



Legislative Approaches to Islam

A Review of State Policies in
Ten European Countries

Atlanta Neudorf

CIVITAS

Legislative Approaches to Islam

Legislative Approaches to Islam

A Review of State Policies in
Ten European Countries

Atlanta Neudorf

CIVITAS

First published
March 2022

© Civitas 2022

55 Tufton Street
London SW1P 3QL

email: books@civitas.org.uk

All rights reserved

ISBN: 978-1-912581-29-0

Independence: Civitas: Institute for the Study of Civil Society is a registered educational charity (No. 1085494) and a company limited by guarantee (No. 04023541). Civitas is financed from a variety of private sources to avoid over-reliance on any single or small group of donors.

All the Institute's publications seek to further its objective of promoting the advancement of learning. The views expressed are those of the authors, not of the Institute.

Cover image: Meth Mehr

Typeset by Typetechnique

Printed in Great Britain
by 4edge Limited, Essex

Contents

| | |
|-----------------|----|
| Author | vi |
| Introduction | 1 |
| United Kingdom | 8 |
| Austria | 13 |
| Denmark | 19 |
| France | 23 |
| Germany | 29 |
| Hungary | 34 |
| The Netherlands | 38 |
| Poland | 43 |
| Sweden | 47 |
| Switzerland | 51 |
| Further reading | 54 |
| Notes | 62 |

Author

Atlanta Neudorf was a research assistant at Civitas and previously worked on the project, 'Islam, the West and Geopolitics'. She is currently a PhD candidate at Queen Mary, University of London.

Introduction

This report provides an overview of recently-enacted legislation alongside the wider governmental policies of 10 western European nations which either specifically concern, or somehow affect, European Islam and Muslims. It outlines, in individual country's profiles, legislative actions that have regulated the wearing of Islamic headwear, halal slaughter, Islamic religious marriages (and divorces), Islamic education (such as madrasas), and acts which aim to inhibit the spread of Islamism and have had a demonstrable effect upon Islamic practices more broadly.

The 10 countries under consideration are:

- The United Kingdom;
- Austria;
- Denmark;
- France;
- Germany;
- Hungary;
- The Netherlands;
- Poland;
- Sweden; and
- Switzerland.

Broadly speaking, they have been selected through a deliberate balance between demographics and legislative activity. Some of Europe's most populous nations (such as France) have passed a remarkable number of Islam-targeted laws, while others (such as Germany and the UK) have to a large extent not specifically done so at a national level. On the other hand, some of the smallest nations in Europe (for example, Switzerland, Austria and Denmark) have been particularly active in legislating against specific Islamic customs.

As outlined above, this report considers specific European nations' policies towards Islam and its practices, as well as legislation that has affected Muslims but not specifically targeted them. Findings on these policies have been divided into five specific areas, and what is truly striking in their comparison is the wide range of stances taken by European governments towards Islam, and the differing methods by which they have enshrined such policies in law. The following sections provide a brief overview of the report's key findings and group each of the nations' measures on these five policy areas.

Headscarf policies

Five of the countries considered here have enacted legislation specifically affecting the wearing of Muslim headgear at a national level. Such policies tend to apply to public spaces, with occasional legislation for private employment. As will be discussed in the individual country profiles, such laws usually make no direct reference to burqas, niqabs or headscarves, but public and parliamentary debate surrounding them often discussed little else. Furthermore, they are notoriously difficult to enforce, and often only apply to a tiny proportion of the overall population.

France was the first European nation to legislate in this area in 2011, with its law 'On the Prohibition of Concealing the Face in a Public Space'. The next country to do so was Austria in 2017 with its national 'Anti Face Covering Act' applying to public spaces. Austria also attempted to ban headscarves in primary schools in 2019. Denmark passed a similar law against the covering of one's face in public spaces in 2018, but there are notable exceptions to this policy. The Netherlands' 'Partial Prohibition of Face-Covering Clothing' was passed by its Senate in 2018 and applies to specific public locations, including transport, education, healthcare and government institutions. Most recently, Switzerland's 2021 referendum narrowly saw the implementation of a face covering ban (though several cantons had previously enacted 'secularising' legislation banning the wearing of religious symbols).

Germany here, as in all policy areas, occupies a unique place in that policy decisions on this issue are decided by its 16 individual states. At the time of writing, eight of these states have enacted some form of face covering ban. In addition, legislation passed in 2017 bans the covering of one's face while driving, and a 2021 bill which sought to ban religious symbols in the workplace has received widespread attention.

Sweden has no national ban on face coverings, though several municipalities attempted to instate bans (these were later reversed), and the topic has been debated in parliament. Hungary represents a similar story, with several local attempts at banning Islamic headwear. Poland and the UK do not have any national bans on head or face coverings.

Halal slaughter

Most European nations have some sort of animal slaughter legislation in place, usually on the grounds of animal

welfare concerns. The majority of the countries analysed for this report have mandated that animals must be stunned prior to slaughter to alleviate suffering, which goes against the halal method of butchering. Some nations, including the UK, Netherlands, Switzerland (though only for poultry), Germany and Austria, have allowed exemptions on religious grounds to allow halal and kosher slaughtering practices to go ahead. France, Denmark and Sweden are harsher in this regard, while Poland permits halal and kosher practices to be carried out.

Islamic marriage and divorce

Religious marriage and divorce customs can have a huge effect on women's lives from a legal perspective. If marriages and divorces are not registered with local authorities, they may face losing custody of their children, a lack of financial support, or the prospect of entering into polygamous marriages. This is increasingly being recognised within the public sphere as an issue requiring legal solutions.

Nine of the 10 countries under consideration for this report do not have any specific laws targeting religious (or Islamic) marriages and divorces – aside from the requirement that marriages and divorces must be registered with the civil authorities. Several, such as Sweden, Austria, Denmark and Switzerland, have annulment laws pertaining to underage and/or forced marriages conducted abroad, which have frequently been interpreted to target those carried out in Muslim countries. Notably, Denmark and Poland both allow state-recognised religious groups or associations to perform marriages in both the civil and religious sense, but neither permits Muslim groups to do so. In Denmark, this is based on legislation allowing only groups recognised by the state before 1970 to do so; in Poland, several other religious

associations besides Muslim ones are also not permitted to do so. Germany, again, occupies a rather unique position in this regard as marriages do not require civil registration, for reasons explained in that country's profile.

Islamic education

All 10 countries covered here permit the operation of denominational private schooling by all religious groups, but most require they continue to follow a national curriculum, which is usually devoted to that country's fundamental values (these often focus on tolerance and openness, for example in Sweden, Austria, Denmark or Germany). France's commitment to secular education has seen religious elements or symbols banned in classrooms, and a number of Islamic schools were shut down in 2021 as a result of its new 'anti-separatist' legislation. Switzerland also upholds its commitment to religious neutrality in its educational system, though denominational schools are still permitted. The most striking outlier here is Hungary, where constitutional changes introduced in 2020 enshrined the requirement of children receiving a 'Christian upbringing', which affects curricula.

Islamism and religious extremism

This report aims to lay out recent European legislation regarding religious extremism (and thus Islamism) which has had an effect upon regular Muslims' lives and religious practices in Europe. Notably, some European anti-terror or anti-fundamentalist legislation in the past decade, as opposed to policies in other areas, has made explicit reference to Islam (in the context of Islamism).

French law, for example, has been the most explicit in this regard, with President Macron referring frequently

to the societal threat of what he calls 'Islamic separatism'; this led to the Islamism-focused 'anti-separatism' bill of 2021 (known as the Law to Reinforce the Principles of the Republic) which saw the implementation of mosque finance regulations, a total ban on foreign imams coming to France, and the monitoring of religious education institutions. Austria, too, under former Chancellor Sebastian Kurz, sought to implement new laws specifically targeting 'political Islam'; these were eventually passed under the umbrella term of 'religiously motivated extremism' but saw foreign imams banned, increased monitoring of those suspected of engaging in Islamist activities, and the tighter regulation of mosque finances. Recent laws in Denmark, too, have specifically targeted Muslims, though not in name: a 2021 law, 'Prohibiting the Receipt of Donations', was discussed in the wake of a Saudi-funded mosque project, and since 2016, foreign preachers have also been banned if they oppose fundamental Danish values. Here in the UK, 2015 anti-terror laws were implemented in the specific context of countering 'Islamist extremist ideology'. Germany has banned all Hezbollah activity since 2020 and shut down a number of Islamic organisations for their suspected terrorist links and funding.

The regulations and acts introduced by European states which have a demonstrable effect upon Islamic practices more broadly are underlined by some of the significant demographic shifts taking place across Europe. Data on the exact numbers of Muslims living in Europe is difficult to collect, for various reasons, not least because the faith-based census questions are often marked as optional in Europe's secular nations. According to a demographic study published by the Pew Research Center at the end of 2017, France, Germany and the UK had the highest estimated

INTRODUCTION

Muslim populations in Europe the previous year at 5.7, 4.9 and 4.1 million, respectively.¹ Moreover, if the UK were to follow Pew's medium-migration projection, it would reach 13 million Muslims by the year 2050 and have the highest population of Muslims in Europe, passing even France and Germany.²

United Kingdom

In comparison to other European nations, the UK has relatively few policies or legal acts which specifically target Islam. There are no bans on the wearing of headscarves, burqas or niqabs, and no restrictions in place on Islamic slaughtering rites, while a strong tradition of anti-discrimination legislation has seen a great deal of case law precedent protect religious freedoms in most forms. The law prohibits discrimination on religious grounds and ‘requires “reasonable” religious accommodation in the workplace’, whether public or private, preventing rulings similar to those found in countries with wider precedents for policies specifically towards Islam.³

Key policies and legislation

Headscarf policies

The UK has not introduced any national or local legislation restricting the wearing of Islamic religious headscarves, burqas or niqabs. This applies to both public spaces and employment as well as private.⁴ A number of proposals attempting to instate a national ban on the burqa or other face coverings were discussed in parliament in the early 2010s, but none were passed.⁵ Prime Minister David Cameron responded to pressure for a national ban on face covering clothing with a refusal in 2013, but stated his openness to a ban in specific settings, such as courts of law and schools.⁶ Educational facilities are the one exception to the rule on

headscarf policies in the UK, as schools have the right to determine their own dress codes. A few isolated incidents have seen attempts to ban headscarves as part of uniform regulations, but most were withdrawn or defeated in court on grounds of discrimination.⁷ Furthermore, as noted in the section on 'Islamic education' below, the Department of Education suggests that schools 'maintain neutrality' and take the 'best interests' of the wider communication into consideration when deciding dress codes.⁸

There is some case law precedent on the issue of religious face and head coverings, but the strength of the Equality Act of 2010 and other anti-discrimination law has tended to prevent the success of attempts to restrict Islamic headwear (or other religious symbols) in those specific instances brought before the courts.⁹

Halal slaughter

UK law requires the prior stunning of animals before slaughter to minimise suffering. It does however provide exemptions for Muslim and Jewish ritual practices. If 'it can be demonstrated that the meat is destined for a religious community', then such exemptions apply.¹⁰

Islamic marriage and divorce

The historical position of the Church of England and its role in political practice in the past means that there is no requirement to register some religious marriages.¹¹ Religious marriages that take place outside of the Church of England, Church in Wales, or Jewish or Quaker faiths, 'must generally take place in a registered building' in order to be legally valid.¹² The noted presence of some 30 unregistered 'sharia courts' across the country has been the subject of recent attention, with growing recognition of the fact that

these bodies restrict Muslim women's rights and 'operate parallel to the national legal system', often marrying couples or granting divorces illegally.¹³

There have been no adopted policies in the UK in this area specifically mentioning Islam, though in recent years proposals and private members' bills (primarily by Baroness Cox) in the House of Lords have sought to increase awareness of the issue of unregistered Muslim marriages.¹⁴ One such proposal was an amendment to the Marriage Act in 2018 that aimed to 'make it a punishable offence for religious officials not to report religious marriages to the state civil registry office for registration'. Furthermore, a 2018 independent review of sharia law in the UK made the suggestion that the law should 'ensure that civil marriages are conducted before or at the same time as the Islamic marriage ceremony to ensure that a greater number of women would have the right to a civil divorce and consequent financial provision'.¹⁵ It also suggested establishing a code for sharia councils, but this was rejected on the grounds of legitimising a parallel legal system.

A private member's bill aiming to criminalise child marriage and raise the legal age of marriage from 16 to 18 was introduced by Sajid Javid MP, himself a Muslim, in 2021 and has received widespread support. The Marriage and Civil Partnership (Minimum Age) Bill¹⁶ is currently working its way through Parliament. While supporters have stressed that they are 'not targeting any community in particular', debates have focused on religious marriages and cases of children who have been subjected to coerced marriages that were legal with parental consent.¹⁷ It is expected to become law in 2022.

Islamic education

There have been few direct policies adopted in the UK related directly to Islamic education specifically. Data

collected in January 2019 suggests that 14 Islamic state schools are in existence in the UK, with an unknown number of unregistered ‘madrasa’-type institutions that operate outside of the national school framework. A proposal in 2014 suggested a code of conduct be applied for teachers at these institutions.^{18 19} Non-religious state schools must ‘maintain neutrality’ in their teaching of theological subjects, and are required to consider the ‘best interests’ of the school community when dictating dress codes. The Department for Education ‘acknowledges schools could be justified in restricting individuals’ rights to manifest their religion or beliefs when necessary, for example, to promote cohesion and good order.²⁰ A number of controversies related to Islamic practices and educational policies have erupted in recent years; these include the Trojan Horse scandal in 2013 and highly publicised protests by Muslim parents about an LGBT-positive curriculum implemented in primary schools in Birmingham in 2019.²¹

Islamism and religious extremism

With the increased threat of ISIS and several major Islamist terror incidents occurring in the 2010s, the UK has implemented a number of policies and amendments to its counter-terrorism policy in recent years, with one official noting that the ‘volume, range and pace of counter-terrorism activity has undergone a step-change’ since 2014.²² However, a critical issue affecting the UK’s legislation against terrorism and Islamic extremism has been budget cuts related to the fiscal policy of austerity.²³

After the election result of 2015 saw the Conservative Party come to power, then-Prime Minister David Cameron announced a set of new policies with the explicit purpose of countering ‘poisonous Islamist extremist ideology’ within

the country.²⁴ These included the banning of fundraising and membership of proscribed groups, monitoring legal groups that incite extremist hatred or ‘seriously threaten democracy’, and the identification and shutting down of charities who finance extremists or terrorists.²⁵ Further policies were enacted after the Manchester arena terror attack in 2017, including an exclusion order on individuals who travelled to partake in terrorist activities.²⁶ The 2019 London Bridge knife attack prompted amendments to control of terrorism suspects via surveillance and the reduction of early release from prison sentences.²⁷ This culminated in the Counter-Terrorism and Sentencing Act passed in April 2021.

Another aspect of the UK’s approach towards Islamist extremism is the PREVENT programme, implemented in 2011 as part of a wider counter-terrorism programme known as CONTEST, which is intended to stop radicalisation of any kind via monitoring and support of ‘vulnerable’ individuals.²⁸ It has been updated numerous times, but the central aim is to ‘prevent people from being drawn into terrorism’ as specified in an associated law, the 2015 Counter-Terrorism and Security Act.²⁹ Terrorism is defined here as ‘vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs’, and is also extended to right-wing extremism, though the governmental guidance contains a specific section on Islamists.³⁰ A review of this programme is currently scheduled to be released in early 2022.³¹

Austria

The Republic of Austria's constitution protects religious freedoms but states that 'duties incumbent on nationals may not be impeded by religious affiliation'.³² Religious societies that have been recognised by law are given the legal status of 'public corporations', with independent administration of their own affairs. However, in recent years, with the increased public focus on Muslim migration and the refugee crisis since 2015, there has been a notable clampdown on Islamic religious practices. Former Chancellor Sebastian Kurz, leader of the powerful Austrian People's Party, frequently made reference in this period to the threat of 'political Islam' and warned about the rise of 'parallel societies' within Austria to justify the extension of legislation against Islamic groups and individuals.³³ A careful line has been struck, however, for Austrian law allows individuals to 'sue the government for constitutional violations of religious freedom'.³⁴

Key policies and legislation

Austria has enacted a comparatively high number of policies which (whether explicitly or not) target Islamic practices and Muslims in the country, including a ban on religious clothing which covers the face and a recent surge in legislation aimed specifically at targeting the spread of what Chancellor Sebastian Kurz frequently referred to as 'political Islam'.

In 2015 the country passed controversial and sweeping amendments to its 1912 'Islam law' (*Islamgesetz*); the original law was the first in Europe to recognise a Muslim religious society and authorise its access to religious freedoms of association within Austria.³⁵ The law was reformed in 2015, with the stated aim of 'promot[ing] the idea that you can be both a practicing Muslim and a proud Austrian at the same time'.³⁶ Alongside its updating of religious pastoral care in state institutions and the provision of more university positions for Muslim clerics, it also bans the foreign financing of mosques and imams in Austria and requires all mosques of registered Islamic groups to provide German translations of their teachings for examination. It also requires that teachings must not violate federal law. Furthermore, it provides concrete legal definitions and protection of Islamic practices like circumcision and halal slaughtering methods, as well as stating that 'Muslims may raise children and youth in accordance with Islamic traditions'.³⁷ The text accompanying the Law emphasises the fact that it 'defines rights and obligations for the Islamic Religious Societies – just like the other 14 (in total 16) Religious Societies in Austria'.³⁸ Notably, Christian and Jewish groups are still permitted to receive foreign funding.³⁹

Headscarf policies

Austria adopted a national 'Anti Face-Covering Act' in May 2017; it was enforced from October of that year. It was presented in terms of protecting neutrality and 'Austrian values' and did not explicitly refer to any religion, but was intended in part as a 'ban on religious and ideological symbols' worn in public more generally.⁴⁰ The public and parliamentary debates about this Act were almost exclusively about Islamic headscarves, burqas and niqabs.⁴¹

Regarding both the private sphere and private employment, there is no specific policy prohibiting the veil, and 'no explicit legal norm that allows private employers' to ban it, but case law precedents suggest that the Act is largely extended to private areas where issues arise.⁴²

Furthermore, in May 2019, the government passed a law prohibiting the wearing of headscarves by girls in primary schools; it was posed in neutral terms referring to 'ideologically or religiously-influenced clothing which is associated with the covering of the head', but exempted Sikh and Jewish head coverings.⁴³ It was also justified by a member of the Austrian People's Party as a way of stopping the existence of 'parallel societies'.⁴⁴ However, in December 2020 this bill was deemed discriminatory on the grounds of religion by the Austrian Constitutional Court and was then shelved, as were early discussions of extending the ban for girls up to age 14.⁴⁵

Halal slaughter

Austrian law dictates that animals may not be slaughtered without prior stunning.⁴⁶ However, there are several caveats allowing halal and kosher practices to continue. In the summer of 2018, public debate focused on a single state's proposal to enforce registration for buying halal and kosher meat, but no national policies were implemented.⁴⁷

Islamic marriage and divorce

Austrian law does not consider religious marriages to be legally authorised. Only civil marriages are recognised, after which a religious ceremony may be performed.⁴⁸ One legal scholar has argued that there are no specific policies in Austrian family law specifically applicable to family situations 'influenced by Islam or for the recognition of

[familial] decisions adopted in a jurisdiction shaped by Islamic authority'.⁴⁹ Furthermore, the *talaq* (Islamic male-mandated divorce) is usually only recognised in cases where a foreign government has ratified or been involved with it, and this has been on a case-by-case basis rather than a set policy.⁵⁰ Laws from the first decade of the 21st century apply to the dissolving of forced marriages and female genital mutilation but do not specifically refer to Muslims or Islam.⁵¹

Islamic education

Muslim communities that are recognised by law in Austria are granted 'the right and the opportunity to provide their own denominational religious education in public schools for their own community members'.⁵² However, as all religious education must take place within the secular public school context, Islamic religious education must be taught with reference to the 'social context' of Austria – its political and societal norms. Aside from this there has been no specific legislation or policy implemented regarding education or madrasas.

Islamism and religious extremism

In the last several years, and not without a fair amount of backlash, Austria has passed a number of controversial measures aimed specifically at combatting 'political Islam', whether explicitly or covertly.⁵³ Former Chancellor Sebastian Kurz (in office until October 2021) frequently referred to the threat of political Islam and pushed for these bills to be passed. In May 2021, the Austrian Minister for Integration released an interactive map of hundreds of Muslim associations and mosques across the country which highlighted their ties to Muslim countries and international

organisations; it was claimed that this measure was intended to fight political Islamism.⁵⁴

A draft for a new Anti-Terrorism Act was submitted by the Ministry of Interior in late December 2020, after the 2 November 2020 terrorist attack in Vienna. The draft was subsequently leaked and included the creation of a new political offence, noted as the ‘creation, leadership, financing or support in any form of a “religiously motivated extremist association” or promotion of “religiously motivated extremist acts”’.⁵⁵ Initially, the Act referred to ‘political Islam’, but this was, in the end, replaced by the phrase ‘religiously motivated extremism’. The draft also proposed to ‘expand government monitoring of Muslim groups’ in the country, including registries of mosques and imams. Prior to this, January 2020 saw the establishment of a new ‘Documentation Centre for Political Islam’ with the aim of surveillance and monitoring of suspected extremists.⁵⁶ Also in 2020, the government office for migration ‘refuse[d] to issue or renew residence permits for foreign imams financed by foreign sources’ in a move to combat the influence of extremist groups (though this was justified for all faiths rather than specifically referring to Islam).

In 2019, an amendment to the motion known as the Symbols Act was passed, banning all symbols deemed by the government to be extremist, such as those linked to the Muslim Brotherhood or ISIS, but was not specifically targeted at Islamist groups.⁵⁷ An amendment to Austria’s Criminal Law in November 2018 extended the definition of terrorist offences to include travelling for terrorist purposes and provided for ‘an extension of the domestic jurisdiction concerning terrorism’ via increased surveillance powers over suspects, including of encrypted communication platforms like WhatsApp.⁵⁸ As part of the revision of the ‘Islam Law’

in 2015, imams were no longer permitted to be salaried by foreign donation, with the aim of reducing extremist ties to Islamist groups, particularly from Turkey. Several mosques were shut down on the basis of this law over the course of 2018.⁵⁹

Denmark

Denmark, the initial site of the 2005 *Jyllands-Posten* cartoons controversy (which sparked debates on blasphemy laws and backlash both across the world and in Denmark itself) perpetuates a strong focus on integration and assimilation rather than promoting religious multiculturalism. The nation has an established state church, the Evangelical Lutheran Church, and since June 2017 has decriminalised blasphemy. It is unique in the European Union for having a Constitution that ‘does not contain a general prohibition of discrimination’, but does ensure that religious freedoms are upheld and that ‘no person shall by reason of his creed or descent be deprived of access to the full enjoyment of civic and political rights’.⁶⁰

Key policies and legislation

Denmark has enacted a number of policies in the last several years aimed specifically at the spread of Islamist extremism and the promotion of societal integration, the most prominent being its ban on face-covering clothing in 2018. One study estimates that over 10 legislative proposals concerning the presence of Islam in Denmark have been discussed since 2017, from the presence of prayer rooms in public institutions to the wearing and display of religious symbols; the majority of these were not enacted.⁶¹

In December 2018, the government confirmed a bill that changed the procedure of Danish nationalisation ceremonies.

Justified as part of a drive for greater assimilation into Danish culture, the policy requires that new Danish citizens shake the hand of the official granting them their citizenship.⁶² While not specifically targeted at Muslims, the law clearly has a religious component, for both ultra-religious Jews and Muslims often avoid physical interactions with unrelated individuals of the opposite sex.

With the aim of combatting social segregation in urban settings, the government passed a highly controversial set of rules, that came to be known as the ‘Ghetto Package’, in 2018. These were initially intended to ‘reduce the effects of parallel society and create better integration’ in areas populated predominantly by migrants, many of whom came from Muslim backgrounds.⁶³ The legislation included requirements that parents send their children to state nurseries, where they would ‘receive instruction in “Danish values”, including the Easter and Christmas traditions’. If they did not do so, they were made ineligible for social welfare cheques.⁶⁴

A resolution aimed at restriction of circumcision was debated in parliament in early 2021 but resulted in no legislation. A citizen proposal for this has been brought forward three times now, indicating a possible change in the near future.

Headscarf policies

In August 2018, Denmark enacted a ban on the wearing of face-covering clothing in public spaces. While not explicitly referring to Muslim religious attire, the focus of public and parliamentary debate was on the burqa and the niqab.⁶⁵ The focus on face-covering means that headscarves are still permitted.⁶⁶ The law provides several exceptions to the policy, namely that the ban does not apply ‘during cold weather or festivities’, and crucially, it is left up to ‘police

to judge when the law is violated', making it incredibly difficult and time-consuming to enforce.⁶⁷

Halal slaughter

Denmark enacted a ban on the (religious) slaughter of 'non-sedated' animals as part of the Animal Protections Act in February 2014 on the grounds of alleviating the suffering of animals; this applies to both kosher and halal practices and was not targeted specifically at Muslims.⁶⁸ Thus religious ritual slaughter of animals *is* permitted, but not without prior stunning, and slaughterhouses must be registered with local administrations.⁶⁹ Halal and kosher meat produced without sedation is permitted to be imported for consumption, however.

Islamic marriage and divorce

Any state-recognised religious group in Denmark is permitted to perform marriage ceremonies. These include the 66 recognised Muslim groups and congregations in Denmark, but policies stipulate that only groups recognised before 1970 can legally issue marriage certificates. Furthermore, any member of the clergy who does have the legal authority to officiate marriages is required to 'have an adequate mastery of the Danish language and to complete a two-day course on family law and civil rights administered by the Ministry of Ecclesiastical Affairs'; if they do not comply, they 'may be stripped of their right to perform marriages'.⁷⁰

Denmark also increased its focus on religious marriages involving minors in 2021, with a new bill aimed at combatting forced marriages and marriages of those under the age of 18, both within Denmark and for travel to countries where such marriages are permitted.⁷¹ As these are frequently Muslim countries, the policy can be seen to focus on Islam.

Islamic education

Religious education and schools in Denmark are required to promote core Danish values, such as democracy and freedom. In 2017, a public and parliamentary debate over the closure of a Muslim school sparked proposals for the closure of many more; no policies were adopted as a result.⁷²

Islamism and religious extremism

The Danish government voted in a Proposal for a Law Prohibiting the Receipt of Donations in March 2021. While it does not specifically mention Islam, the proposal speaks of the undermining of democracy and human rights by donations to religious groups from abroad. The parliament has also debated policies that would enforce the translation of all sermons and religious teachings into Danish for analysis by the state in an effort to curb Islamist extremism. It justified this on the grounds that such a law would ‘enlarge the transparency of religious events and sermons’.⁷³

A December 2016 amendment to the country’s Aliens Act permitted the authorities to sanction or ban religious leaders and preachers from entering the country if they ‘pose[d] concern for public order’.⁷⁴ It was first proposed in a debate in March of that year, with the aim of reducing hate speech and the spread of ‘anti-democratic’ values, and also provided for the creation of a public sanction list of such individuals.⁷⁵ Other bills related to this initial debate were passed in 2016 and 2017 against ‘religious preachers who undermine Danish laws and values and who support parallel conceptions of law’.⁷⁶ These included amendments to acts focused on marriage and the criminal code related to religious training and instruction.

France

The French Republic occupies a unique space within European religious policies due to its commitment to state secularism, enshrined in the principle of *laïcité*. French citizens are nonetheless constitutionally granted equality before the law, regardless of religion, and the ‘free exercise of religious worship’.⁷⁷ Alongside having one of the highest Muslim populations in Europe of around 5 million, France has had to contend in recent years with an increase in Islamist terror attacks, such as those on the *Charlie Hebdo* offices and the Bataclan in Paris in 2015, or isolated incidents such as the murder of schoolteacher Samuel Paty in 2020.⁷⁸ In the wake of these events, France has arguably ‘adopted a much stricter interpretation of the constitutional principle of *laïcité*, invoking it to justify bans on religious manifestation and introduce a range of limitations’ on Islam in France.⁷⁹ President Emmanuel Macron has increasingly focused on the need to combat ‘Islamic separatism’ and the development of religious ‘counter-societies’ in France since his election in 2016; this rhetoric is reflected in recent policy changes enacted by his government.⁸⁰

Key policies and legislation

Alongside Austria, with its recent ‘Islam law’ and strict counter-terrorism measures, France has enacted some of the most pointed policies concerning Islam in Europe. The Republic’s commitment to secularism via its strict

adherence to *laïcité* policies enables the legal application of a number of bans on religious practice and symbols. To take just one general example, the European Court of Justice upheld a ruling that employers can ban their employees from manifesting any visible signs of religious expression, including daily prayers, in 2017.⁸¹ These have covered a number of specific areas relevant to the Islamic faith, though do not always explicitly refer to it.

Headscarf policies

France was the first European nation to enact a general ban on the wearing of clothing which covers one's face. Like numerous other countries' restrictions on such religious dress, the law – 'On the Prohibition of Concealing the Face in a Public Space' – makes no explicit reference to Islam or Muslim practices. However, it amended numerous earlier policies, such as one from 2004 which banned the wearing of 'ostentations' religious symbols, including headscarves, turbans, kippahs and large crosses in state schools, and a 1986 ban on religious symbols in public employment.⁸² While the 2011 policy was considered by some to be a violation of both the Constitution and the European Convention on Human Rights (ECHR), the French Constitutional Court eventually ruled that the ban did not go against constitutional rights. Taken together, French laws restrict the wearing of face-concealing garments in public places, and prohibit religious symbols, or the 'demonstration' of religion through 'visible signs of religious affiliation' by civil servants.⁸³ An August 2016 labour law amendment 'allowed private employers to include the principle of neutrality in their internal regulations in order to restrict their employees from manifesting their beliefs'.⁸⁴ None of these policies is overtly targeted towards Muslim dress

or practice, but instead enshrine France's commitment to secularism. However, when several localities attempted to ban the wearing of the full-body female swimming costumes colloquially known as 'burkinis', the French court ruled that these attempts were 'violation[s] of fundamental freedoms'. Nevertheless, the burkini continues to provoke controversy in France, with cases continuing to be heard on the subject, indicating the difficulty of balancing secularist aims with the rights of faith groups.⁸⁵

Halal slaughter

France has not enacted any specific policies targeted at Islamic butchery practices. Like many other European nations, the law requires the prior stunning of an animal before it is slaughtered to reduce its suffering. Furthermore, there are no restrictions on the export of halal and kosher meat, which makes up an estimated one third of French meat exports.⁸⁶

Islamic marriage and divorce

French law only recognises civilly-registered marriages as legally binding. If a religious marriage ceremony is desired, it must be conducted as a separate ceremony from the civil one.⁸⁷ The Civil Code of France notes that marriages must be 'celebrated publicly in a republican ceremony before the civil status officer [*officier de l'état civil*] of the town where one of the spouses, or one of their parents, has his/her domicile or residence...' (Article 165).⁸⁸ With regards to divorce, religious authorities or officials do not have the power to dissolve a marriage, but a law enacted on 1 January 2017 allows marriages to be dissolved 'by mutual consent'.⁸⁹

Islamic education

French public schools are secular, and as noted above, public school teachers and other employees are not permitted to wear any religious symbols; meanwhile, home-schooling practices and private educational facilities are required to conform with the secular educational standards established for public schools.⁹⁰ These standards do not require the provision of religious instruction in schools, except in specific states and territories. Furthermore, students are not mandated to attend religion classes, though there has been, in recent years, a move towards teaching some civic elements of religion to pupils.⁹¹ A bill established in November 2020 severely restricted home-schooling options in France, suggesting the continued focus on secular education for French pupils as a way of combatting radicalisation and promoting integration.⁹² A number of madrasas and religious institutions were shut down in the wake of France's anti-separatism laws (discussed below).

Islamism and religious extremism

France has instated a number of controversial anti-terror and counter-extremism proposals in recent years that specifically refer to or target Islamism and other Islamic religious extremism. The most recent – colloquially referred to as the 'anti-separatism bill' – was approved by the French Assembly in July 2021 and implemented from the 24 August 2021.⁹³ It saw the implementation of numerous policies that had initially been proposed the previous autumn in the wake of the murder of teacher Samuel Paty.⁹⁴ The bill is dedicated to the specific threat of what Emmanuel Macron has frequently referred to as 'Islamic separatism' within France, and is officially known as the Law to Reinforce the Principles of the Republic [*le loi confortant le respect des principes de la*

République].⁹⁵ The legislative acts grouped under this heading enforce a number of new restrictions, including greater regulation of French mosque financing, a complete ban on foreign imams being admitted to France, the restriction of home-schooling, and the monitoring of various associations, including sports teams, to prevent the covert extension of Islamist teaching.⁹⁶ The policies also target unaccredited schools where religious ideology is thought to be taught beyond government-mandated secular curricula. This new law also focused on preventing online radicalisation and set up a requirement for civil associations to sign a contract of commitment to republican values in order to qualify for state subsidies and legal benefits.⁹⁷ Further proposals in 2021 included a 'Law on the Prevention of Terrorist Acts and Intelligence' which aims to expand the 'use of intelligence algorithms and technological surveillance' to monitor online platforms.⁹⁸ Despite the predictable backlash occasioned by these policies, Macron maintained their necessity in countering Islamist attempts to set up a 'counter society' within France that undermined French values, and repeatedly stressed that the intention behind them was not to target ordinary, 'integrated' French Muslims.⁹⁹

Prior to this, the French government had enacted an anti-Islamist policy in February 2018, which saw the closure of '15 places of worship, 12 cultural establishments, and four schools', as well as over 200 restaurants and cafes, on the grounds that they provided 'gathering places to organize Islamist separatism'.¹⁰⁰ Mosques, under counter-terrorism legislation, are permitted to be shut down if they are found to be promoting 'hatred or discrimination or the commission of acts of terrorism or praise such acts of terrorism'; in November 2020 the Interior Ministry stated that 43 mosques had been shut down as a result of this policy.¹⁰¹

Another policy that came into effect in November 2017 saw several emergency security procedures shifted to permanent, peacetime law, including the establishment of checkpoints, as well as the establishment of a domestic anti-terrorism task force. In 2016 the French Senate passed a law giving police and the judicial sector greater authority in counteracting terrorist offences, these included physical searches and the house arrest of those suspected of being foreign fighters for Islamic State (ISIS).¹⁰²

Germany

Islam is the largest minority religion in Germany. Estimates place the number of Muslims in Germany at somewhere in the region of 5 to 6 million individuals; this number was inflated by some 900,000 refugees who resettled in Germany after the height of the refugee crisis in 2015.¹⁰³ While Germany has not enacted severely restrictive policies towards Islam like its neighbour Austria, there are several crucial areas of legislative change in response to the large Muslim population, as will be shown below. It has been argued that ‘Germany is unafraid to deal with Islam transparently’, in opposition to other countries that have attempted to pass policies regarding Islam under the guise of other concerns.¹⁰⁴ Whether or not this is entirely true, there is a unique directness in German legislation and debate on the subject.

Key policies and legislation

Due to the federal nature of Germany’s political and legislative system, it is difficult to pinpoint national patterns relating to policies, particularly on something as divisive as the regulation of religious practices and anti-terror legislation. There are no targeted bans on halal slaughtering practices or a national head- or face-covering law; these vary from state to state.¹⁰⁵ The government firmly rejected fears surfacing in 2017 that Germany would follow in Austria’s footsteps (in 2015) and establish some sort of

‘Islam law’ specifically targeting Muslims and their rights and obligations within the German state.¹⁰⁶

Headscarf policies

Regarding the varied headscarf policies employed across Germany, the bottom (legal) line ruled by the Federal Constitutional Court is that ‘any prohibition of religious symbols must respect the strictly interpreted equality of religions’.¹⁰⁷ In 2003 the *Ludin* judgement of the Federal Court ruled that individual states could ban headscarves at state level, and that this would not usually break with constitutionally-granted freedom of religion in specific circumstances.¹⁰⁸

A number of German states have since enacted full or partial bans on face-covering religious attire; these are Baden-Württemberg, Bavaria, Berlin, Bremen, Hesse, Lower Saxony, North Rhine-Westphalia, and Saarland.¹⁰⁹ However, this varies on a case-by-case basis, as exemplified in North Rhine-Westphalia, where a court in 2015 ruled that ‘a general headscarf ban is not compatible with Article 4 (freedom of religion) and Article 3 (equality guarantee) of the Constitution’.¹¹⁰ 2016 saw the first parliamentary debate on a national ban of head- and face-coverings in Germany, but authority continues to reside in individual states.¹¹¹

The most prominent policy-related debate on headscarves has focused on the educational sector and whether public school teachers should be permitted to wear headgear that conceals their faces. In a Federal Court ruling of 2015, it was suggested that ‘general headscarf bans for teachers at public schools are a violation of religious freedom, but implementation is left to the states, which may determine if special circumstances apply’.¹¹² In 2017, eight of Germany’s

16 states had banned teachers from wearing religious attire and symbols; these restrictions extended beyond Islamic ones.¹¹³ Again, however, these are permitted or prohibited on a widely-varying legal basis, depending on state- and case-specific details.

A federal law enacted in September 2017 does prohibit the wearing of burqas and niqabs while driving for safety reasons.¹¹⁴

In May 2021 the ‘Law Regulating the Appearance of Civil Servants’ banned government workers from displaying any religious symbols at work. Two German Muslim women told to remove their headscarves by their employers took their individual complaints against this ruling to the European Court of Justice, which ruled in July 2021 that private employers can ban religious symbols in specific instances, primarily with regards to promoting neutrality and public image.¹¹⁵

Halal slaughter

German animal welfare legislation bans the slaughter of animals without prior stunning. However, if a slaughterhouse is registered with a ‘local veterinary inspection office’, can provide certificates of competence in butchering animals, and the meat is intended only for individuals whose faith requires them to slaughter animals without anaesthesia – primarily Muslims and Jews – exemptions apply.¹¹⁶ These exemptions are granted on a case-by-case basis if there are other options for stunning that can be said to comply with religious belief; ‘religious freedom and animal protection have to be balanced’ according to outcomes by the Federal Constitutional Court.¹¹⁷ In addition, the export of meat slaughtered without prior stunning is not permitted.

Islamic marriage and divorce

With regards to religious marriages, Germany occupies a unique space within comparative marital law. In 2009 it saw the removal of the legal provision that marriages had to be declared civilly before they could occur religiously. This was largely in response to the Catholic Church's traditional marriage policies.¹¹⁸ Divorces, on the other hand, are not recognised if they are not registered with the judicial or administrative system, thus disqualifying the Islamic male-determined divorce process known as *talaq*.¹¹⁹ Germany's laws against polygamy and the marriage of minors are well-established; however, there is no clear legal policy on how to proceed with underage or coercive marriages conducted abroad or in Muslim countries. Due to the federal nature of the legislative and political system in Germany, such decisions are usually determined on a state-by-state and case-by-case basis, despite the country's commitment to combatting the marriage of underage girls.¹²⁰ There is case law precedent for annulling marriages for children under 16 that were conducted under foreign law.¹²¹ There is also a lack of explicit policy on religious honour killings.¹²²

Islamic education

In terms of national policies on Islamic education in Germany, there is little concrete evidence to go on, again due to the federal nature of the political system and of schooling. Since there is constitutionally no church of the state, general religious education is part of the public school curriculum, with parents in charge of deciding if children receive a religious education. The German Constitution recognises faith groups' right to 'establish private denominational schools', while the *Ludin* judgment of the Federal Constitutional Court in 2003 gave individual

states the right to decide whether religious plurality would be promoted in schools.¹²³

Islamism and religious extremism

As a result of increased numbers of both Muslim refugees arriving in Germany and Islamist terror attacks in Germany in the middle years of the 2010s, a number of anti-terrorist legislative acts were passed within a relatively short period of time. Many of these specifically targeted Islamists and their networks. The financing of and travelling for terrorist purposes were added as amendments to the criminal code in 2015 due to the influence of ISIS.¹²⁴ A July 2016 law on 'Improving Information Exchange to Combat International Terrorism' provided for greater surveillance of suspected terrorists' communication methods. In April 2020, Germany placed a ban on 'all Hezbollah activities', which resulted in raids of mosques. They also continued surveillance of groups like the Muslim Brotherhood, various Salafist groups, Hizb ut-Tahrir, and the Tablighi Jamaat.¹²⁵ 2021 saw the forced closure of a number of Islamist organisations in Germany for their terrorist connections and funding.¹²⁶

Hungary

The Hungarian Constitution, known as the Fundamental Law, came into practice on 1 January 2012. It is often presented as enshrining the ideology of Viktor Orbán's Fidesz party, and has been amended a number of times in the past decade. The constitution enshrines a separation of church and state, prohibits religious discrimination, and guarantees religious freedom in Hungary (Articles VII and XV).¹²⁷ Whilst it does refer to other 'religious traditions', it makes explicit reference to the 'role of Christianity' in 'preserving nationhood'. Further amendments, discussed below, reinforce this commitment to 'Christian values' and their fundamental importance to Hungarian civil society.¹²⁸

Hungary was the second European nation to recognise Islam as an official religion with a law in 1916. It is still in effect today. Despite this, Prime Minister Viktor Orbán's rhetoric since his re-election in 2010 has increasingly opposed both Islamic practices and Muslims; for example, in frequent references to migrants as 'Muslim invaders' and the presentation of Hungary as a bastion of Christian Europe.¹²⁹ Islamic organisations are still present in Hungary however, despite being referred to as 'churches' once legally recognised. They also receive state protection and tax contributions once authorised.¹³⁰

Key policies and legislation

As one author has noted, 'Islam, being one of the country's long-recognised religions, faces no legal obstacles: Muslims are guaranteed freedom of religion and there are no Hungarian laws contradicting Islamic practices.'¹³¹ As such, there are no demonstrable bans on hijabs, burkas or headscarves, and no restrictions on halal slaughter or Islamic education.

However, the country's Fundamental Law (Hungary's constitution) has been amended a number of times in its decade of existence to reflect changing views on Islam exacerbated by the refugee crisis and migration from Muslim countries into Europe. In 2016, Orbán claimed that 'Islamization is constitutionally banned in Hungary' in direct reference to the Fundamental Law's commitment to the preservation of Hungarian culture and heritage against Islam.¹³²

One example of this tightening of the Fundamental Law is a change made in 2018 which restricted the settlement of 'foreign populations' in Hungary.¹³³ Changes made in 2020 – discussed below – reinforced the Law's basis in 'Christian' traditions and values, which may hinder the practice of Islam in Hungary. Furthermore, an anti-fraud law passed with revisions by the Constitutional Court of Hungary in July 2011 enforced new criteria for religious bodies' recognition by the state. These included a two-thirds parliamentary majority on authorisation, and affected a number of previously-authorized religious bodies. This policy, 'On the Right to Freedom of Conscience and Religion and on the Legal Status of Churches, Religious Denominations and Religious Communities', removed legal recognition and tax benefits from a number of religious groups, including Muslim religious bodies as well as Buddhist, Hindu, and Methodist ones.¹³⁴

Headscarf policies

There have been no national policies or legislation enacted in Hungary restricting Islamic headgear. As noted by Lóránt Csink, there is no restriction on the wearing of religious clothing or symbols of any kind in Hungary, despite the foundation of the country's constitution (the Fundamental Law) on 'Christian culture'.¹³⁵ This includes workers in public employment as well as private.

There have been several isolated instances where attempts to restrict headscarves have been made. A well-known example is a policy adopted by the village of Asotthalom in 2016 which banned headscarves and the Muslim call to prayer.¹³⁶ However, this was decreed unconstitutional by the Hungarian Constitutional Court in April 2017 as a limitation on 'the exercise of fundamental rights'.¹³⁷

Halal slaughter

Hungary has not enacted policies against religious slaughter, be it halal or kosher.¹³⁸

Islamic marriage and divorce

There are no specific policies or laws directed at Muslim marriages and divorces. Marriages have been secular in Hungary since an 1894 matrimonial law. Religious marriages therefore do not qualify as legal without a civil registration, and Muslim religious leaders have no legal authority in resolving Islamic marriage disputes.¹³⁹

Islamic education

All registered religious groups in Hungary retain the right to open denominational schools. However, on 15 December 2020, the Hungarian parliament voted in an amendment to the Fundamental Law (the Hungarian Constitution) which

was implemented on 23 December 2020. This amendment requires that Hungarian children are provided with an 'upbringing based on values stemming from our country's constitutional identity and Christian culture', which will have a strong impact on Islamic education in the country.¹⁴⁰

Islamism and religious extremism

There are no specific policies targeted towards Islamism, but religious extremism is covered by stricter amendments to the country's counter-terror legislation that were implemented in June 2016.¹⁴¹ These changes included a new 'Counter Terrorism Action Plan' and 13 new laws on national security, policing and crime. A sixth amendment was added to the Fundamental Law on 1 July 2016, allowing for 'extraordinary measures' in cases of high terror threats. Furthermore, a new government security service, the 'Counter-terrorism Information and Criminal Analysis Center' (TIBEK), was established on 17 July that year, with an increased focus on information collection and surveillance of terrorist/religious extremist suspects.¹⁴²

The Netherlands

The Netherlands has enacted a number of policies specifically related to Islam within the Dutch state. Most prominent among these is its face-covering ban of 2018, as well as a number of policies related to the foreign funding of imams and the authorisation of surveillance on suspected Islamists. Many have emerged out of a growing political movement against Islam in the Netherlands. One study has referred to the Netherlands' legislation on this topic as an 'overlapping patchwork of anti-Islam politics';¹⁴³ this characteristic is difficult to substantiate in most instances as few refer specifically to Islam outside of counter-extremism measures.

Key policies and legislation

Headscarf policies

At the end of June 2018, the Netherlands Senate bill on the 'Partial Prohibition of Face-Covering Clothing' was passed. It applies to specific locations, including transport, education, healthcare, and government institutions. The ban was first suggested by politician Geert Wilders in 2005 but was repeatedly refused by the Dutch Council of State 'due to its disproportionality and infringement on the right to freedom of religion'.¹⁴⁴ Indeed, the governmental Equal Treatment Commission in 2012 argued that the ban was 'discriminatory, disproportional, distorting, paternalistic, arbitrary, dissimulating, contradictory and counterproductive'.¹⁴⁵

While the 2018 bill was not phrased in a way that suggests a direct targeting of Muslims, it prohibits any clothing that covers the face or leaves only the eyes visible, thus covering niqabs and burqas as well as ‘ski masks, full-face helmets, [and] balaclavas’: rendering it, according to many, ‘unworkable’ and unenforceable. Indeed, Dutch police suggested that they would not follow up on its provisions after it passed.¹⁴⁶ Despite all of this, it officially remains in place today as a national ban.

Halal slaughter

A policy on ritual slaughter was enacted in the Netherlands in the summer of 2018. It stipulated that if an animal was not ‘insensitive’ to pain ‘within 40 seconds of slaughter’, based on several reflexes, it must be shot to alleviate suffering.¹⁴⁷ This was passed on the grounds of animal welfare rather than religious restriction, and still permitted religious slaughter to go ahead. Furthermore, it was agreed in 2017 with religious leaders of the Jewish and Muslim communities that the government would work towards slaughtering operations of a size ‘necessary to meet the actual needs of the local religious communit[ies] in the Netherlands’.¹⁴⁸ In 2019 an attempt to introduce a total ban on religious slaughter by the Animal Rights Party was defeated, with the Council of State arguing that such a ban ‘constitutes a serious infringement on freedom of religion, violates the human rights of Jews and Muslims’. The Dutch Council of State argued in response to further animal rights proposals that ‘the interests of protecting animal welfare did not outweigh the freedom of religion’ as constitutionally granted.¹⁴⁹

Islamic marriage and divorce

According to Dutch marital law, marriages must be performed in front of a registrar in order to be civilly registered and thus valid; a 'religious ceremony [of marriage] may not take place before the civil ceremony'.¹⁵⁰ There is no specific legislation at a national level regarding Islamic marriages. Furthermore, though it is not a national policy, there is strong precedent for courts to issue fines or even arrest warrants against husbands who coerce their wives to remain religiously married.¹⁵¹ Though there is no legislation specifically related to honour-based violence, the Netherlands recognises it as an issue and provides support and training for victims and social workers.¹⁵²

Islamic education

The Netherlands permits the establishment of religious or 'ideology-based' schools. It also provides funding for both schools and 'other religious educational institutions' if they meet a number of criteria.¹⁵³ These include having minimum class sizes, attaining governmental education standards, and healthcare stipulations. Aside from this policy, granted on the grounds of constitutional religious freedoms, there is little evidence of specific policies that have been adopted in response to Islamic education practices in particular.

Islamism and religious extremism

Like many other European nations, the Netherlands increased its counter-terrorism budget in the second half of the 2010s in response to large numbers of Muslim migrants, the growth of ISIS, and the rise in terrorist incidents. An August 2014 'Action Plan' was announced, which aimed to 'weaken the domestic jihadist movement, decrease

radicalisation, and protect the rule of law' – and specifically referred to outreach amongst the Dutch Muslim community and the legalisation of deporting foreign clerics who preached extremist views in local mosques.¹⁵⁴ A controversial policy enacted in 2015 allowed schools to monitor student computer usage and screen their activities online 'for keywords that may signal radicalisation', allowing faculty members to save screenshots of supposedly suspicious activity.¹⁵⁵ 2017 saw the introduction of three new bills aimed at countering terrorism; these included the possible revocation of citizenship for over-16s who joined armed combat against the Netherlands, a travel ban on leaving the country for specific purposes, and the removal of passports for criminals suspected of planning to travel (these were all connected to Dutch fighters joining ISIS). These bills, which were in discussion from the middle of 2015, were hugely controversial and criticised for 'violat[ing] a range of human rights'.¹⁵⁶

The Netherlands also stepped up its counter-terrorism and counter-extremism measures more recently, with specific reference to Islam. In June 2020, parliament continued to debate and pressure the government to 'counter foreign funding of mosques' in order to stop radical Islam from being promoted within the Netherlands.¹⁵⁷ A government report on this topic was criticised for failing to differentiate between moderate and fundamentalist Muslims, derailing the discussion.¹⁵⁸ The report also noted the increasing role of social media in transmitting extremist views, specifically within the Muslim community, particularly of Salafism. As noted in another government's analysis of this report, 'it made no recommendations on how to counter possible extremist influence accompanying donations from "unfree countries" to local Islamic institutions'.¹⁵⁹

In the same month, the Dutch Supreme Court ruled that it was not legally required to repatriate women and children trapped in refugee camps in Syria or Iraq in the wake of the downfall of ISIS.¹⁶⁰ At the end of 2020, the government proposed legislation to enable the inspection of all foreign donations made to any organisation.

Poland

It has been estimated that the Muslim population of Poland is less than 0.1 per cent of the total.¹⁶¹ Yet Poland's government and civil society since 2015, dominated by the Law and Justice Party, has increasingly focused on anti-migration rhetoric, both legitimised and hystericalised by the twin aims of security and 'stopping [the] Islamisation' of Polish society.¹⁶² In 2016 the country refused to meet the EU quota for the resettlement of refugees on the grounds of security, and was found to be in violation of EU law by the European Court of Justice for this refusal in 2020.¹⁶³

The Polish Constitution protects the 'equal rights' of churches and recognised religious groups, of which Islam (under the umbrella group the Muslim Religious Union) is one.¹⁶⁴ However, though the separation of church and state in Poland is enshrined in law, the Catholic Church in Poland has a disproportionate influence over policy decisions, particularly in the areas of abortion and LGBT issues, and has been described as a 'political actor' in its attempts to protect its own interests.¹⁶⁵ It has been suggested that while 'law seems to be structured appropriately to provide the necessary freedoms to religious minorities, the problem is its practical application'.¹⁶⁶

Key policies and legislation

Despite high levels of public debate about the perceived increase of Islamic culture and Muslims in Poland, there have

been relatively few policies adopted that directly target or refer to Islam, presumably as a result of the very small Polish Muslim population.¹⁶⁷ There are no national bans on religious slaughter practices, circumcision, or the burka or niqab.¹⁶⁸

The primary mode of legislating on Islam in Poland appears to be through migration policies, as discussed above. Specific instances include a migration policy document released in 2019 by the Law and Justice Party. It stated that Muslim immigrants specifically are ‘prospective threats both to the security of the country and to Polish culture’, and that they were unable to integrate into Polish society.¹⁶⁹ This policy was released as a draft but was intended to be implemented if passed by the government, and contained a section specifically focused on Muslim immigrants, referring to the need to monitor them for security purposes.¹⁷⁰

Headscarf policies

At least until 2018, there had been no bills discussed in the Polish government proposing to ban Islamic headscarves, niqabs or burqas at a national level, nor was there retrievable evidence of institutional or private bans.¹⁷¹ Furthermore, the country did not have ‘any laws that prohibit the wearing of religious clothing or symbols’ in public or private employment. In some specific instances, there is case law precedent of such bans in very limited circumstances on the grounds of safety.¹⁷²

Halal slaughter

The regulation of the ritual slaughter of animals in Poland has a complicated history. Religious slaughter without prior stunning of an animal was allowed up until 2002, but Jews in Poland were granted an exemption from this change requiring stunning/anaesthesia. Muslims, however, were

not. In 2004, a bill was passed allowing exemptions from this rule for all religious communities, but it was revoked in 2012 by the Constitutional Tribunal. In a reversal of this decision in 2014, the Tribunal ruled that ritual slaughter by all religions could again occur without the prior stunning of the animal as this law went against the freedom of religion granted by Polish law.¹⁷³ In September 2020, a government proposal was put forward that would prohibit ‘the religious slaughter of animals for export’ (both kosher and halal) but it was withdrawn in November of the same year.¹⁷⁴

Islamic marriage and divorce

Religious marriage ceremonies in Poland are not recognised in themselves as valid, couples must register their marriage civilly; these can usually be done at the same time.¹⁷⁵ While there is no specific legislation or policy targeting Islamic marriages or divorces, it is notable that of the 15 religious affiliations recognised by the state of Poland, 11 ‘do not require further registration at a civil registry office’, indicating that some faith groups are placed under closer scrutiny.¹⁷⁶ One of the four groups that does not have the right to register marriages civilly and religiously is Poland’s Muslim Religious Union, despite its recognition by the state.

Islamic education

There do not appear to be any targeted policies towards Islamic education or madrasas. There is no provision for Islamic education in public schools, which provide religious education in the Catholic, Protestant or Orthodox faiths.

Islamism and religious extremism

Poland saw an uptick in anti-terrorism legislation in the wake of European terrorist incidents inspired by ISIS in the

mid-2010s. It has been argued that these counter-terrorism measures 'unlawfully target Muslims and foreigners' in Poland despite their relatively small presence within the country.¹⁷⁷ The most relevant and controversial is the 2016 Anti-Terror Law which allowed Poland's security services to 'apprehend and expel any foreigner suspected... of engaging in terrorism or espionage'.¹⁷⁸ It also permitted the wire-tapping of phone calls, the collection of biometric data, required pre-paid SIM cards to be registered, and increased the state's powers of arrest based on suspicion alone.¹⁷⁹ It was widely criticised within Poland for breaking with its constitutional rights of freedom of assembly, speech and religion, as well as with the European Convention on Human Rights.¹⁸⁰

Sweden

Sweden has placed historical emphasis on multiculturalism rather than assimilation,¹⁸¹ with a major declared goal of the government being civic secularism and the maintenance of a 'society free from discrimination' on any grounds, including religion.¹⁸² The Swedish Constitution guarantees the right for 'religious minorities to preserve and develop a cultural and social life of their own' (Ch. 1, Art. 2).¹⁸³ The Swedish Social Democrats, who have held a majority since 2014, have traditionally focused on welfare, with a later openness towards asylum-seekers and migrants, until curbs were announced in November 2015 (these were largely due to socio-economic pressures as opposed to anti-Islamic sentiment).¹⁸⁴ Estimates from 2017 suggest that the Muslim population was then around eight per cent of the total population of Sweden (roughly 810,000); this has scope to increase through migration.¹⁸⁵

Key policies and legislation

A number of policies have been adopted by the Swedish government in recent years that directly affect, or have affected, Islamic practice and Muslims in the country.

Headscarf policies

Whilst there is no national legislation in place banning headscarves, hijabs or niqabs in Sweden, there have been several local council bills that have banned all forms of

Islamic headwear in educational institutions in specific municipalities. These include the Skurup and Staffanstorp localities (enacted in December and May 2019, respectively) both of which banned headscarves in schools, with the justification that such clothing sexualised young girls.¹⁸⁶ These acts were criticised as religious discrimination and were both declared unconstitutional and revoked in 2020 by the Court of Appeals in Malmö, which stated that the bills went against Swedish constitutional protection of religious freedoms.

Furthermore, it should be noted that between 2002-2018 there were six attempts to ban Islamic headgear at a national level, and 32 at the local level in the same period. According to the Swedish National Education Agency, the veil can be banned in schools in specific instances where neutrality is required; this policy has been in place since 2012. Furthermore, employers also have the option to ban Islamic headgear, again in specific cases in the name of protecting neutrality in the workplace.¹⁸⁷

Halal slaughter

Swedish law requires that all animals be anaesthetised before they are slaughtered. This applies to both Jewish and Muslim butchering practices and is largely justified from an animal rights perspective, rather than a religious one.¹⁸⁸

Islamic marriage and divorce

All marriages in Sweden must be performed by government-authorized officiators.¹⁸⁹ Therefore, Swedish imams do not have the legal authority to carry out marriages or divorces, which must be officially registered with local authorities. However, as in many European countries, there exists a 'grey area' between Swedish and Islamic law which makes the application of such policies difficult to track.¹⁹⁰

Polygamy and underage marriages that have been authorised in predominantly Muslim countries outside of Sweden have been the topic of recent parliamentary debate, with new rules enacted on 1 January 2019 that allowed the invalidation of underage marriages of Swedish nationals carried out abroad.¹⁹¹ Similar legislation has been discussed regarding polygamous marriages of the same type.¹⁹²

Islamic education

Sweden currently does not have any legislation which restricts religious education beyond the normal scope of laws protecting religious expression and the promotion of human rights. The public school curriculum aims to provide ‘non-denominational’ teaching, with one scholar noting that ‘the “objectivity” of education is not to be intruded upon by indoctrinating or tendentious modes of discourse regardless of a school’s profile—be it confessional or any other’.¹⁹³ Private schools in Sweden are still required to follow the national curriculum, but religious institutions are permitted. It has been estimated that between 15 and 20 registered Islamic schools exist in Sweden which provide Islamic religious education alongside the national curriculum. The Law on Governmental Support of Faith Communities enables religious schools that have been investigated for their promotion of ‘fundamental Swedish values’ to be supported by governmental grants.¹⁹⁴

However, public debate in the past several years suggests that this may change in the near future. For example, in January 2020 a government inquiry suggested a ban on the founding of new religious schools from 2023, with more regulation ‘on existing schools having a religious orientation’.¹⁹⁵ In July 2021, an Islamic school in Gothenburg was forced to close after it was found to have ‘connection[s]

to extremism', with gender segregation and mandatory prayers.¹⁹⁶

Islamism and religious extremism

Sweden's Anti-Terrorism Act of 2003, which retains a broad definition of terrorism, is still applicable. It was followed up by the 'Action plan to safeguard democracy against violence-promoting extremism' in 2012.¹⁹⁷ Anti-terrorism legislation was amended in 2017 as a result of a terrorist attack in Stockholm that April. It allowed for greater surveillance of suspects and the possibility of outlawing recognised terrorist groups.¹⁹⁸ There have also been discussions of criminalising collaboration with such groups since 2019.¹⁹⁹

Switzerland

The political structure of the Swiss Confederation means that although freedom of religion and the necessity of religious ‘neutrality’ are written into the Swiss Federal Constitution, each of the 26 Swiss cantons is responsible for ‘governing the relationship between religion and society’ in its own locality.²⁰⁰ Emphasis on religious neutrality has seen crucifixes banned from classrooms and rigorous public debate on the wearing of Islamic headscarves and Jewish kippahs. Two cantons, Geneva and Neuchâtel, are fully secular and recognise no state religion, as well as having restrictions on the wearing of religious garb.²⁰¹

Key policies and legislation

Switzerland has passed some of the most restrictive policies against Islamic practices in Europe, particularly with regards to religious dress and worship methods; the majority have been justified in the name of religious neutrality and do not target Islam or Muslims directly.

Headscarf policies

On 7 March 2021, a Swiss referendum banning face-covering headgear in public places passed with 51.2 per cent approval. The proposal was originally submitted in March 2017 and rejected by Switzerland’s Council of States in 2019.²⁰² It was also rejected by the National Council in June 2020. Notably, the phrasing of this policy proposal did not mention Islam

or Muslims directly. However, the majority of discussion on the topic revolved around the burqa and niqab.²⁰³

Prior to this referendum, the canton of Geneva introduced a secularism law in February 2019 which banned the wearing of religious symbols in places of work (including the Islamic headscarf, Jewish kippah, and crosses), changed tax spending on religious institutions and introduced restrictions on religious gatherings.²⁰⁴ In January 2019, St. Gallen saw the implementation of a law which banned facial coverings in public places if the covering posed 'a threat to public security and/or societal peace' (to be judged on a case-by-case basis).²⁰⁵ Face coverings were also banned in Ticino canton.

Halal slaughter

Swiss law dictates that the slaughter of animals without prior stunning is illegal, but halal and kosher meat is permitted to be imported for consumption by Muslims and Jews in Switzerland.²⁰⁶ There is one exception: poultry may be ritually slaughtered.²⁰⁷

Islamic marriage and divorce

Swiss law does not recognise religious marriages unless they include or are preceded by a civil ceremony and registration (Civil Code Art. 97 Para. 3). Thus, religious marriages are not held to be valid in law, and laws of property and inheritance do not apply. Notably, however, Switzerland does recognise religious marriages that have been authorised by a foreign country; there is also case law indicating that the *talaq* (Islamic divorce performed by the husband) is usually not recognised in Swiss courts.²⁰⁸

There have been few direct policies relating to Islamic marriage and divorce law, although in June 2012 the country adopted Measures against Forced Marriages, and underage

marriages conducted abroad are subject to annulment in Switzerland.²⁰⁹

Islamic education

Education policy in Switzerland (and much else besides) is determined by individual cantons. Largely, public schools are required to remain religiously neutral; theological lessons are to be carried out in a ‘tolerant manner’. Private schools in Switzerland are still regulated and supervised by the state, and there are not estimated to be any official Muslim schools (this does not include madrasas). Swiss case law has made a number of pronouncements on religious practice controversies in schools, including the presence of crucifixes in classrooms and the wearing of headscarves and other religious headgear (prior to the ban on face-covering clothing passed in 2021). However, the majority of these outcomes were discussed in terms of religious neutrality rather than anti-Muslim sentiment.²¹⁰

Islamism and religious extremism

In June 2021 the Swiss nation voted to enact a new counter-terrorism measure, the ‘Federal Act on Police Measures to Combat Terrorism’, which ‘allows the authorities to take action against persons who pose a terrorist risk’, to cover, controversially, the increase of governmental rights to monitor ‘potential offenders’ – including children over the age of 12.²¹¹

Other religious practice restrictions

In November 2009, a referendum was passed with 57.7 per cent approval by the Swiss population to ban the construction of minarets on new mosques. It was added to Article 72 of the Swiss Constitution.²¹²

Further reading

United Kingdom

<https://www.counterextremism.com/countries/united-kingdom>

<https://www.state.gov/reports/2020-report-on-international-religious-freedom/united-kingdom/>

<https://civitas.org.uk/publications/fallen-through-the-cracks/>

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/836571/Mainstream-islamism-in-britain-education-for-the-islamic-revival.pdf

<https://researchbriefings.files.parliament.uk/documents/CBP-7613/CBP-7613.pdf>

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/263181/ETF_FINAL.pdf

[https://www.unifr.ch/ius/religionsrecht/fr/assets/public/files/publications/IR-Papers/IR-Paper-03_Mandatory%20civil%20marriage_web%20\(3\).pdf](https://www.unifr.ch/ius/religionsrecht/fr/assets/public/files/publications/IR-Papers/IR-Paper-03_Mandatory%20civil%20marriage_web%20(3).pdf)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/678478/6.4152_HO_CPGF_Report_into_Sharia_Law_in_the_UK_WEB.pdf#page=11

<https://commonslibrary.parliament.uk/research-briefings/cbp-8747/>

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/539683/55469_Cm_9310_Web_Accessible_v0.11.pdf

<https://rm.coe.int/the-united-kingdom-s-strategy-for-counter-terror-ism-june-2018/16808b05f3>

Austria

Richard Potz, *Annotated Legal Documents on Islam in Europe: Volume 20 – Austria* (Brill, 2020).

FURTHER READING

U.S. Department of State, Office of International Religious Freedom, *2020 Report on International Religious Freedom: Austria* Austria – United States Department of State.

Counter Extremism Project, *Austria: Extremism and Terrorism* Austria: Extremism and Terrorism | Counter Extremism Project.

U.S. Department of State, Bureau of Counterterrorism, *Country Reports on Terrorism 2019: Austria* Austria – United States Department of State.

Federal Minister for Women and Civil Service, 'Tradition and Violence Against Women' (2009) https://www.bundeskanzleramt.gv.at/dam/jcr:f6ef06fa-3a6b-455e-a6e3-a8777514c67e/traditionundgewaltanfrauen_e_26157.pdf

Florian Heindler, 'The Austrian Public Policy Clause and Islamic Family Law', *ELTE Law Journal* (2016) <https://eltelawjournal.hu/the-austrian-public-policy-clause-and-islamic-family-law/>

Lorenzo Vidino, 'Austria, Not France, Is the Model for Europe's Crackdown on Islamists' *Foreign Policy* (2020) <https://foreignpolicy.com/2020/11/11/austria-not-france-is-the-model-for-europes-crackdown-on-islamists/>

Counter Extremism Project, *Austria: Extremism and Terrorism* <https://www.counterextremism.com/countries/austria>

What is behind Austria's plan to outlaw 'political Islam'? | Financial Times.

Deutsche Welle, *Austria's controversial 'burqa ban', a year on* (2018) <https://www.dw.com/en/austrias-controversial-burqa-ban-a-year-on/a-45719874>

<https://www.washingtonpost.com/news/worldviews/wp/2015/02/26/austria-is-taking-controversial-steps-to-tighten-a-100-year-old-law-on-islam/>

The new right: Austria's Freedom Party and changing perceptions of Islam (brookings.edu).

"Austria's new government starts clampdown against 'political Islam'", *FT* (2018) <https://www.ft.com/content/2d7c6df2-6afb-11e8-8cf3-0c230fa67aec>

Denmark

Niels Valdemar Vinding, *Annotated Legal Documents on Islam in Europe: Volume 18 – Denmark* (Brill, 2020).

U.S. Department of State, Office of International Religious Freedom, *2020 Report on International Religious Freedom: Denmark* Denmark – United States Department of State.

Counter Extremism Project, Denmark: Extremism and Terrorism
Denmark: Extremism and Terrorism | Counter Extremism Project.

U.S. Department of State, Bureau of Counterterrorism, Country Reports on Terrorism 2019: Denmark Denmark – United States Department of State.

<https://www.ohchr.org/Documents/Issues/Religion/Islamophobia-AntiMuslim/Civil%20Society%20or%20Individuals/CEDAR.pdf>

<https://www.brookings.edu/research/islam-as-a-floating-signifier-right-wing-populism-and-perceptions-of-muslims-in-denmark/>

Sibel Özcan, Zeynep Bangert: Islamophobia in Denmark: National Report 2018, in: Enes Bayraklı & Farid Hafez, *European Islamophobia Report 2018*, Istanbul, SETA, pp. 251-282.http://www.islamophobiaeurope.com/wp-content/uploads/2019/09/EIR_2018.pdf

Lassen, Eva Maria (2020). Limitations to Freedom of Religion or Belief in Denmark, *Religion & Human Rights*, 15(1-2), 134-152.

https://brill.com/view/journals/rhrs/15/1-2/article-p134_8.xml?language=en

<https://www.economist.com/europe/2021/12/18/why-have-danes-turned-against-immigration>

France

Anne Fornerod, *Annotated Legal Documents on Islam in Europe: Volume 10 – France* (Brill, 2020).

Léonard Faytre, *Islamophobia in France: National Report 2018*
http://www.islamophobiaeurope.com/wp-content/uploads/2019/09/EIR_2018.pdf

<https://www.state.gov/reports/2020-report-on-international-religious-freedom/france/>

<https://rm.coe.int/profile-france-2021-cdct-/1680a44e0c>

<https://www.counterextremism.com/countries/france>

Erica Howard, 'Religious clothing and symbols in employment: A legal analysis of the situation in the EU Member States' (2017) *Religious clothing and symbols in employment – Publications Office of the EU* (europa.eu).

FURTHER READING

<https://www.washingtonpost.com/opinions/2021/04/21/france-hijab-ban-vote-exclusion/>

<https://time.com/6049226/france-hijab-ban/>

<https://theconversation.com/muslim-schools-are-allies-in-frances-fight-against-radicalization-not-the-cause-149802>

<https://www.thelocal.fr/20171020/the-fine-line-of-teaching-religion-in-frances-secular-schools/>

<https://www.politico.eu/article/france-law-emmanuel-macron-islamist-separatism-security/>

Germany

<https://foreignpolicy.com/2019/07/12/women-with-headscarves-need-not-apply-in-germany/>

<https://www.state.gov/reports/2020-report-on-international-religious-freedom/germany/>

<https://www.brookings.edu/research/right-wing-populism-in-germany-muslims-and-minorities-after-the-2015-refugee-crisis/>

<https://rm.coe.int/profiles-on-counter-terrorist-capacity-germany/1680641010>

Selen A. Ercan, 'Creating and Sustaining Evidence for "Failed Multiculturalism": The Case of "Honor Killing" in Germany' *American Behavioral Scientist*. 2015;59(6):658-678.

<https://journals.sagepub.com/doi/pdf/10.1177/0002764215568988>

<https://www.spiegel.de/international/germany/islamic-mediators-facilitate-two-legal-systems-in-germany-a-839580.html>

<https://blogs.loc.gov/law/2017/09/matrimonial-relations-european-law-and-religious-communities/>

Jaraba, Mahmoud. (2018). The Practice of Khul in Germany: Pragmatism versus Conservativism, *Islamic Law and Society*, 26(1-2), 83-110.

<https://www.counterextremism.com/countries/germany>

http://www.islamophobiaeurope.com/wp-content/uploads/2019/09/EIR_2018.pdf

Hungary

Zsolt Sereghy (2017): *Islamophobia in Hungary: National Report 2016*, in: Enes Bayraklı & Farid Hafez, *European Islamophobia Report 2016*, Istanbul, SETA, 2017.

Nadia Jones-Gailani and Gabi G?bl, *Islamophobia in Hungary: National Report 2019*, in: Enes Bayraklı & Farid Hafez, *European Islamophobia Report 2019*, Istanbul, SETA, 2020.

2019eir-HUNGARY.pdf (islamophobiaeurope.com).

Baranyi Emese Zsuzsanna, 'Islam in Hungary – Marriage habits of Muslims living in Hungary', *Comparative Law Working Papers – Volume 5*. No. 2. (2021).

U.S. Department of State, Office of International Religious Freedom 2020 *Report on International Religious Freedom: Hungary Hungary – United States Department of State*.

Lóránt Csink (2021) 'The Legal Regulation of Religious Symbols in the Public Sphere in Hungary'. In: Paweł Sobczyk (ed.) *Religious Symbols in the Public Sphere*, pp. 73–102.

hungary-study-data-surveillance-ii-hu.pdf (europa.eu) Tamás Fézer, *National intelligence authorities and surveillance in the EU: Fundamental rights safeguards and remedies*.

The Hungarian Parliament Is About to Enact New Anti-Terror Laws | liberties.eu for an analysis of the new anti-terror laws and their clauses.

Council of Europe Committee on Counter-Terrorism, Profiles on Counter-Terrorism Capacity: Hungary (May 2021) REMARKS (coe.int).

Nadia Jones-Gailani and Gabi G?bl, *Islamophobia in Hungary: National Report 2019*, in: Enes Bayraklı & Farid Hafez, *European Islamophobia Report 2019*, Istanbul, SETA, 2020.

2019eir-HUNGARY.pdf (islamophobiaeurope.com).

Anti-Muslim populism in Hungary: From the margins to the mainstream (brookings.edu).

The Netherlands

Agnieszka Szumigalska, *Annotated Legal Documents on Islam in Europe: Volume 14 – The Netherlands* (Brill, 2020).

Leyla Yıldırım: *Islamophobia in the Netherlands: National Report 2018*, in: Enes Bayraklı & Farid Hafez, *European Islamophobia Report 2018*,

FURTHER READING

Istanbul, SETA, pp. 589-620 http://www.islamophobiaeurope.com/wp-content/uploads/2019/09/EIR_2018.pdf

<https://www.government.nl/topics/honour-based-violence>

Van Eijk, Esther. (2019). Khul? Divorce in the Netherlands: Dutch Muslim Women Seeking Religious Divorce, *Islamic Law and Society*, 26(1-2), 36-57.

https://brill.com/view/journals/ils/26/1-2/article-p36_1.xml

<https://www.ohchr.org/Documents/Issues/Terrorism/SR/GA75/Netherlands-GA75CT.pdf>

<https://www.politico.eu/article/the-netherlands-brings-in-unworkable-burqa-ban/>

<https://www.theguardian.com/world/2019/aug/01/dutch-police-signal-unwillingness-enforce-new-burqa-ban>

Iris Sportel, 'Who's Afraid of Islamic Family Law? Dealing with Shari'a-based Family Law Systems in the Netherlands' *Religion and Gender* Vol. 7, no. 1 (2017), 53-69.

https://www.researchgate.net/publication/319487600_Who's_Afraid_of_Islamic_Family_Law_Dealing_with_Shari'a-based_Family_Law_Systems_in_the_Netherlands

<https://www.nytimes.com/2019/08/01/world/europe/netherlands-burqa-ban.html>

<https://classic.iclrs.org/content/blurb/files/Netherlands.pdf>

<https://www.nytimes.com/2017/03/13/world/europe/netherlands-election-muslims.html>

<https://www.brookings.edu/research/the-biggest-problem-in-the-netherlands-understanding-the-party-for-freedoms-politicization-of-islam/>

<https://www.counterextremism.com/countries/netherlands>

<https://www.state.gov/reports/2020-report-on-international-religious-freedom/netherlands/>

Poland

<https://foreignpolicy.com/2020/10/19/deport-muslim-immigrants-poland-counterterrorism-pis-islamist-radicalization/>

Kasia Narkowicz, 'Antagonisms, Alliances and Friendships: Religious and Sexual Politics in the Polish Public Sphere' PhD Thesis, University of Sheffield (2014).

<https://etheses.whiterose.ac.uk/8798/1/Antagonisms,%20Alliances%20and%20Friendships.%20Religious%20and%20Sexual%20Politics%20in%20the%20Polish%20Public%20Sphere.pdf>

Agata S. Nalborczyk & Paweł Borecki (2011) Relations between Islam and the state in Poland: the legal position of Polish Muslims, *Islam and Christian-Muslim Relations*, 22:3, 343-359.

https://www.researchgate.net/publication/233011989_Relations_between_Islam_and_the_state_in_Poland_the_legal_position_of_Polish_Muslims

K. Sadowa, ““Honour” Killings in Europe as an Effect of Migration Process – Perspective for Poland”, *International Letters of Social and Humanistic Sciences*, Vol. 58, pp. 83-90, 2015 <https://www.scipress.com/ILSHS.58.83>

<https://www.opendemocracy.net/en/can-europe-make-it/why-are-polish-people-so-wrong-about-muslims-in/>

<https://www.state.gov/reports/2020-report-on-international-religious-freedom/poland/>

Paweł Borecki, *Annotated Legal Documents on Islam in Europe: Volume 1 – Poland* (Brill, 2020).

Sweden

Jenny Berglund, ‘State-Funded Faith-Based Schooling for Muslims in the North’, Vol. 46, Issue 2, Special Section: Faith-based Schools and Religious Diversity in *Religion and Education* (2019), pp. 210-233.

Counter-Terrorism Project, ‘Sweden: Extremism and Terrorism’ *Sweden: Extremism and Terrorism* | Counter Extremism Project

Rickard Lagervall, ‘Representations of religion in secular states’, *Contemporary Arab Affairs* Vol. 6, No. 4 (2013), pp. 524-528 – provides a good overview of Muslims in Sweden from early modern period up to early 21st century including attitudes/views, controversies, as well as legal issues.

Robin Andersson Malmros, ‘Prevention of terrorism, extremism and radicalisation in Sweden: a sociological institutional perspective on development and change’, *European Security* (2021).

Åke Sander, *Islam and Muslims in Sweden: Integration or Fragmentation? A Contextual Study* (Munster: Lit Verlag, 2007).

Mosa Sayed and Göran Larsson, *Annotated Legal Documents on Islam in Europe: Volume 15 – Sweden* (Brill, 2020).

FURTHER READING

U.S. State Department, Bureau of Counterterrorism, *Country Reports on Terrorism 2019: Sweden* Sweden – United States Department of State.

U.S. Department of State, Office of International Religious Freedom, *2020 Report on International Religious Freedom: Sweden* Sweden – United States Department of State.

Switzerland

See <https://islamandsociety.ch/fr/home-2/swiss/> for more information on Muslims in Switzerland, their legal status, and debates (in French or German only).

Stephane Lathion, 'Muslims in Switzerland: Is Citizenship Really Incompatible with Muslim Identity?' *Journal of Muslim Minority Affairs* Vol. 28 No. 1: Islam in Europe (2008), pp. 53-60 <https://www.tandfonline.com/doi/full/10.1080/13602000802011077?scroll=top&needAccess=true> provides a detailed outline of Muslims in Switzerland in the early 2000s.

Douglas Pratt, 'Swiss Shock: Minaret Rejection: European Values, and the Challenge of Tolerant Neutrality' *Politics, Religion & Ideology* Vol. 14, No. 2 (2013), pp. 193-207.

René Pahud de Mortanges and Barnaby Leitz, 'Mandatory civil marriage according to Swiss law: Superfluous historical remnant or building block in the fight against forced marriages?', Institut für Religionsrecht, Universität Freiburg, 2021.

[https://www.unifr.ch/ius/religionsrecht/fr/assets/public/files/publications/IR-Papers/IR-Paper-03_Mandatory%20civil%20marriage_web%20\(3\).pdf](https://www.unifr.ch/ius/religionsrecht/fr/assets/public/files/publications/IR-Papers/IR-Paper-03_Mandatory%20civil%20marriage_web%20(3).pdf)

René Pahud de Mortanges 'Religion and the Secular State in Switzerland' in Javier Martínez-Torrón and W. Cole Durham, Jr. (eds.) *Religion and the Secular State: National Reports* (Madrid, 2015) <https://classic.iclrs.org/content/blurb/files/Switzerland.1.pdf>

U.S. Department of State, Office of International Religious Freedom, *2020 Report on International Religious Freedom: Switzerland* Switzerland – United States Department of State.

Raimund Süess and René Pahud de Mortanges, *Annotated Legal Documents on Islam in Europe: Volume 12 – Switzerland* (Brill, 2020).

<https://foreignpolicy.com/2021/03/10/switzerland-europe-burqa-ban-referendum-coronavirus-face-masks-egerkinger-komitee/>

Notes

- 1 Pew Research Center, 'Europe's Growing Muslim Population', <https://www.pewforum.org/2017/11/29/europes-growing-muslim-population/>
- 2 Pew Research Center, 'Europe's Growing Muslim Population', <https://www.pewforum.org/2017/11/29/europes-growing-muslim-population/>
- 3 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: United Kingdom', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/united-kingdom/>
- 4 Erica Howard, 'Religious clothing and symbols in employment: A legal analysis of the situation in the EU Member States', <https://op.europa.eu/en/publication-detail/-/publication/a29bf629-4641-11ea-b81b-01aa75ed71a1>
- 5 BBC News, 'UKIP chief Nigel Farage calls for burka ban', <http://news.bbc.co.uk/1/hi/8464124.stm>
- 6 James Kirkup, 'David Cameron supports Muslim veil ban in schools and courts', <https://www.telegraph.co.uk/news/politics/david-cameron/10342501/David-Cameron-supports-Muslim-veil-ban-in-schools-and-courts.html>
- 7 'European Islamophobia Report 2018', http://www.islamophobiaeurope.com/wp-content/uploads/2019/09/EIR_2018.pdf
Study International, 'UK school reverses hijab ban after backlash', <https://www.studyinternational.com/news/uk-school-reverses-hijab-ban-backlash/>
- 8 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: United Kingdom', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/united-kingdom/>

- 9 Equality and Human Rights Commission, 'Religion or belief: dress codes and religious symbols', <https://www.equalityhumanrights.com/en/advice-and-guidance/religion-or-belief-dress-codes-and-religious-symbols>
- 10 Tom Levitt, 'What is non-stun slaughter and how is it treated in UK law?', <https://www.theguardian.com/world/2021/oct/12/what-is-non-stun-slaughter-and-how-is-it-treated-in-uk-law>
- 11 René Pahud de Mortanges and Barnaby Leitz, 'Mandatory civil marriage according to Swiss law: Superfluous historical remnant or building block in the fight against forced marriages?', [https://www.unifr.ch/ius/religionsrecht/fr/assets/public/files/publications/IR-Papers/IR-Paper-03_Mandatory%20civil%20marriage_web%20\(3\).pdf](https://www.unifr.ch/ius/religionsrecht/fr/assets/public/files/publications/IR-Papers/IR-Paper-03_Mandatory%20civil%20marriage_web%20(3).pdf)
- 12 Catherine Fairbairn, 'Islamic marriage and divorce in England and Wales', <https://commonslibrary.parliament.uk/research-briefings/cbp-8747/>
- 13 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: United Kingdom', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/united-kingdom/>
'The independent review into the application of sharia law in England and Wales', https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/678478/6.4152_HO_CPFGR_Report_into_Sharia_Law_in_the_UK_WEB.pdf#page=11
- 14 Emma Webb, 'Fallen through the cracks: Unregistered Islamic marriages in England and Wales, and the future of legislative reform', <https://civitas.org.uk/publications/fallen-through-the-cracks/>
- 15 Catherine Fairbairn, 'Islamic marriage and divorce in England and Wales', <https://commonslibrary.parliament.uk/research-briefings/cbp-8747/>
- 16 <https://bills.parliament.uk/bills/2900>
- 17 [https://hansard.parliament.uk/commons/2021-11-19/debates/22B836A2-DCFA-4759-BD71-D978E1192F77/MarriageAndCivilPartnership\(MinimumAge\)Bill](https://hansard.parliament.uk/commons/2021-11-19/debates/22B836A2-DCFA-4759-BD71-D978E1192F77/MarriageAndCivilPartnership(MinimumAge)Bill)
- 18 Patrick Wintour, 'Code of conduct drawn up for UK madrasas', <https://www.theguardian.com/politics/2014/may/18/code-of-conduct-uk-madrasas>

- 19 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: United Kingdom', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/united-kingdom/>
- 20 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: United Kingdom', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/united-kingdom/>
- 21 Samira Shackle, 'Trojan horse: the real story behind the fake 'Islamic plot' to take over schools', <https://www.theguardian.com/world/2017/sep/01/trojan-horse-the-real-story-behind-the-fake-islamic-plot-to-take-over-schools>
BBC News, 'LGBT teaching row: Birmingham primary school protests permanently banned', <https://www.bbc.co.uk/news/uk-england-birmingham-50557227>
- 22 Counter Extremism Project, 'United Kingdom: Extremism and Terrorism', <https://www.counterextremism.com/countries/united-kingdom>
- 23 Danny Shaw, 'Policing 'at risk' as officers deal with terror', <https://www.bbc.co.uk/news/uk-40350748>
- 24 Counter Extremism Project, 'United Kingdom: Extremism and Terrorism', <https://www.counterextremism.com/countries/united-kingdom>
- 25 Counter Extremism Project, 'United Kingdom: Extremism and Terrorism', <https://www.counterextremism.com/countries/united-kingdom>
BBC News, 'New laws to target radicalisation', <https://www.bbc.co.uk/news/uk-politics-32714802>
- 26 Counter Extremism Project, 'United Kingdom: Extremism and Terrorism', <https://www.counterextremism.com/countries/united-kingdom>
- 27 Jamie Grierson, 'Unconvicted terrorism suspects face indefinite controls under UK bill', <https://www.theguardian.com/politics/2020/may/20/unconvicted-terrorism-suspects-face-indefinite-controls-under-uk-bill>
- 28 'The United Kingdom's Strategy for Countering Terrorism', https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/716907/140618_CCS207_CCS0218929798-1_CONTEST_3.0_WEB.pdf

- 29 Home Office, 'Revised Prevent duty guidance: for England and Wales', <https://www.gov.uk/government/publications/prevent-duty-guidance/revised-prevent-duty-guidance-for-england-and-wales>
- 30 Home Office, 'Revised Prevent duty guidance: for England and Wales', <https://www.gov.uk/government/publications/prevent-duty-guidance/revised-prevent-duty-guidance-for-england-and-wales>
- 31 Lizzie Dearden, 'Review of Prevent counter-extremism programme misses deadline – almost three years after it began', <https://www.independent.co.uk/news/uk/home-news/prevent-review-shawcross-delay-extremism-b1981654.html>
- 32 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: Austria', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/austria/>
- 33 Financial Times, 'Austria's new government starts clampdown against 'political Islam'' <https://www.ft.com/content/2d7c6df2-6afb-11e8-8cf3-0c230fa67aec>
- 34 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: Austria', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/austria/>
- 35 Elahe Izadi, 'Austria is taking controversial steps to tighten a 100-year-old 'Law on Islam'', <https://www.washingtonpost.com/news/worldviews/wp/2015/02/26/austria-is-taking-controversial-steps-to-tighten-a-100-year-old-law-on-islam/>
- 36 Federal Chancellery of the Republic of Austria, 'The Austrian Islam Law', <https://www.bundeskanzleramt.gv.at/en/agenda/integration/the-austrian-islam-law.html>
- 37 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: Austria', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/austria/>
- 38 Federal Chancellery of the Republic of Austria, 'The Austrian Islam Law', <https://www.bundeskanzleramt.gv.at/en/agenda/integration/the-austrian-islam-law.html>
- 39 BBC News, 'Austria passes controversial reforms to 1912 Islam law', <https://www.bbc.co.uk/news/world-europe-31629543>

- 40 Open Society Foundations, 'Briefing Paper: Restrictions on Muslim women's dress in the 28 EU Member States: Current law, recent legal developments, and the state of play', <https://www.justiceinitiative.org/uploads/dffdb416-5d63-4001-911b-d3f46e159acc/restrictions-on-muslim-womens-dress-in-28-eu-member-states-20180709.pdf>
 Deutsche Welle, 'Austria's controversial 'burqa ban', a year on', <https://www.dw.com/en/austrias-controversial-burqa-ban-a-year-on/a-45719874>
 BBC News, 'Austrian ban on full-face veil in public places comes into force', <https://www.bbc.co.uk/news/world-europe-41457427>
- 41 Erica Howard, 'Religious clothing and symbols in employment: A legal analysis of the situation in the EU Member States', <https://op.europa.eu/en/publication-detail/-/publication/a29bf629-4641-11ea-b81b-01aa75ed71a1>
- 42 Erica Howard, 'Religious clothing and symbols in employment: A legal analysis of the situation in the EU Member States', <https://op.europa.eu/en/publication-detail/-/publication/a29bf629-4641-11ea-b81b-01aa75ed71a1>
- 43 Philip Oltermann and agencies, 'Austria approves headscarf ban in primary schools', <https://www.theguardian.com/world/2019/may/16/austria-approves-headscarf-ban-in-primary-schools>
- 44 Open Society Foundations, 'Briefing Paper: Restrictions on Muslim women's dress in the 28 EU Member States: Current law, recent legal developments, and the state of play', <https://www.justiceinitiative.org/uploads/dffdb416-5d63-4001-911b-d3f46e159acc/restrictions-on-muslim-womens-dress-in-28-eu-member-states-20180709.pdf>
- 45 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: Austria', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/austria/>
- 46 Library of Congress, 'Legal Restrictions on Religious Slaughter in Europe', <https://tile.loc.gov/storage-services/service/l1/llglrd/2018296163/2018296163.pdf>
- 47 Nicola Slawson, 'Huge Backlash In Austria Over Plans To Make Jews And Muslims Register to Buy Kosher-Halal Meat', https://www.huffingtonpost.co.uk/entry/austrian-plan-to-require-jews-and-muslims-to-register-to-buy-kosher-halal-meat-sparks-backlash_uk_5b504e25e4b0de86f489f25d
- 48 Austrian Embassy, Washington, 'Getting Married in Austria', <https://www.austria.org/marriage-in-austria>

- 49 Florian Heindler, 'The Austrian Public Policy Clause and Islamic Family Law', <https://eltelawjournal.hu/the-austrian-public-policy-clause-and-islamic-family-law/>
- 50 Florian Heindler, 'The Austrian Public Policy Clause and Islamic Family Law', <https://eltelawjournal.hu/the-austrian-public-policy-clause-and-islamic-family-law/>
- 51 Federal Minister for Women and Civil Service, 'Tradition and Violence Against Women', https://www.bundeskanzleramt.gv.at/dam/jcr:f6ef06fa-3a6b-455e-a6e3-a8777514c67e/traditionundgewaltanfrauen_e_26157.pdf
- 52 Mehmet H. Tuna, 'Islamic Religious Education in Contemporary Austrian Society: Muslim Teachers Dealing with Controversial Contemporary Topics', <https://www.mdpi.com/2077-1444/11/8/392/htm>
- 53 Farid Hafez, 'Institutionalizing The Surveillance Of Muslim Activism In Austria', <https://bridge.georgetown.edu/research/institutionalizing-the-surveillance-of-muslim-activism-in-austria/>
Farid Hafez, 'Europe has entered its own era of McCarthyism – against Islam', <https://www.opendemocracy.net/en/can-europe-make-it/europe-has-entered-its-own-era-of-mccarthyism-against-islam/>
- 54 The Week, 'Austria releases 'Islam Map', triggering backlash', <https://www.theweek.in/news/world/2021/05/29/austria-releases-islam-map-triggering-backlash.html>
- 55 European Center for Not-for-Profit Law, 'Austria: Anti-Terrorism Draft Law Not In Line With Human Rights Standards On Fundamental Rights', <https://ecnl.org/news/austria-anti-terrorism-draft-law-not-line-human-rights-standards-fundamental-rights>
- 56 Farid Hafez, 'Institutionalizing The Surveillance Of Muslim Activism In Austria', <https://bridge.georgetown.edu/research/institutionalizing-the-surveillance-of-muslim-activism-in-austria/>
- 57 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: Austria', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/austria/>
- 58 Austrian written submission to the UN on topic of 'Measures to eliminate international terrorism', https://www.un.org/en/ga/sixth/74/int_terrorism/austria_e.pdf
Council of Europe Steering Committee on Counter-Terrorism, 'Profiles On Counter-Terrorist Capacity: Austria', <https://rm.coe.int/profile-austria-april-2021-2772-0544-4355-v-1/1680a2b114>

- 59 <https://www.nytimes.com/2018/06/08/world/europe/austria-islam-mosques-turkey.htm>
- 60 Erica Howard, 'Religious clothing and symbols in employment: A legal analysis of the situation in the EU Member States', <https://op.europa.eu/en/publication-detail/-/publication/a29bf629-4641-11ea-b81b-01aa75ed71a1>
- 61 Sibel Özcan, Zeynep Bangert: Islamophobia in Denmark: National Report 2018, in: Enes Bayraklı & Farid Hafez, European Islamophobia Report 2018, Istanbul, SETA, pp. 251-282. http://www.islamophobiaeurope.com/wp-content/uploads/2019/09/EIR_2018.pdf
- 62 Martin Selsoe Sorensen, 'Denmark, With an Eye on Muslims, Requires New Citizens to Shake Hands', <https://www.nytimes.com/2018/12/20/world/europe/denmark-muslims-handshake-law.html>
- 63 Ellen Barry and Martin Selsoe Sorensen, 'In Denmark, Harsh New Laws for Immigrant "Ghettos"', <https://www.nytimes.com/2018/07/01/world/europe/denmark-immigrant-ghettos.html>
- 64 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: Denmark', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/denmark/>
- 65 The Guardian staff and agencies, 'Denmark passes law banning burqa and niqab', <https://www.theguardian.com/world/2018/may/31/denmark-passes-law-banning-burqa-and-niqab>
 BBC News, 'Denmark passes ban on niqabs and burkas', <https://www.bbc.co.uk/news/world-europe-44319921>
 Douglas Radcliff, 'Denmark and the "Burqa Ban"', <https://www.humanrightscentre.org/blog/denmark-and-burqa-ban>
 Karis Hustad, "'Now It's a Sign of Protest:' Muslim Women in Denmark Defy the Face Veil Ban', <https://time.com/5356136/denmark-burqa-ban-protest/>
- 66 Magdaline Duncan, 'Denmark bans wearing the burqa in public', <https://www.politico.eu/article/denmark-burka-bans-in-public/>
- 67 Open Society Justice Initiative, 'Restrictions on Muslim women's dress in the 28 EU Member States: Current law, recent legal developments, and the state of play', <https://www.justiceinitiative.org/uploads/dffdb416-5d63-4001-911b-d3f46e159acc/restrictions-on-muslim-womens-dress-in-28-eu-member-states-20180709.pdf>

- 68 Adam Withnall, 'Denmark bans kosher and halal slaughter as minister says 'animal rights come before religion'', <https://www.independent.co.uk/news/world/europe/denmark-bans-halal-and-kosher-slaughter-as-minister-says-animal-rights-come-before-religion-9135580.html>
Library of Congress, 'Legal Restrictions on Religious Slaughter in Europe', <https://tile.loc.gov/storage-services/service/l1/llglrd/2018296163/2018296163.pdf>
- 69 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: Denmark', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/denmark/>
- 70 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: Denmark', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/denmark/>
- 71 Christian W, 'Denmark bans religious marriages involving minors', <https://cphpost.dk/?p=122889>
- 72 Euro-Med Human Rights Monitor, 'Denmark: Proposal to close Muslim schools is clear violation of non-discrimination rules', <https://euromedmonitor.org/en/article/2090/Denmark:-Proposal-to-close-Muslim-schools-is-clear-violation-of-non-discrimination-rules>
- 73 Counter Extremism Project, 'Denmark: Extremism and Terrorism', <https://www.counterextremism.com/countries/denmark>
Daniel Boffey, 'Denmark sermons law could stifle free worship, warns C of E bishop', <https://www.theguardian.com/world/2021/jan/31/c-of-e-anglican-bishop-issues-warning-proposed-denmark-sermons-law-robert-innes>
- 74 Counter Extremism Project, 'Denmark: Extremism and Terrorism', <https://www.counterextremism.com/countries/denmark>
- 75 Vince Chadwick, 'Denmark pushes ahead with hate preacher blacklist', <https://www.politico.eu/article/denmark-pushes-ahead-with-hate-preacher-blacklist/>
- 76 Eva Maria Lassen, 'Limitations to Freedom of Religion or Belief in Denmark', https://brill.com/view/journals/rhrs/15/1-2/article-p134_8.xml?language=en
- 77 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: France', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/france/>

- 78 Benjamin Dodman, 'Islam is being hyper-politicised in France, but Muslims are not part of the debate', <https://www.france24.com/en/france/20201030-islam-is-being-hyper-politicised-in-france-but-muslims-are-not-in-the-debate>
- 79 Open Society Justice Initiative, 'Restrictions on Muslim women's dress in the 28 EU Member States: Current law, recent legal developments, and the state of play', <https://www.justiceinitiative.org/uploads/dffdb416-5d63-4001-911b-d3f46e159acc/restrictions-on-muslim-womens-dress-in-28-eu-member-states-20180709.pdf>
- 80 BBC News, 'France's Macron vows to fight 'Islamist separatism'', <https://www.bbc.co.uk/news/world-europe-54383173>
- 81 'European Islamophobia Report', http://www.islamophobiaeurope.com/wp-content/uploads/2019/09/EIR_2018.pdf
- 82 Open Society Justice Initiative, 'Restrictions on Muslim women's dress in the 28 EU Member States: Current law, recent legal developments, and the state of play', <https://www.justiceinitiative.org/uploads/dffdb416-5d63-4001-911b-d3f46e159acc/restrictions-on-muslim-womens-dress-in-28-eu-member-states-20180709.pdf>
- 83 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: France', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/france/>
- 84 Open Society Justice Initiative, 'Restrictions on Muslim women's dress in the 28 EU Member States: Current law, recent legal developments, and the state of play', <https://www.justiceinitiative.org/uploads/dffdb416-5d63-4001-911b-d3f46e159acc/restrictions-on-muslim-womens-dress-in-28-eu-member-states-20180709.pdf>
- 85 Euronews, 'Women in France fined for wearing 'burkini' swimsuits at pool', <https://www.euronews.com/2021/07/22/protest-in-france-after-women-fined-for-wearing-burkini-swimsuits-at-swimming-pool>
- 86 Library of Congress, 'Legal Restrictions on Religious Slaughter in Europe', <https://tile.loc.gov/storage-services/service/ll/llglrd/2018296163/2018296163.pdf>
Jonathan Laurence, 'France's Beef With Islam', <https://foreignpolicy.com/2012/03/07/frances-beef-with-islam/>
- 87 Charlotte Butruille-Cardew, 'Family law in France: overview', [https://uk.practicallaw.thomsonreuters.com/6-615-3545?transitionType=Default&contextData=\(sc.Default\)&firstPage=true](https://uk.practicallaw.thomsonreuters.com/6-615-3545?transitionType=Default&contextData=(sc.Default)&firstPage=true)
- 88 Ruth Levush, 'Matrimonial Relations: European Law and Religious Communities', <https://blogs.loc.gov/law/2017/09/matrimonial-relations-european-law-and-religious-communities/>

- 89 Ruth Levush, 'Matrimonial Relations: European Law and Religious Communities', <https://blogs.loc.gov/law/2017/09/matrimonial-relations-european-law-and-religious-communities/>
- 90 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: France', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/france/>
- 91 The Local, 'The fine line of teaching religion in France's secular schools', <https://www.thelocal.fr/20171020/the-fine-line-of-teaching-religion-in-frances-secular-schools/>
- 92 Carol Ferrara, 'Muslim schools are allies in France's fight against radicalization – not the cause', <https://theconversation.com/muslim-schools-are-allies-in-frances-fight-against-radicalization-not-the-cause-149802>
- 93 Vie Publique, 'Loi du 24 août 2021 confortant le respect des principes de la République', <https://www.vie-publique.fr/loi/277621-loi-separatisme-respect-des-principes-de-la-republique-24-aout-2021>
- 94 France24, 'France's lower house approves anti-separatism bill to battle Islamist extremism', <https://www.france24.com/en/live-news/20210723-france-s-lower-house-approves-separatism-law-to-battle-islamist-extremism>
- 95 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: France', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/france/>
- Elaine Ganley, 'France passes anti-radicalism bill that worries Muslims', <https://apnews.com/article/polygamy-radicalism-secularism-elections-france-cbee2c916aa8c35380562277f0025c2b>
- 96 BBC News, 'France's Macron vows to fight 'Islamist separatism'', <https://www.bbc.co.uk/news/world-europe-54383173>
- DW, 'France to curb foreign imams to counter Islamic extremism', <https://www.dw.com/en/france-to-curb-foreign-imams-to-counter-islamic-extremism/a-52425779>
- 97 Counter Extremism Project, 'France: Extremism and Terrorism', <https://www.counterextremism.com/countries/france>
- 98 Counter Extremism Project, 'France: Extremism and Terrorism', <https://www.counterextremism.com/countries/france>
- 99 Le Monde, 'Le projet de loi contre l'islam radical et les « séparatismes » finalisé et transmis au Parlement', <https://www.lemonde.fr/politique/article/2020/11/18/le-projet-de-loi-contre-l-islam-radical-et-les-separatismes-finalise-et-transmis-aux-deputes->

- et-senateurs_6060131_823448.html U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: France', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/france/>
- 100 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: France', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/france/>
- 101 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: France', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/france/>
- 102 Aurelien Breeden, 'French Authorities Given Broader Powers to Fight Terrorism', <https://www.nytimes.com/2016/05/26/world/europe/france-terrorism-laws.html?ref=europe&r=0>
- 103 DW, 'Muslims in Germany: Religion not a good gauge of integration', <https://www.dw.com/en/muslims-in-germany-religion-not-a-good-gauge-of-integration/a-57365668>
- 104 Isabelle de Pommereau, 'Islam Finds a Home in German Classrooms', <https://www.arenaweeurope.com/stories/islam-finds-home-in-germany-isabelle-de-pommereau>
- 105 'European Islamophobia Report', http://www.islamophobiaeurope.com/wp-content/uploads/2019/09/EIR_2018.pdf
- 106 Paul Carrel, 'Germany Abandons 'Islam Law' as Integration Debate Resurfaces', <https://thewire.in/world/germany-abandons-islam-law-integration-issue-resurfaces>
- 107 Erica Howard, 'Religious clothing and symbols in employment: A legal analysis of the situation in the EU Member States', <https://op.europa.eu/en/publication-detail/-/publication/a29bf629-4641-11ea-b81b-01aa75ed71a1>
- 108 Erica Howard, 'Religious clothing and symbols in employment: A legal analysis of the situation in the EU Member States', <https://op.europa.eu/en/publication-detail/-/publication/a29bf629-4641-11ea-b81b-01aa75ed71a1>
- 109 Open Society Justice Initiative, 'Restrictions on Muslim women's dress in the 28 EU Member States: Current law, recent legal developments, and the state of play', <https://www.justiceinitiative.org/uploads/dffdb416-5d63-4001-911b-d3f46e159acc/restrictions-on-muslim-womens-dress-in-28-eu-member-states-20180709.pdf>

- 110 Erica Howard, 'Religious clothing and symbols in employment: A legal analysis of the situation in the EU Member States', <https://op.europa.eu/en/publication-detail/-/publication/a29bf629-4641-11ea-b81b-01aa75ed71a1>
- 111 Open Society Justice Initiative, 'Restrictions on Muslim women's dress in the 28 EU Member States: Current law, recent legal developments, and the state of play', <https://www.justiceinitiative.org/uploads/dffdb416-5d63-4001-911b-d3f46e159acc/restrictions-on-muslim-womens-dress-in-28-eu-member-states-20180709.pdf>
- 112 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: Germany', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/germany/>
- 113 Erica Howard, 'Religious clothing and symbols in employment: A legal analysis of the situation in the EU Member States', <https://op.europa.eu/en/publication-detail/-/publication/a29bf629-4641-11ea-b81b-01aa75ed71a1>
- 114 DW, 'German Bundesrat approves 'burqa ban' for drivers, beefs up road-race sanctions', <https://www.dw.com/en/german-bundesrat-approves-burqa-ban-for-drivers-beefs-up-road-race-sanctions/a-40642060>
- 115 Jennifer Rankin, 'EU companies can ban employees wearing headscarves, court rules', <https://www.theguardian.com/world/2021/jul/15/eu-companies-can-ban-employees-wearing-headscarves-religious-symbols>
DW, 'EU court allows conditional headscarves bans at work', <https://www.dw.com/en/eu-court-allows-conditional-headscarves-bans-at-work/a-58273862>
- 116 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: Germany', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/germany/>
- 117 Library of Congress, Legal Restrictions on Religious Slaughter in Europe', <https://tile.loc.gov/storage-services/service/l1/llglrd/2018296163/2018296163.pdf>
- 118 René Pahud de Mortanges and Barnaby Leitz, 'Mandatory civil marriage according to Swiss law: Superfluous historical remnant or building block in the fight against forced marriages?', [https://www.unifr.ch/ius/reliionsrecht/fr/assets/public/files/publications/IR-Papers/IR-Paper-03_Mandatory%20civil%20marriage_web%20\(3\).pdf](https://www.unifr.ch/ius/reliionsrecht/fr/assets/public/files/publications/IR-Papers/IR-Paper-03_Mandatory%20civil%20marriage_web%20(3).pdf)

- 119 Ruth Levush, 'Matrimonial Relations: European Law and Religious Communities', <https://blogs.loc.gov/law/2017/09/matrimonial-relations-european-law-and-religious-communities/>
- 120 BBC News, 'Germany polygamy: Minister says migrants must abide by the law', <https://www.bbc.co.uk/news/world-europe-36537305>
- 121 René Pahud de Mortanges and Barnaby Leitz, 'Mandatory civil marriage according to Swiss law: Superfluous historical remnant or building block in the fight against forced marriages?', [https://www.unifr.ch/ius/religionsrecht/fr/assets/public/files/publications/IR-Papers/IR-Paper-03_Mandatory%20civil%20marriage_web%20\(3\).pdf](https://www.unifr.ch/ius/religionsrecht/fr/assets/public/files/publications/IR-Papers/IR-Paper-03_Mandatory%20civil%20marriage_web%20(3).pdf)
- 122 DW, 'Honor killings' in Germany: When families turn executioners', <https://www.dw.com/en/honor-killings-in-germany-when-families-turn-executioners/a-42511928>
- 123 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: Germany', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/germany>
The Ludin judgement is discussed in Erica Howard, 'Religious clothing and symbols in employment: A legal analysis of the situation in the EU Member States', <https://op.europa.eu/en/publication-detail/-/publication/a29bf629-4641-11ea-b81b-01aa75ed71a1>
- 124 For a more detailed run-down of German anti-terrorist legislation up to and including 2016, see Committee of Experts on Terrorism, 'Profiles on Counter-Terrorist Capacity: Germany', <https://rm.coe.int/profiles-on-counter-terrorist-capacity-germany/1680641010>
- 125 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: Germany', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/germany/>
- 126 Counter Extremism Project, 'Germany: Extremism and Terrorism', <https://www.counterextremism.com/countries/germany>
- 127 OHCHR, 'Annex I. Regulation on the right to freedom of conscience and religion in Hungary', <https://www.ohchr.org/Documents/Issues/Religion/Islamophobia-AntiMuslim/States/Hungary-2.pdf>
LAPA, Princeton, 'Act C of 2011 on the Right to Freedom of Conscience and Religion, and on the Legal Status of Churches, Religious Denominations and Religious Communities', <https://lapa.princeton.edu/hosteddocs/hungary/Act%20C%20of%202011%20on%20the%20Right%20to%20Freedom%20of%20Conscience%20and%20Religion.pdf>

- 128 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: Hungary', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/hungary/>
Refworld, 'The Fundamental Law of Hungary', <https://www.refworld.org/pdfid/53df98964.pdf> 'National Avowal' section
- 129 Emily Schultheis, 'Viktor Orbán: Hungary doesn't want 'Muslim invaders'', <https://www.politico.eu/article/viktor-orban-hungary-doesnt-want-muslim-invaders/>
Nadia Jones-Gailani and Gabi G?bl, 'Islamophobia in Hungary: National Report 2019', in: Enes Bayraklı & Farid Hafez, 'European Islamophobia Report 2019', <https://www.islamophobiaeurope.com/wp-content/uploads/2020/08/2019eir-HUNGARY.pdf>
- 130 Alex Mackintosh, 'A Brief History of Hungary's Controversial 'Islamic Churches'', <https://theculturetrip.com/europe/hungary/articles/a-brief-history-of-hungarys-controversial-islamic-churches/>
- 131 Zsolt Sereghy, 'Islamophobia in Hungary: National Report 2016', in: Enes Bayraklı and Farid Hafez, 'European Islamophobia Report 2016', http://www.islamophobiaeurope.com/wp-content/uploads/2017/05/EIR_2016.pdf
- 132 Pablo Gorondi, 'Hungary's PM Orban: 'Islamization' banned by constitution', <https://apnews.com/article/26f93e6cd4d447348391363df73a630c>
- 133 Nadia Jones-Gailani and Gabi G?bl, 'Islamophobia in Hungary: National Report 2019', in: Enes Bayraklı and Farid Hafez, 'European Islamophobia Report 2019', <https://www.islamophobiaeurope.com/wp-content/uploads/2020/08/2019eir-HUNGARY.pdf>
- 134 Frank Crammer, 'Hungary, constitutional change, registration of religious groups and Article 9 ECHR', <https://lawandreligionuk.com/2013/03/14/hungary-constitutional-change-registration-of-religious-groups-and-article-9-echr/>
Erica Howard, 'Religious clothing and symbols in employment: A legal analysis of the situation in the EU Member States', <https://op.europa.eu/en/publication-detail/-/publication/a29bf629-4641-11ea-b81b-01aa75ed71a1>
- 135 Lóránt Csink, 'The Legal Regulation of Religious Symbols in the Public Sphere in Hungary'. In: Pawe? Sobczyk (ed.) *Religious Symbols in the Public Sphere*, pp. 73–102.
- 136 Erika Benke, 'The village aiming to create a white utopia', <https://www.bbc.co.uk/news/world-europe-38881349>

- 137 Erica Howard, 'Religious clothing and symbols in employment: A legal analysis of the situation in the EU Member States', <https://op.europa.eu/en/publication-detail/-/publication/a29bf629-4641-11ea-b81b-01aa75ed71a1>
- 138 Cnaan Liphshiz, 'Hungary calls EU's ruling against kosher slaughter a 'disgrace'', <https://www.jta.org/2020/12/18/global/hungary-calls-eus-ruling-against-kosher-slaughter-a-disgrace>
Indeed, it remains one of the EU's largest producers of kosher meats.
- 139 Baranyi Emese Zsuzsanna, 'Islam in Hungary – Marriage habits of Muslims living in Hungary', https://www.ojji.u-szeged.hu/images/dokumentumok/CLWP/Baranyi_Islam_Hun.pdf
- 140 U.S. Department of State. Office of International Religious Freedom, '2020 Report on International Religious Freedom: Hungary', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/hungary/>
- 141 Mate Szabo, 'The Hungarian Parliament Is About to Enact New Anti-Terror Laws', <https://www.liberties.eu/en/stories/hungary-new-anti-terror-laws/8472>
- 142 Council of Europe Committee on Counter-Terrorism, 'Profiles on Counter-Terrorism Capacity: Hungary', <https://rm.coe.int/profile-hungary-may-2021-2767-7286-2979-v-2/1680a2b116>
- 143 Markha Valenta, 'Banning a burqa that doesn't exist – the cowardice of Dutch politics and the courage of those who resist', <https://www.opendemocracy.net/en/can-europe-make-it/banning-a-burqa-that-doesnt-exist-the-cowardice-of-dutch-politics-and-the-courage-of-those-who-resist/>
- 144 Open Society Justice Initiative, 'Restrictions on Muslim women's dress in the 28 EU Member States: Current law, recent legal developments, and the state of play', <https://www.justiceinitiative.org/uploads/dffdb416-5d63-4001-911b-d3f46e159acc/restrictions-on-muslim-womens-dress-in-28-eu-member-states-20180709.pdf>
- 145 Markha Valenta, 'Banning a burqa that doesn't exist – the cowardice of Dutch politics and the courage of those who resist', <https://www.opendemocracy.net/en/can-europe-make-it/banning-a-burqa-that-doesnt-exist-the-cowardice-of-dutch-politics-and-the-courage-of-those-who-resist/>

- 146 Daniel Boffey, 'Dutch 'burqa ban' rendered largely unworkable on first day', <https://www.theguardian.com/world/2019/aug/01/dutch-police-signal-unwillingness-enforce-new-burqa-ban>
Open Society Justice Initiative, 'Restrictions on Muslim women's dress in the 28 EU Member States: Current law, recent legal developments, and the state of play', <https://www.justiceinitiative.org/uploads/dffdb416-5d63-4001-911b-d3f46e159acc/restrictions-on-muslim-womens-dress-in-28-eu-member-states-20180709.pdf>
- 147 'European Islamophobia Report 2018', http://www.islamophobiaeurope.com/wp-content/uploads/2019/09/EIR_2018.pdf
- 148 Library of Congress, 'Legal Restrictions on Religious Slaughter in Europe', <https://tile.loc.gov/storage-services/service/ll/llglrd/2018296163/2018296163.pdf>
- 149 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: The Netherlands', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/netherlands/>
- 150 Government of the Netherlands, 'Marriage, cohabitation agreement, registered partnership: Question and answer', <https://www.government.nl/topics/marriage-cohabitation-agreement-registered-partnership/question-and-answer/marriage-or-entering-into-a-registered-partnership>
- 151 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: The Netherlands', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/netherlands/>
- 152 Government of the Netherlands, 'Honour-based violence', <https://www.government.nl/topics/honour-based-violence>
- 153 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: The Netherlands', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/netherlands/>
- 154 Counter Extremism Project, 'The Netherlands: Extremism and Terrorism', <https://www.counterextremism.com/countries/netherlands>
- 155 Counter Extremism Project, 'The Netherlands: Extremism and Terrorism', <https://www.counterextremism.com/countries/netherlands>
- 156 Counter Extremism Project, 'The Netherlands: Extremism and Terrorism', <https://www.counterextremism.com/countries/netherlands>

- 157 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: The Netherlands', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/netherlands/>
- 158 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: The Netherlands', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/netherlands/>
- 159 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: The Netherlands', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/netherlands/>
- 160 Counter Extremism Project, 'The Netherlands: Extremism and Terrorism', <https://www.counterextremism.com/countries/netherlands>
- 161 Agnieszka Dudzińska and Michał Kotnarowski, 'Imaginary Muslims: How the Polish right frames Islam', <https://www.brookings.edu/research/imaginary-muslims-how-polands-populists-frame-islam/#cancel>
- 162 Adam Leszczyński, 'Poles don't want immigrants. They don't understand them, don't like them', <https://www.theguardian.com/world/2015/jul/02/poles-dont-want-immigrants-they-dont-understand-them-dont-like-them>
- 163 Tuhin Chakraborty, 'Opinion – The Rise of Islamophobia in Poland', <https://www.e-ir.info/2021/02/20/opinion-the-rise-of-islamophobia-in-poland/>
- Jennifer Rankin, 'EU court rules three member states broke law over refugee quotas', <https://www.theguardian.com/law/2020/apr/02/eu-court-rules-three-countries-czech-republic-hungary-poland-broke-law-over-refugee-quotas>
- 164 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: Poland', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/poland/>
- 165 Arianna Babraj, 'Breeding Grounds for Religious Extremism: Isolationism vs. Multiculturalism', <https://thenewglobalorder.com/world-news/breeding-grounds-for-religious-extremism-isolationism-vs-multiculturalism/>
- 166 Kostecki, Wojciech, and Aldona Maria Piwko. 'Legislative Actions of the Republic of Poland Government and Religious Attitudes of Muslims in Poland during the COVID-19 Pandemic', <https://www.mdpi.com/2077-1444/12/5/335>

- 167 Agnieszka Dudzińska and Michał Kotnarowski, 'Imaginary Muslims: How the Polish right frames Islam', <https://www.brookings.edu/research/imaginary-muslims-how-polands-populists-frame-islam/#cancel>
- 168 'European Islamophobia Report', http://www.islamophobiaeurope.com/wp-content/uploads/2019/09/EIR_2018.pdf
- 169 Tuhin Chakraborty, 'Opinion – The Rise of Islamophobia in Poland', <https://www.e-ir.info/2021/02/20/opinion-the-rise-of-islamophobia-in-poland/>
- 170 Konrad Pedziwiatr, 'The new Polish migration policy – false start', <https://www.opendemocracy.net/en/can-europe-make-it/the-new-polish-migration-policy-false-start/>
- 171 Open Society Justice Initiative, 'Restrictions on Muslim women's dress in the 28 EU Member States: Current law, recent legal developments, and the state of play', <https://www.justiceinitiative.org/uploads/dffdb416-5d63-4001-911b-d3f46e159acc/restrictions-on-muslim-womens-dress-in-28-eu-member-states-20180709.pdf>
- 172 Erica Howard, 'Religious clothing and symbols in employment: A legal analysis of the situation in the EU Member States', <https://op.europa.eu/en/publication-detail/-/publication/a29bf629-4641-11ea-b81b-01aa75ed71a1>
- 173 Library of Congress, 'Legal Restrictions on Religious Slaughter in Europe', <https://tile.loc.gov/storage-services/service/l1/llglrd/2018296163/2018296163.pdf>
- 174 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: Poland', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/poland/>
- 175 Gov.pl, 'We? ?lub wyznaniowy', <https://www.gov.pl/web/gov/wez-slub-wyznaniowy>
- 176 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: Poland', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/poland/>
- 177 Human Rights Watch, 'Eroding Checks and Balances: Rule of Law and Human Rights Under Attack in Poland', <https://www.hrw.org/report/2017/10/24/eroding-checks-and-balances/rule-law-and-human-rights-under-attack-poland>
- 178 Tuhin Chakraborty, 'Opinion – The Rise of Islamophobia in Poland', <https://www.e-ir.info/2021/02/20/opinion-the-rise-of-islamophobia-in-poland/>

- 179 Human Rights First, 'Poland's Anti-Terror Law: Recommendations for U.S. officials attending Warsaw NATO Summit 2016', <https://www.humanrightsfirst.org/sites/default/files/Poland-Anti-Terror-Law-Brief.pdf>
- 180 EDRI, 'Poland adopted a controversial anti-terrorism law', <https://edri.org/our-work/poland-adopted-controversial-anti-terrorism-law/>
- 181 Jenny Berglund, 'State-Funded Faith-Based Schooling for Muslims in the North', Vol. 46, Issue 2, Special Section: Faith-based Schools and Religious Diversity in Religion and Education (2019), pp. 210-233.
- 182 'Sweden's submission to the thematic report on Anti-Muslim hatred / "Islamophobia" and the right to freedom of thought, conscience and religion or belief', <https://www.ohchr.org/Documents/Issues/Religion/Islamophobia-AntiMuslim/States/Sweden.pdf>
- 183 Constitution of Sweden (1974), 'The Instrument of Government', <https://www.equalrightstrust.org/ertdocumentbank/CONSTITUTION%20OF%20SWEDEN.pdf>
- 184 David Crouch, 'Sweden slams shut its open-door policy towards refugees', <https://www.theguardian.com/world/2015/nov/24/sweden-asylum-seekers-refugees-policy-reversal>
- 185 Conrad Hackett, '5 facts about the Muslim population in Europe', <https://www.pewresearch.org/fact-tank/2017/11/29/5-facts-about-the-muslim-population-in-europe/>
- 186 Amalie Henden, 'Sweden town votes to BAN Islamic headscarf in schools 'sexualisation of women'', <https://www.express.co.uk/news/world/1134088/sweden-news-sweden-burka-hijab-ban-sweden-democrats-anti-immigration-islam>
- 187 Sylva Frisk and Maris Boyd Gillette, 'Sweden's Burka Ban: Policy Proposals, Problematisations, and the Production of Swedishness', <https://www.tandfonline.com/doi/full/10.1080/08038740.2019.1668847> pp. 271-284.
- 188 'Sweden's submission to the thematic report on Anti-Muslim hatred / "Islamophobia" and the right to freedom of thought, conscience and religion or belief', <https://www.ohchr.org/Documents/Issues/Religion/Islamophobia-AntiMuslim/States/Sweden.pdf>
- 189 Kammarkollegiet, 'The right to perform marriage ceremonies', <https://www.kammarkollegiet.se/engelska/start/all-services/right-to-perform-marriage-ceremonies>

- 190 Rickard Lagervall, 'Representations of religion in secular states', *Contemporary Arab Affairs* Vol. 6, No. 4 (2013), pp. 524-528
- 191 §Prof. Maarit Jäntherä-Jareborg, 'Sweden: New rules on non-recognition of underage marriages', <https://conflictoflaws.net/2019/sweden-new-rules-on-non-recognition-of-underage-marriages/>
Emma Batha, 'Child bride refugees spur Sweden to tighten marriage law', <https://www.reuters.com/article/us-sweden-childmarriage-law-idUSKCN1MY01J>
Nathalie Rothschild, 'Sweden struggles over child marriage', <https://www.politico.eu/article/immigrants-migration-culture-integration-sweden-struggles-over-child-marriage/>
- 192 Ministry of Justice, 'New rules against foreign polygamous marriages', <https://www.government.se/press-releases/2018/07/new-rules-against-foreign-polygamous-marriages/>
- 193 Jenny Berglund, 'State-Funded Faith-Based Schooling for Muslims in the North', Vol. 46, Issue 2, Special Section: Faith-based Schools and Religious Diversity in Religion and Education (2019), pp. 210-233.
- 194 Jenny Berglund, 'State-Funded Faith-Based Schooling for Muslims in the North', Vol. 46, Issue 2, Special Section: Faith-based Schools and Religious Diversity in Religion and Education (2019), pp. 210-233.
- 195 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: Sweden', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/sweden/>
- 196 Tim Stickings, 'Call to shut down Swedish Islamic school over 'link to extremism'', https://www.thenationalnews.com/world/europe/2021/07/30/call-to-shut-down-swedish-islamic-school-over-link-to-extremism/?utm_source=iterable&utm_medium=email&utm_campaign=2669980_
- 197 Ministry of Culture, 'Action plan to safeguard democracy against violence-promoting extremism', <https://www.government.se/legal-documents/2012/03/skr.-20111244/>
- 198 Counter Extremism Project, 'Sweden: Extremism and Terrorism', <https://www.counterextremism.com/countries/sweden>
- 199 U.S. Department of State, Bureau of Counterterrorism, 'Country Reports on Terrorism 2019: Sweden', <https://www.state.gov/reports/country-reports-on-terrorism-2019/sweden/>

- 200 Abdelhafidh Abdeleli, 'How Switzerland and France approach 'Islamic separatism'', <https://www.swissinfo.ch/eng/how-switzerland-and-france-approach--islamic-separatism-/46105336> Federal Constitution Article 15 and Article 72, paragraph 1.
- 201 Swissinfo, 'Geneva secularism law approved by voters', https://www.swissinfo.ch/eng/church-and-state_geneva-secularism-law-approved-by-voters/44745698
- 202 Rim-Sarah Alouane, 'Where Face Masks Are Required but Burqas Are Banned', <https://foreignpolicy.com/2021/03/10/switzerland-europe-burqa-ban-referendum-coronavirus-face-masks-egerkinger-komitee/>
- 203 BBC News, 'Switzerland referendum: Voters support ban on face coverings in public', <https://www.bbc.co.uk/news/world-europe-56314173>
- 204 BBC News, 'Switzerland referendum: Voters support ban on face coverings in public', <https://www.bbc.co.uk/news/world-europe-56314173>
- 205 U.S. Department of State, Office of International Religious Freedom, '2020 Report on International Religious Freedom: Switzerland', <https://www.state.gov/reports/2020-report-on-international-religious-freedom/switzerland/>
- 206 'Animal Welfare Ordinance', <https://www.globalanimallaw.org/downloads/database/national/switzerland/TSchV-2008-EN-455.1-2011.pdf>
- 207 Library of Congress, 'Legal Restrictions on Religious Slaughter in Europe', <https://tile.loc.gov/storage-services/service/l1/llglrd/2018296163/2018296163.pdf>
- 208 'Federal Act on Private International Law', <https://iaa-network.com/wp-content/uploads/2021/07/Swiss-Law-on-Private-International-Law.pdf>
Alain Berger and Marie Berger, 'Family law in Switzerland: overview', [https://uk.practicallaw.thomsonreuters.com/7-612-5665?transitionType=Default&contextData=\(sc.Default\)](https://uk.practicallaw.thomsonreuters.com/7-612-5665?transitionType=Default&contextData=(sc.Default))
- 209 Katy Romy, 'When children forced to marry stay married', https://www.swissinfo.ch/eng/child-marriages_when-children-forced-to-marry-stay-married/44413872
- 210 René Pahud de Mortanges 'Religion and the Secular State in Switzerland' in Javier Martínez-Torrón and W. Cole Durham, Jr. (eds.) Religion and the Secular State: National Reports (Madrid, 2015), <https://classic.iclrs.org/content/blurb/files/Switzerland.1.pdf>

- 211 The Federal Council, 'Federal Act on Police Measures to Combat Terrorism (PMCT)', <https://www.admin.ch/gov/en/start/documentation/votes/20210613/federal-act-on-police-measures-to-combat-terrorism.html>
Silke Koltowitz, 'Swiss government defends anti-terrorism law against criticism over child rights', <https://www.reuters.com/world/europe/swiss-government-defends-anti-terrorism-law-against-criticism-over-child-rights-2021-04-13/>
- 212 Abdelhafidh Abdeleli, 'Switzerland's controversial minaret ban, ten years on', https://www.swissinfo.ch/eng/political-history_the-controversial-minaret-ban--ten-years-on/45399822
Douglas Pratt, 'Swiss Shock: Minaret Rejection: European Values, and the Challenge of Tolerant Neutrality' *Politics, Religion & Ideology* Vol. 14, No. 2 (2013), pp. 193-207.

CIVITAS

Director: Jim McConalogue

Trustees

- David Green
- Meg Allen
- Dr David Costain (Treasurer)
- Sir Alan Rudge (Chairman)
- Tom Harris
- The Honourable Justin Shaw

Our Aims and Programmes

- We facilitate informed public debate by providing accurate factual information on the social issues of the day, publishing informed comment and analysis, and bringing together leading protagonists in open discussion. Civitas never takes a corporate view on any of the issues tackled during the course of this work. Our current focus is on issues such as education, health, crime, social security, manufacturing, the abuse of human rights law, and the European Union.
- We ensure that there is strong evidence for all our conclusions and present the evidence in a balanced and objective way. Our publications are usually refereed by independent commentators, who may be academics or experts in their field.
- We strive to benefit public debate through independent research, reasoned argument, lucid explanation and open discussion. We stand apart from party politics and transitory intellectual fashions.
- Uniquely among think tanks, we play an active, practical part in rebuilding civil society by running schools on Saturdays and after-school hours so that children who are falling behind at school can achieve their full potential.

Subscriptions and Membership (UK only)

If you would like to stay abreast of Civitas' latest work, you can have all of our books delivered to your door as soon as they are published. New subscribers receive a free copy of Roger Bootle's book, *The AI Economy: Work, Wealth and Welfare in the Robot Age* and Daniel Bentley's book, *The Land Question* on fixing the dysfunction at the root of the housing crisis. For those who would like to support our work further and get involved in our Westminster events, we have a variety of Subscription and Membership options available:

<https://www.civitasonline.org.uk/product-category/subscriptions/>

We regret that we are unable to post items to non-UK residents, although all of our publications are individually available via our Civitas Book Store (<https://www.civitasonline.org.uk>) and in most cases on Amazon.

Renewals for Existing Members

If you are an existing member wishing to renew with ease and convenience, please do select one of the subscription or membership options that most closely meets your requirements.

Make a Donation

If you like our work and would like to help see it continue, please consider making a donation. A contribution of any amount, big or small, will help us advance our research and educational activities. You can make a donation by getting in touch (020 7799 6677) or sending a simple email to info@civitas.org.uk so that we can come back to you.

Supporters of Civitas

Because we want to reach as wide an audience as possible, our subscription and membership fees are set as low as possible and barely meet printing and postage expenses. To meet the costs of producing our research and conducting our educational projects, we rely entirely on the goodwill and generosity of people who value our work.

If you would like to support our work on a rolling basis, there is a variety of advanced membership levels on offer. Supporters of Civitas have the opportunity to become more deeply engaged with the work their philanthropy makes possible.

You can pay by selecting a membership or subscription option and we will be in contact.

Alternatively, just call us on +44 (0)20 7799 6688 or email info@civitas.org.uk and we can discuss your options.

If it is your preference, please make cheques payable to Civitas.

Civitas: Institute For The Study Of Civil Society

First Floor
55 Tufton Street
Westminster
London
SW1P 3QL

Email: subs@civitas.org.uk

Civitas is a registered charity, No. 1085494

CIVITAS

Institute for the Study of Civil Society
55 Tufton Street, London SW1P 3QL

Email: books@civitas.org.uk

Tel: 020 7799 6677

Web: www.civitas.org.uk

This short introduction to Islam in Europe provides an overview of recent legislation and policy approaches to Islam across 10 European countries. It outlines legislation and regulation on the wearing of Islamic headwear, halal slaughter, Islamic religious marriages (and divorces), Islamic education (such as madrasas), and Acts which have had a demonstrable effect upon Islamic practices.

This book is intended to provide the reader with a short overview of policy and legislation across 10 countries: Austria, Denmark, France, Germany, Hungary, the Netherlands, Poland, Sweden, Switzerland and the UK.

Some of Europe's most populous nations such as France have passed a remarkable number of Islam-targeted laws, while others – including the UK – have to a large extent not specifically done so at a national level. By comparison, nations such as Switzerland, Austria and Denmark have been particularly active in legislating against specific Islamic customs.

In this comparative analysis:

- Five of the countries considered in this report have enacted legislation specifically affecting the wearing of Muslim headwear at a national level – yet Poland and the UK do not have any national bans on head or face coverings.
- Nine of the 10 countries under consideration for this report do not have any specific laws targeting religious (or Islamic) marriages and divorces – aside from the requirement that marriages and divorces must be registered with the civil authorities.
- All 10 countries covered here permit the operation of denominational private schooling by all religious groups, but most require they continue to follow a national curriculum, which is usually devoted to that country's fundamental values – these have often focused on tolerance and openness, for example in Sweden, Austria, Denmark or Germany.
- Some of the recent European legislation regarding religious extremism – and thus Islamism – has had an effect upon regular Muslims' lives and religious practices in Europe.

This introductory text looks at specific European country's policies towards Islam and its practices, as well as legislation that has affected Muslims. Each chapter is divided into the five specific areas above with a snapshot of recent legislation and policy. This comparative text uncovers a wide range of stances taken by European governments towards Islam, and the differing methods by which they have enshrined their approaches in law.

£6

ISBN 978-1-912581-29-0



978-1-912581-29-0