke, 1999: footnote 26). The Race-Relations Act does *not* allow positive discrimination or affirmative action. This means that an employer cannot try to change the balance of the workforce by selecting someone mainly because she or he is from a particular racial group. This would be discrimination on racial grounds, and unlawful (see Karim, 2004/5). What in the US is called 'affirmative action' goes well beyond what is lawful in Britain.
6. Assisted by section 11 of the Local Government Act 1966 which afforded local authorities additional funds to support the presence of significant numbers of minorities requiring language and other access assistance.
7. See Verma (1988) for an authoritative and constructive evaluation of the Swann Report.
8. Including the headscarf or *hijab*, full face veil or *niqab*, or full body garments such as the *jilbab*.
9. Evidenced not only in public and media but also by academics and intellectuals, including Christian Joppke. Writing in the *British Journal of Sociology* he states, 'Certain minority practices, on which, so far, no one had dared to comment, have now become subjected to public scrutiny as never before. The notorious example is that of arranged marriage which, to an alarming degree, *seems to be forced marriage*' (2004, p. 251, emphasis added). While this is an important issue that must never be ignored, on what evidence Joppke bases his assumptions remain undisclosed in the rest of the article. While the conflation between 'forced' and 'arranged' marriages is unfortunate and misleading, the suggestion that no one has dared to comment on betrays a surprising unfamiliarity with a British case in which pressure groups and organisations such as Southall Black Sisters and Women against Fundamentalism (WAF) have led high profile national campaigns. The Government, moreover, has established transnational strategies such as



the Working Group on Forced Marriage which has seen the creation of the Forced Marriage Unit (FMU), as well as the introduction of the Forced Marriage (Civil Protection) Act 2007.

10. Clustered as follows: (1) Engaging with young people; (2) Providing a full range of education services, in the UK, that meet the needs of the Muslim community; (3) Engaging with Muslim women; (4) Supporting regional and local initiatives and community actions; (5) Imam Training and accreditation and the role of Mosques as a resource for the whole community; (6) Security – Islamophobia, protecting Muslims from extremism, and community confidence in policing; and (7) Tackling extremism and radicalisation.
11. Foreign and Commonwealth Office, ‘EIWG fact sheet’, <http://www.fco.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1153388310360>, accessed 19 Oct. 2006. The ‘Radical Middle Way’ project – <http://www.radicalmiddleway.co.uk> – is also supported by the Home Office, and according to the DCLG over 30,000 people have presently attended the first seven of twelve road shows and the organisers expect more than 100,000 to attend in total (see <http://www.communities.gov.uk/documents/communities/pdf/151792.pdf> for more details).
12. The steering group published a good practice guide for mosques when the Advisory Board was formally launched on 27 June 2006.
13. This has been outlined by Tony Blair himself. See the prime minister’s press conference, 5 Aug. 2005, <http://www.pm.gov.uk/output/Page8041.asp>, accessed 9 Nov. 2005.
14.
  - 1 Undermine extremist ideology and support mainstream voices;
  - 2 Disrupt those who promote violent extremism and strengthen vulnerable institutions;
  - 3 Support individuals who are being targeted and recruited to the cause of violent extremism;
  - 4 Increase the capacity of communities to challenge and resist violent extremism;
  - 5 Address the grievances that ideologues are exploiting.
15. For example, the UK Action Committee on Islamic Affairs (UKACIA) tried but failed to prosecute Salman Rushdie for blasphemy under existing common law offences. Part of the reason for this failure was that Islam, unlike Christianity, is not recognised within blasphemy legislation (in 1977 the editor of *Gay News* was sentenced to six months in prison for publishing a poem that characterised Jesus Christ as homosexual). Other reasons include the dwindling socio-legal importance attributed to the charge of blasphemy. Nonetheless, the question of parity was an important issue during the *Satanic Verses* Affair and re-emerges with the examples of anti-discrimination and incitement to religious hatred legislation that are examined in Chapter 6.
16. See <http://www.telegraph.co.uk/comment/3627155/Multiculturalism-is-to-blame-for-perverting-young-Muslims.html>. This then marks a retraction of his proclamation that any conception of British citizenship should ensure that ‘the legitimate rights of communities, of their culture and of their religion, are recognised’ (Nazir-Ali, 1997: 35).
17. At the same time, and once it was established in the public mind that young Muslims and communities were the protagonists being discussed, the official

documents themselves did not always *explicitly* state this and so therefore used more universalistic language. I am grateful to Varun Uberoi for this point.

18. For example, even a sympathetic commentator such as Jocelyne Cesari (2004: 23–4) inaccurately concluded that '[w]hether in the areas of housing, employment, schooling or social services, the report describes an England segregated according to the twin categories of race and religion'. More popular characterisations of this view in public and media discourse are explored in Chapter 7.
19. It is worth noting how Stuart Hall's seminal ideas are open to more than one interpretation. For example, many advocates of 'multiculture' look to Hall as a stimulus, but Hall was an author of the 'communitarian' Commission on Multi-Ethnic Britain (2000), and has never distanced himself from that report. For a discussion of Hall's ambivalences on some of these points, see Rojek (2003: 178–85).

## 2 Du Bois and Consciousness

1. The idea of race is vigorously debated throughout this book (especially in Chapters 3 and 4). While it would be easy to state at the beginning that the term is used under 'erasure' (Derrida, 1976) or rejected outright in the manner preferred by Miles (1989), it will instead be argued that many social and political categories including ethnicity, age, gender and class are unstable and contested; subject to potential reification and essentialism, and that the implication of 'race' as 'real' is therefore dismissed at the outset. It is argued that race should be understood as a social construction that nevertheless serves as a potential vehicle for subjective and attributed identifications. Rather than offering a post-race account (St. Louis, 2002; Gilroy, 2000), therefore, this book will make the argument for a widening of racial equality agendas to include those affected by the social reality of race. The implication this holds in conceptualising racism and race-relations are critically examined in Chapters 3 and 6.
2. See Bell, Grosholz and Stewart (1996) for a historical account of Du Bois' impact on American 'race thinking'.
3. Therefore capable of eschewing the increasingly prevalent charge of 'methodological nationalism' (Wimmer and Schiller, 2002: 301) against the historical legacies of thinkers writing in an era not characterised by the globalisation or comparative methodology debates we are familiar with today. See Marable's (1996) 'The Pan-Africanism of W.E.B. Du Bois' in Bell et al. (1996).
4. With the possible exception of Paul Gilroy's (1993) *The Black Atlantic* which does not so much innovate with, but rather expertly reaffirm, aspects of Du Bois' contribution.
5. This was based upon his earlier essay in the *Atlantic Monthly* titled 'Strivings of a Negro People' (published in August, 1897). This chapter does not attempt to draw upon the entirety of the Du Boisian cannon, quite the opposite in fact. It limits itself to re-reading the cited essay rather than trying to reconcile the different trajectories of Du Bois' contribution. These are wide and varied and include, for example, intellectual and political excursions during later

life that led Du Bois to embrace Communism and Pan-Africanism (indeed, Du Bois died in Ghana in 1963 and was given a state funeral by President Kwame Nkrumah). See Lewis (2000, 1993) for a 'periodisation' account of Du Bois' work, and Kendhammer (2007) for a critical but constructive response to reading Du Bois in this manner.

6. It is worth noting, as Zamir (1995) does, that Du Bois does not always make explicit reference to Hegel in his work, which informs Reed Jr.'s (1997) rebuttal of the view that Hegel's influence on Du Bois is obvious. Since a historical, genealogical analysis of the influence of one author on another is beyond the focus of this book, this argument will not be pursued further. Instead, it is the complementarity of the two thinkers that is of greatest interest here, and it is equally accepted that reading Du Bois into Hegel could be just as fruitful as looking for the Hegel in Du Bois.
7. As Chapter 1 states (note 1), ideas of 'group-ness' are thoroughly problematised and reconstructed in later chapters (particularly Chapter 4), but it is worth noting that Du Bois defines a 'group' in several ways. His most obvious criteria is derived from his socio-historical understanding of race, something best seen as a precursor to Omi and Winant's (1986: 68-9) idea of race as a 'cluster concept' – a way of referring to a group of persons who share, and are thereby distinguished by, several properties 'disjunctively'. Thus Du Bois (1939: 1) writes, 'It is generally recognized today that no scientific definition of race is possible. [...] Race would seem to be a dynamic and not a static conception.' Within this, however, he also uses the anthropological conception of culture to refer to groups who have developed a comprehensive way of life or a layered and distinguishable system of practices. It is also worth noting, as the opening quotation makes clear, that Du Bois uses race as criteria for group definition in order to explicitly advance an account of social pluralism (in which each group has something to teach other groups so that people are encouraged to cultivate the moral and aesthetic insights that are contained within their culture for the benefit of humanity). As such his definition of a group is actually much closer to the idea of cultural groups espoused in some Anglophone political philosophy, specifically in debates concerning multiculturalism and citizenship. This is explored with reference to advocates of 'difference' (Young, 1990) 'cultural diversity' (Parekh, 2000) and 'recognition' (Taylor, 1994) in this chapter but pursued with more sociological rigour, in reference to identity categories and groupings vis-à-vis Muslim-consciousness, throughout Chapters 3 and 4.
8. In *Leviathan*, Hobbes set out what he understands to be the foundation of societies and legitimate governments. He argues that, although in their 'natural condition' some people may be stronger or more intelligent than others, none are a strong or intelligent enough to eschew the fear of violent death. When faced by this stark reality, our 'natural state' cannot help but want to defend ourselves in any way possible. Self-defence against violent death is Hobbes' highest human necessity and, from this, rights are borne. In Hobbes' 'state of nature', then, each of us as individuals have a right to everything in the world, yet due to the scarcity of resources there is a constant, and rights-based, 'war of all against all' (*bellum omnium contra omnes*). Individual life in the 'state of nature' is thus 'solitary, poor, nasty, brutish, and short'.

9. Defined by Taylor (1975: 376) as referring to 'the moral obligations I have to an ongoing community of which I am a part'.
10. Including the subsequent development of freedom because, for Hegel and later Du Bois, one can never be 'free' without at first developing a sense of consciousness, since the latter governs the former.
11. Although conceptions of the dialectic include 'thesis', 'antithesis' and 'synthesis', these terms were never actually employed by Hegel but according to Young (1972: 132) they come from the work of Fichte and Schelling. Thus Hegel does not define the dialectic in terms of this triadic movement, arguing instead that the dialectic 'is characterised as negative reason, the function of which is to dissolve the fixed concepts of the understanding ... By Contradiction, Hegel intends not simply a logical relation between incompatible propositions, but a relationship of conflict between things in the world. He does not mean that a formal logical relation is the moving principle of the world but that all finite things in nature and in history exhibit conflicting tendencies in themselves, by which they are driven on to the realisation of a more complete and concrete situation' (ibid.).
12. Gooding-Williams (1987) argues that Du Bois explicitly offers a kind of Hegelian philosophy of African-American history, and that the philosophical model for Du Bois' conception of historical process is Hegel's *Phenomenology of Spirit*. See note 5 of this chapter.
13. In some versions that reproduce the *Atlantic Monthly* (August, 1897) essay, the ending of the final line reads: 'without losing the opportunity of self-development.'
14. Cornel West and Kwame Anthony Appiah – both recognised as Du Bois experts, albeit with ambiguous relationships to Du Bois' work – have shown little interest in unpacking and re-reading this canonical passage in their commentaries (see Gates Jr. and West, 1996).
15. Of course all theories of the self in sociology emphasise the importance of the 'generalised other' and the 'significant other'. Thus Mead (1934) would later refer to this process as 'engaging with our significant others', Goffman (1959) would situate it in the context of 'dramaturgy', and later still Taylor (1994) would see it as part of the 'dialogical' construction of identity. This is returned to later in the discussion but distinction here is between a benign self-other relationship from one predicated on subordination.
16. Taylor (1994) goes further in sharing with Du Bois the view that systematised misrecognition or negative disapproval compromises our sense of self-worth and constitutes a moral injury; Young (1990) characterises such a tendency as a form of majoritarianist oppression, while Parekh (2000) deploys a pluralist argument beginning with a communitarian account of the culturally embedded self and the necessity of recognising how the self is formed, before making the stronger case that cultural diversity is an intrinsic value.
17. Lukacs (1971) later argued that structurally defined class positions could offer a superior vantage point with which to view social realities. Later still, some feminists, particularly Harding (1986), put forward the idea of 'standpoint epistemologies' which stressed that women's experiences and location – their standpoint – could provide a better place from which to view knowledge production. This is implicit in some contemporary multiculturalists' positions discussed in this chapter.

18. In fact, he explicitly advances an account of social pluralism in which people are encouraged to cultivate the moral and aesthetic insights that are contained in their culture for the benefit of humanity; this is developed with reference to Parekh (2000).
19. It would be impossible to try to offer a detailed account of each thinker's sophisticated arguments. Given the enormous influence of their work, secondary accounts are widespread and range in quality. For a general but critical reading of Taylor, see Appiah (2005) and Bauman (2000, chapter six); for Young, see Faulks (2000) and for Parekh see Modood (2005c). For a critique of each see Barry (2001).
20. This point is elaborated upon later but it is worth mentioning here that it includes such things as greater inclusion in expressions of national belonging, culturally relevant educational provisions or group-specific legal protections.
21. Thus making equal recognition an essential part of democratic culture, a point not lost on Habermas (1994: 113) who argues that 'a correctly understood theory of [citizenship] rights requires a politics of recognition that protects the individual and the life contexts in which his or her identity is formed'.

### 3 Conceptualising Muslim-Consciousness: From Race to Religion?

1. Another study might ask, for example, why it is little recognised that Muslims became the first non-Judea-Christians to set up places of worship in Britain as long ago as 1900 (Ansari, 2004), or why the desecration of the Al Asqsa mosque in the Israeli occupied Arab sector of Jerusalem in 1969 managed to provoke more protest from Muslims in Britain at the time, than the incendiary speeches of Enoch Powell (Hiro, 1991). This is augmented by the finding that while first generation post-immigrant organisations such as the Pakistani Workers Association (PWA) were concerned with organised workers' representation, one of their highest priorities was to secure funds to build Mosques (Meer, 2001). One of the questions directly addressed in this chapter builds upon these others, asking why, while coping with being 'the most socially deprived and racially harassed group', Muslims in Britain were moved to campaign against the publication of a novel by Salman Rushdie (Modood, 1992: 261)?
2. It should be stressed that this distinction is problematic, but is adopted as a heuristic device to develop this particular point. For example, in her landmark *Gender Trouble*, Butler (1990) argues that any coherence achieved within categories of sex, gender and sexuality does in fact reflect a culturally constructed mirage of coherence that is achieved through the repetition of what she calls 'stylised acts'. She argues that, in their repetition, these acts establish the appearance of what she describes as an essential or ontological 'core' gender. This leads Butler to consider one's 'sex' – along with one's 'gender' and 'sexuality' – as being 'performative', and since this challenges biological accounts of sexual binaries, it is recognised that Butler would both support *and* problematise the above analogy. That is, while she may support it by agreeing with the contested nature of 'gender', she might also problematise it by rejecting 'sex' as something given – rather than produced.

3. I share with Ebrahim Moosa (2004: 122) the view that arguing that 'Muslims can act confidently in the present *only* if the matter in question was already prefigured in the past' suggests a 'profound lack of dynamism [in] the state of Muslim self-confidence in the modern period' (emphasis added).
4. The implication of this strong oral tradition is returned to later in the discussion, specifically with reference to Samad's (1998) description of tendencies in the gravitation away from an oral tradition that is seeped in cultural custom, to a literal decoding of Qu'ranic scripture that eschews sectarian or ecclesiastical differences in favour of an Islamic universalism.
5. It is important to note that Banton (2005) has revised these positions.
6. As an indication of his influence, Jenkins (2005: 202) claims that Rex 'effectively founded the Sociology departments at Aston, Durham and Warwick' and 'was director of SSRC [ESRC] Research Unit on Ethnic Relations' as well as one of the creators of the *New Left Review*.
7. In *Race and Ethnicity* (1986: 11–12) Rex makes this quite clear when he argues that 'for Weber there are many possible markets and a multiplicity of class situations. A class is simply a number of individuals who share any market situation. Marx, of course, confined the term 'class' specifically to situations arising in the labour market. He was also much more pessimistic than Weber about this market situation and the class conflict to which it gives rise being peacefully resolved. *My own view is that while class relations do not arise in the labour market as Marx suggests, the markets on which they rest are inherently unstable and market bargaining frequently gives way to more drastic forms of conflict*' (emphasis added). According to Rex, these forms of conflict have adverse effects for minorities because they fare consistently badly in the markets for jobs, housing and education, and/or they can be disproportionately excluded from certain markets and opportunities and confined to secondary markets.
8. Huxley and Haddon's (1935: 220) argument that 'the word *race* should be banished, and the descriptive noncommittal term *ethnic group* should be substituted', is probably the earliest sociological argument against the use of 'race' as a normative concept.
9. Quoted on *Public Eye* 20 October, 1989 BBC Television; cited in Hiro (1991: 193).
10. This contrasts with the more groupist and communitarian conceptions of Du Bois and rehearses the tensions drawn out in Chapter 1.

#### 4 Local and Global Muslim Identities

1. I am grateful to Modood for this point.
2. Andrew Anthony's (2004) too insists that 'Wahabbism ... informs the spread of Islamic fundamental'. 'Multiculturalism is dead. Hurrah?' *The Guardian*, 8 April, 2004.
3. See <http://www.hizb-ut-tahrir.info/english/constitution.htm>
4. See also Yayha Birt's review: <http://www.yahyabirt.com/?p=71>
5. Quoted in 'London bomber video aired on TV', BBC News, 2 September 2005, retrieved from <http://news.bbc.co.uk/1/hi/uk/4206708.stm>
6. See Modood (2009: 492) for a discussion of the development of the MCB.

7. See [www.mcb.org.uk](http://www.mcb.org.uk).
8. Though interestingly it's regional affiliates such as the Muslim Council of Wales (MCW) has not faced such criticism.
9. See <http://www.mcb.org.uk/vote2005/>; accessed 1 September 2008.
10. Douglas Murray (2006a) 'What are We to do about Islam?', speech to the Pim Fortuyn Memorial Conference on Europe and Islam, The Hague, February 2006.
11. Islam is seen as a monolithic bloc, static and unresponsive to change. Islam is seen as separate and 'other'. It does not have values in common with other cultures, is not affected by them and does not influence them. Islam is seen as inferior to the West. It is seen as barbaric, irrational, primitive and sexist. Islam is seen as violent, aggressive, threatening, supportive of terrorism and engaged in a 'clash of civilisations'. Islam is seen as a political ideology and is used for political or military advantage. Criticisms made of the West by Islam are rejected out of hand. Hostility towards Islam is used to justify discriminatory practices towards Muslims and exclusion of Muslims from mainstream society. Anti-Muslim hostility is seen as natural or normal.
12. For example, does hostility to *all* religion ipso facto make one an Islamophobe?

## 5 Muslim Schools in Britain: Muslim-Consciousness in Action

1. Quoted on BBC News, 22/11/2001 available at <http://news.bbc.co.uk/1/hi/education/1670704.stm>
2. There exists no national survey that systematically examines Muslim parents' desires on this issue but according to one source, 50 per cent of South Asian Muslim parents are in favour, which contrasts with 80 per cent suggested by the Muslim Educational Trust (see Shaikh and Kelly, 1989). Interestingly, the *Fourth National Survey of Ethnic Minorities* (1997) found that the *ethnic* composition of a school was more important for white respondents than it was for ethnic minorities, while preference for *religious* composition interestingly ranged from Catholics, who were the most inclined to desire faith-based schools, to Hindus, who were the least inclined for faith-based schooling, with Muslims and Protestants falling somewhere in the middle (see Modood et al., 1997: 323).
3. Though this is not a universal view among anti-racists, not least because some have, in the past, also endorsed the need for 'black' schooling. To this end Lee Jasper, former race equality advisor to the former London Mayor, clarifies his own position: 'What I did advocate is the following: that there are already majority black schools that have majority white teachers and white governors, what I've said is that if you have a school that is 90 or 80 per cent of one ethnicity or another, then its quite proper to expect the teaching staff and governors to reflect that local community. That was my view and I'm still of that view, and when majority black churches want to get together and do that they should be able to do so. That doesn't extend to creating an

apartheid regime within education but it does extend to creating the choice for minority communities' (Interview with Lee Jasper, 26 July 2007).

4. The General Certificate of Secondary Education (GCSE) is the standard qualification for students enrolled in compulsory schooling until the age of 16 years.
5. For a much fuller statistical summary see Halstead's (2005) excellent discussion from which I draw.
6. Tahir Alam is not exceptional in recounting his story of involvement: 'I got involved in education sometime ago just to help local schools to maybe improve their standards and provide some kind of rigour and challenge in relation to performance ... that's why I got involved locally and then tried to get these issues on the agenda elsewhere through my involvement with the MCB' (interview).
7. This contrasts negatively with the success of other schools such as Al-Hijrah: 'For some schools it was a long battle, but for AH it wasn't really, as it got its status within the year of applying, as soon it applied it got it more or less straight away. It's quite a rigorous process but turned out to be more or less straightforward in the end' (Alam, Interview).

## 6 Muslims and Discrimination: Muslim-Consciousness in Re-Action?

1. It is interesting that Squires attributes the development of some of this legislation to Britain's impending involvement in the EEC and EU more broadly. This raises a comparative question as to how the construction of discrimination legislation in other countries, and supports Favell's (1998) view that comprehending conceptions of anti-discrimination (as part of an equation of citizenship) makes much greater sense through a cross-national European perspective, which can help us to learn about pathologies or remedies in relation to any one country. It is worth recognising, however, that such a perspective risks ignoring the influence of the post-colonial and US civil rights thinking on British race relations, considered in Chapter 3, as well as the important internal debates in specifically responding to this influence, alongside other debates that have exercised British social science on matters of race, identity and citizenship. Where the adoption of current EU directives sit in relation to this argument is discussed in the main text.
2. Although Sikhs were recognised as an ethnic group in *Panesar v. Nestle Co Ltd* [1979] IRLR 64, the implications of this adjudication were given their fullest expression in the House of Lords ruling that accompanied *Mandla v. Dowell Lee* (1983) [2 AC 548]. In the former case it was deemed 'justifiable' within the meaning of section 1(1)(b)(ii) of the Race Relation Act (1976) that the Nestle Company should require Sikh applicants to shave their beards for reasons of work place hygiene, notwithstanding that the proportion of Sikhs who could conscientiously comply with this requirement was considerably smaller than the proportion of non-Sikhs.
3. Nationality, meaning 'national origin', was added to the Act in 1976 following the House of Lords decision in *Ealing Borough Council ex parte Zesko v. Race Relations Board* (1972) [AC 342] where it was held that Mr Zesko had not



been unlawfully discriminated against by Ealing Council who had refused to add his name to a council house waiting list on the grounds that he was not a British national, i.e., prior to the 1976 amendment nationality had meant something closer to race rather than citizenship within the remit of the legislation. See Racial Group in CRE glossary <http://www.cre.gov.uk/duty/grr/glossary.html>

4. Particularly the House of Lords, in its capacity as the highest court in the UK before the European Court of Human Rights.
5. Although this is the most commonly held story of the inception of this legislation, according to Anthony Lester (who played a key role in drafting the original bill) it is equally true that '[w]hen the first Race Relations Act was enacted in 1965, with Sir Frank Soskice at the Home Office, it was done in part to an increase in racial anti-Semitism' (Lester, Hansard, 9 November 2005). This is discussed further in the main text.
6. Prior to which Common Law had offered very limited and largely ineffectual protections against racial discrimination. See Rawlings (1985) for an analysis of laissez-faire doctrines and their influence upon the judiciary's view of race equality legislation.
7. Under section 71(1) of the Race Relations Act 1976 (as amended in 2000) all public authorities have a general duty to promote race equality, that requires them to eliminate racial discrimination, ensure equality of opportunity and promote good 'race relations' through such things as outreach work and awareness training. There are also specific duties such as the implementation of a written policy on race equality, perhaps as part of an overall policy; an assessment of the impact of new and current policies on ethnic minority staff, students and other service users, the monitoring of recruitment and progression of ethnic minority staff and students and monitoring grievance, disciplinary, appraisal, staff development and termination procedures by ethnicity. The Secretary of State is also empowered to impose specific duties on key, listed public authorities. Broadly, these selected authorities must publish a Race Equalities Scheme and meet specific employment duties (the scheme is effectively a strategy and action plan).
8. The choice of the civil model, rather than the criminal law paradigm, by the Street Committee was based on the Ives Quinn Act first introduced in New York in 1945, which had introduced the idea of a special administrative machinery to deal with problems of discrimination. The subsequent prevalence of the idea of anti-discrimination commissions in the form of the Race Relations Board (RRB) and subsequently the EOC and CRE were also modelled on the US-type administrative bodies (see Sooben, 1990).
9. In making his ruling Lord Denning stated that 'Sikhs, as a group, cannot be distinguished by reference to any racial characteristics whatever. They are only to be distinguished by their religion and culture. This is not an ethnic difference at all' (quoted in the Mandla House of Lords ruling). It is worth noting the anomaly here that Sikhs had *already* been recognised as an ethnic group, by no less than a Court of Appeal, three years earlier in *Panesar v. Nestle Co Ltd* (1980) and that this was little recognised at the time of Lord Denning's ruling. One reason for the oversight might be that the adjudication in that case went against the claimant because it was deemed 'justifiable' within the remit of Race Relation legislation that the Nestle Company

should require Sikhs to shave their beards for reasons of Public Health in application for employment. It nevertheless remains a surprising oversight.

10. There were also four other, arguably lesser, criteria in addition to those identified above including: (iv) a common language, not necessarily peculiar to the group, (v) a common literature peculiar to the group, (vi) a common religion different from that of neighbouring groups or from the general community surrounding it and (vii) being a minority or being an oppressed dominant group within a larger community. The example they gave for the latter was 'a conquered people (say, the inhabitants of England shortly after the Norman conquest) and their conquerors might both be ethnic groups'. See *Mandla v. Dowell Lee* House of Lords Transcript available at: [http://www.hrcr.org/safrica/equality/Mandla\\_DowellLee.htm](http://www.hrcr.org/safrica/equality/Mandla_DowellLee.htm)
11. *Ibid.*
12. Where an industrial tribunal held that discrimination against a Jewish employee *could* be addressed through the RRA if it was based *not* upon the complainant's religion but on their perceived Jewish ethnic origin (see Dobe and Chokkor, 2000: 380). Although the applicant lost his case against his employers on this occasion, the Employment Tribunal held that they had been correct to hear the case because the alleged anti-Semitic remark was deemed to constitute racial discrimination within the remit of the RRA, since 'Jewish' was taken to denote being a member of a racial or ethnic category *as well as* being a member of a faith group. See 'Direct Discrimination Case Studies' available at: [http://www.cre.gov.uk/legal/direct/case\\_009seide.html](http://www.cre.gov.uk/legal/direct/case_009seide.html)
13. Section 18 of the Public Order Act (POA) 1986 makes it an offence to use threatening, abusive or insulting words or behaviour with the intention of stirring up racial hatred. This was not introduced to protect minorities *per se* but to maintain public order to the extent that the offence of incitement to racial hatred 'should continue to be based on considerations of Public Order' (Review of Public Order Law, Cmnd 9510/1985, para.65).
14. Following the Danish Cartoon Affair discussed in Chapter 7, the BNP boasted that it had distributed over half a million leaflets displaying the inflammatory images of the Prophet Mohammed. In a message on the BNP website, its leader, Nick Griffin, urged members to print off the leaflets and 'pin them to church notice boards' and to 'leave them on trains and buses' to protest at the decision by British newspapers not to publish the images (quoted in McVeigh, 2006).
15. Several cases illustrate this further. For example, on 23 August 2007 a man attempted to run a Muslim woman over with his car while she waited at a bus stop in Southampton. The woman was wearing traditional Islamic dress and a head covering, and reported that the man drove up next to her and verbally abused her with anti-Muslim comments, before mounting the kerb and driving after her (see <http://news.bbc.co.uk/go/pr/fr/-/1/hi/england/hampshire/6972201.stm>). Also during August, a Welsh Muslim woman was assaulted by a group of people who pulled her *hijab* from her head as she walked along the street with a pushchair (see <http://news.bbc.co.uk/go/pr/fr/-/1/hi/wales/6970761.stm>). One of the most horrific examples includes how a London imam was subjected to a brutal assault and left in a critical condition requiring emergency surgery to both of his eyes, after two white assailants attacked him on his way to the mosque (see 'Imam attacked as anti-Muslim violence grows', *Independent*, 14 August 2007).

16. London Borough Council *ex parte* Zesko v. Race Relations Board (1972) [AC 342].
17. First tied to the ACSA (2001) and subsequently dropped, then attached and withdrawn from the Serious Organised Crime and Police Bill (2004–5) to speed its passage prior to the last general election (see Meer, 2008). Each attempt to create this new offence sought to modify the previously mentioned Incitement to Racial Hatred found in Part 111 of The POA 1986. This offence is based upon that previously adopted in Northern Ireland in the Public Order (Northern Ireland) 1987 Part 111 which has outlawed incitement to Religious Hatred for some years.
18. This is also a salient view expressed in the public and media discourse examined in the next chapter.
19. Sex discrimination is covered by existing EU legislation under Article 141 EC (Ex. Art. 119 EEC). See also Equal Pay Directive Dir. 75/117 EEC; Equal Treatment Directive 1976 Dir. 76/207 EEC; and Equal Treatment in Social Security Directive 79/7 EEC; Burden of Proof Directive 1997 Dir. 97/80/EC.
20. The Action Programme is administered by the EC, assisted by an advisory committee made up of representatives from all the member states.
21. It is also important to note that the main anti-discrimination provision in Article 14 of the ECHR has effect only within the fields covered by the then other Convention rights that have otherwise remained underused.
22. While this Act named the new body the Commission for Equality and Human Rights, this is not how it has come to be known. According to one commentator, during the early stages of drawing up communications plans it was decided that the term Commission would play less favourably with the public than the term Equality, so that the latter was given precedence over the former (Lovenduski, 2008).
23. Prior to this the Discrimination Law Review (DLR) was set up alongside the independent Equalities Review, chaired by the incumbent chair of the CRE, Trevor Phillips, to look at the underlying societal and cultural causes of disadvantage and inequality. The Equalities Review published an interim report for consultation in March 2006 and its final report, *Fairness and Freedom*, in February 2007. According to Cohen, '[another] review of discrimination law is unlikely to happen again for a long while' and that this presented the opportunity 'as a bare minimum to harmonise some quite disparate pieces of legislation' (interview).
24. See especially sections 8(1) & (2) of the Equality Act 2006.
25. See in particular section 3 of the Equality Act 2006.
26. The Act specifically enables the Commission to seek to ensure that (1) people's ability to achieve their potential is not limited by prejudice or discrimination, (2) there is respect for and protection of each individual's human rights, (3) there is respect for the dignity and worth of each individual, (4) each individual has an equal opportunity to participate in society and (5) there is mutual respect between groups based on understanding and valuing of diversity and on shared respect for equality and human rights. This has led its chair to refer to the EHRC as 'changing the weather, not simply protecting people from its effects' (quoted in Niven, 2008: 17).
27. 'The CRE itself seems to be disengaging from frontline community work and links .... The current mantra is 'integration not litigation' and ... the

not unsurprising result has been to dissuade applicants from pursuing their cases.' (Cohen, interview).

28. 'The Muslim community may feel that we're not taking their cases and litigating on their behalf, but I think many other groups would feel the same because our litigating strategy had changed in that we were taking fewer cases and the cases are more strategic. [...] It's partly a general trend where we felt that after many years of doing high volume case work and litigation, there was a genuine need to move towards a strategy that would last across a sector or a group with one case rather than the 10 or 20 cases' (Karim, interview).

## 7 Muslims in Public and Media Discourse

1. See comments by Cohen in Chapter 6 and comments by Toynbee in Meer (2007b), and also Modood (2006) and Sacranie (2006).
2. See also his statement that 'the security threat that this Islamic extremism poses is the government's primary responsibility'. 'Prime Minister warns of continuing global terror threat', 5 March 2004, available online at <http://www.number10.gov.uk/output/Page5461.asp>.
3. For example, former Home Secretary John Reid has encouraged Muslim parents to monitor their children for signs of radicalism: 'There is no nice way of saying this ... these fanatics are looking to groom and brainwash children, including your children, for suicide bombings. Grooming them to kill themselves in order to murder others. Look for the telltale signs now and talk to them before their hatred grows and you risk losing them forever. In protecting our families, we are protecting our community.' See <http://politics.guardian.co.uk/terrorism/story/0,1876869,00.html>
4. Between 1870 and 1914 some 120,000 European Jews migrated to Britain, and by WWI the Jewish population of Britain is estimated to have numbered around 300,000 (Gartner, 1973: 30; Pollins, 1982: 130). Although this included destitute newcomers fleeing both the Pogroms and economic deprivation in Russia, it was a figure supplemented by established British Jews who, through organisations such as the Jewish Board of Guardians (JBG), Board of Deputies of British Jews, and Jewish Free Schools (JFS), operated as the main provision of welfare to these newcomers. Concentrated in areas of Leeds and the East End of London, these new migrants arrived with very little capital and possessions, and were considered visibly different to their settled British Jewish counterparts who were in some respects politically and socially established (Lipman, 1990: 48). For example, The Board of Deputies of British Jews had become institutionally incorporated as the representative body of Jews in Britain, especially under the leadership of Montefiore between 1835 and 1874 (*ibid.* 35). The prosperity of the Victorian period allowed established Jewish families to increasingly enter the upper echelons of politics and society, as epitomised, for example, in Rothschild becoming the first Jewish Member of Parliament, and these established families increasingly assumed a leadership in the complex voluntary bodies within the Jewish community (*ibid.* 17). Simultaneously, there was also evidence of the ability of Jewish leaders to make representations on behalf of Jews outside Britain, exemplified by Montefiore's efforts to protect Jews in Syria and the Ottoman

Empire. Where these interests overlapped with British foreign policy interests, such initiatives were successful (ibid.: 37). Yet it was the same foreign policy issues that fuelled extensive and violent anti-Semitic episodes, especially during times of crisis. This was commonly presented as the potential threat posed by a settled and ostensibly assimilated Other seeking to subvert British interests, and is epitomised by what become known as the 'Bulgarian Affair'. This concerned Bejmamin Disraeli's support for the established British policy buttressing Turkey against Russia, and the way it was construed as evidence of his Jewish origins and bias (Holmes, 1979: 10–12). It is also exemplified by the manner in which the Boer War was presented as a conflict pursued solely to protect Jewish financial interests in the mining industry, as explored below.

5. See Q-News website: <http://www.q-news.com/about.htm>
6. Quoted in the NS Interview – 'The petrodollar-funded literalists think their version is the real Islam. I'm for an Islam that is at home in Britain', Rachel Aspden, *New Statesman*, 27 February 2006.
7. See 'About Us' at *The Muslim News*: <http://www.muslimnews.co.uk>
8. See <http://iengage.org.uk>. Accessed on 2 March 2009.

## 8 Towards a Synthesised Muslim-Consciousness

1. See also Meer and Modood (2009b).
2. Among others, Anushka Asthana (2007) describes Hussein as the 'true Islamic voice', while Martin Amis (2007) is convinced that his account is the 'most accurate portrayal of the dark side of Islam', and Johann Hari's (2007) considers it to be a timely insight into the psychologies of people convinced of the 'great gay-Jewish conspiracy'.
3. For a critical comment on this report see Smyth and Gunning (2007).

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# Index

- Alexander, C.** 27, 56, 95–8, 152  
**anti-discrimination** 144–178  
    Anti-Terrorism, Crime and Security  
        Act (2001) 160, 163, 173, 183  
    Article 13 and the Treaty of  
        Amsterdam (1997) 147,  
        165, 175  
    British legislation 16–18, 32, 57, 65–68  
        race-relations legislation  
            144–50, 216 (fn 3, 5, 6)  
        statutory duty 16, 22, 129, 144,  
        148, 165, 171  
    Commission for Racial Equality  
        (CRE) 16, 26, 146, 148–50,  
        152, 154–5, 157, 163, 172–4  
    European measures 144, 165–7,  
        169, 215 (fn 1), 218 (fn 20)  
    Equality and Human Rights  
        Commission (EHRC) 26,  
        100, 170–3, 218–219  
    Harmonisation; 176  
    Islamic Human Rights Commission  
        (IHRC) 112, 144–5, 159,  
        174, 201  
    incitement to religious hatred 74,  
        180–181, 183–184  
    Mandla v Dowel Lee 147–50, 152,  
        155, 160, 215 (fn 2), 216  
        (fn 9), 217 (fn 10)  
    Public Order Act (POA) 174,  
        152–3, 158, 217 (fn 13)  
    Crime and Disorder Act  
        (CDA) 152–3  
    race equality 16, 18, 19, 148, 167,  
        169, 193, 214 (fn 4), 216  
        (fn 6), 216 (fn 7)  
    race-relations acts 5, 16, 17, 64,  
        74, 146, 148, 152–3, 156, 167,  
        176, 207 (fn 5), 216 (fn 5, 7)  
    religious education 116  
    Single Equalities Act (SEA) 169,  
        175–6  
**Aristotle** 9, 206–7 (fn 1)
- Bader, V.** 13  
**banal nationalism** 13  
**Banton, M.** 67–69, 71, 73, 75, 78,  
    213 (fn 6)  
**Binder, G.** 33–4, 39  
**Blackness** 71, 74, 77
- Cameron, D.** 26, 90  
**Citizenship** 8–32  
    Active 21, 24, 136,  
    British 2, 6, 15, 24, 108, 109, 202,  
        208 (fn 16)  
    classical Greek 206 (fn 1)  
    classical liberal 11,  
        Mill 11,  
    civic status 4–8, 10, 13, 16, 31,  
        46–7, 50, 53, 76, 106–7, 109,  
        142, 146, 177, 179, 198–9,  
        201, 204, 206 (fn 1)  
    education 136,  
    integration 3, 16, 20, 22, 27, 64,  
        66, 68, 94, 107–8, 135, 141,  
        191–2, 218 (fn 27)  
    *jus soli* 10, 14, 15,  
    *jus sanguine* 10, 14, 15,  
    nation-state 3, 5, 12, 84,  
    of the United Kingdom and  
        Commonwealth 14,  
    Westphalia 12  
**Cantle, T.** 26  
**Commonwealth migration** 6, 14,  
    15, 67, 148  
**Castles, S.** 10
- Du Bois, W. E. B.** 3–7, 13–14, 31–54,  
    209 (fn 5, 6, 7)  
    cnsconsciousness 3  
        in itself and for itself 4, 5, 7, 36,  
        53, 199,  
    double consciousness; 5–7, 32–3,  
        29–46, 53  
        conflicted construction of self  
        41–2

- Du Bois, W. E. B.**—(Continued)  
 creation of an additional  
 perspective or 'gifted second  
 sight' 42–3  
 Bound by the *requirements* but  
 not the *rewards* of  
 citizenship 43  
 Diverging strivings and  
 two-ness 43–4  
 enduring hyphenation 44–6
- ethnicity** 7, 10, 32, 33, 57, 73,  
 77–80, 81–3, 91–2, 96, 104,  
 115, 121, 146, 157–60, 181,  
 199, 201, 201 (fn 5), 209  
 (fn 1), 216 (fn 7)  
 Barth, F. 77–9, 95, 104  
 Boundaries 28, 54, 62, 68, 82–3,  
 105, 160, 204  
 new ethnicities 79–80  
 ethno-religious categories 60, 73,  
 91–100
- extremism/radicalism** 5, 6, 20,  
 81, 85–89, 94–5, 182, 195,  
 202–5  
 prevent agenda 21–3  
*CONTEST* 21  
 and critical engagement with  
 'Islamic terrorism' 85–89
- faith schools** 62, 108, 107–143  
 Association of Muslim Schools  
 (AMS) 93, 107, 115, 120,  
 258,  
 Autonomy 37, 49, 109, 116, 120,  
 131–38, 143, 182  
 criteria for voluntary status 110  
 curricula objectives 109, 114, 120,  
 124, 127, 138–141  
 data on Muslim pupils 112–3  
 form and structure 126–9  
 'good' citizens 135–6  
 'civic assimilation' 137–8  
 history of 129–131  
 motivations for; 118–126  
 holistic education 118  
 separation of sexes 121  
 specialist training and capacity  
 building 122  
 ethno centric curricula on  
 Islam 124  
 low educational  
 attainment 124–6  
 Muslim identity 113–5  
 policy on 109–112  
 social cohesion 138–141
- Gilroy, P.** 27–8, 33, 44, 56, 58,  
 70–2, 76, 98, 209 (fn 1, 4)
- Goffman, E.** 211 (fn 15)
- Gooding-Williams, R.** 33,  
 211 (fn 12)
- Harding, S.** (211 fn 17)
- Hegel, F. W.** 5, 32, 33–9, 199, 202,  
 210 (fn 6)  
 Consciousness 33–6  
 in itself and for itself 38  
 Kojeve's reading 35–6, 38  
 master-slave dialectic 33–6  
 multiple dialectics 36–9  
 on Hobbes 33, 34, 36, 210 (fn 10)  
*Sittlichkeit* 34
- Identity** 55–104  
 ascribed 4, 25, 28, 36, 24, 60, 82,  
 141, 146, 177, 199  
 essentialism and reification 6, 27,  
 29, 81, 91–100  
 group-identity 91–100  
 group-pride 77–9  
 Impaired 200  
 Islamic 55–64  
 Islamism 81–9  
 Muslim-consciousness 4, 55–64  
 pragmatic 201  
 reactive 200  
 research agenda on 'Radical  
 Muslim-consciousness' 202  
 self defined 4, 25, 146, 177, 206  
 (fn 12)  
 synthesized 202  
 voluntary/involuntary 47, 57,  
 64–5, 105, 180–2
- immigration Acts** 15–16
- Joppke, C.** 2, 3, 16, 17, 19, 159,  
 207 (fn 5, 7)



- Lukacs, G.** 211 (fn 17)
- Malik, K.** 27, 28, 159
- Malik, M.** 98, 189
- Marshall, T. H.** 10–12
- Martinello, M.** 12
- McLennan, G.** 56, 88
- media discourse** 179–197  
 British Muslim Press 194–197  
 on Muslims and free speech  
 180–186  
 on race and religion 181–2  
 on ‘Islamic Terrorism’ 186–7  
 on divided loyalties 187–90  
 on historical assimilationism  
 190–194
- Mead, G. H.** 211 (fn 15)
- Modood, T.** 1, 2, 15, 20, 24, 25, 29,  
 75–79, 82, 96–7, 99, 103,  
 105, 147, 152
- Morris, L.** 12–13
- Multiculturalism** 14–27  
 attack on 19–26  
 British 14–19  
 defence of 28  
 education 17, 18, 24, 25  
 Swann Report 18, 111  
 multiculturalism and conviviality  
 26–30
- Muslin Council of Britain  
 (MCB)** 89–90
- Omi, M. and Winant, H.** 210 (fn 7)
- Parekh, B.** 27, 46, 49–50
- Race-relations** 65–69  
 Banton 67–8  
 Park’s 65–6  
 Rex 69–70
- Racism** 15, 17, 23, 32, 40, 70, 71,  
 84, 92, 96, 97, 101–4  
 Biological 72, 103, 104, 151, 181  
 Cultural racism and  
 Islamophobia 6, 14, 100,  
 101–6, 145, 180, 201  
 Amis, M. 99, 220 (fn 2)  
 Murray, D. 99–100  
 Runnymede Trust. 101–2,  
 214 (fn 14)  
 Tompson, D. 1  
 security agenda 142–3  
 Racialization 71–4  
 Miles, R. 7–3
- Ramadan, T.** 21, 87
- Rattansi, A.** 18
- Rex, J.** 57, 69–71, 73, 76,  
**Rushdie affair** 74–6
- Singh, G.** 17
- Solomos, J. and Back, L.** 66, 69,  
 73, 80
- Solomos, J.** 70, 71, 73
- Squires, J.** 11, 16, 146, 176, 215  
 (fn 1)
- Statham, P.** 8, 30, 56, 85
- Taylor, C.** 12, 32, 34, 36, 38, 48,  
 50–4, 141, 211 (fn 9)
- Walzer, M.** 10
- Young, I. M.** 8, 13, 32, 46–49,  
 50, 64, 69, 99, 211  
 (fn 16)