

Discourses on Multiculturalism in Continental Europe

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Introduction

This chapter looks at the way the North American discourse on multiculturalism has been received in continental Europe, especially in France and Germany. At first glance, the circumstances for a multiculturalist discourse of the traditional republican or liberal state are very different in North-America and in the two European countries discussed in this chapter. The North American context, particularly Canada, is marked by conceptions of differential citizenship, territorial autonomy or even national independence, which have hardly any significance in political or academic debates in either France or Germany. Instead, it is generally assumed that immigrants, by choosing their country of destination, have also chosen to conform to the constitutional fundamentals of these countries. Thus the multiculturalist discourse in France and Germany while staying within the framework of the respective constitutional fundamentals of these two countries is only meant to sensitise the existing constitutional set-up to the needs of the new residents. However, as a critical analysis of the North American discourse on multiculturalism reveals, it is less radical and less at odds with established constitutional principles than the first glance may suggest. Thus, multiculturalists like Taylor or communitarians like Walzer, clearly do not wish to be perceived as anti-liberal or anti-republican. Multiculturalism, in this reading is an attempt to counter discriminatory tendencies within the individualist liberal framework and it would be wrong to perceive it as a challenge to this framework itself. It is argued that in spite of all appearances to the contrary, the melting pot still prevails over the salad bowl, or, in other words, in spite of much multiculturalist talk about the preservation and institutionalisation of cultural difference, the republican model of assimilation still accounts for much of the ability of the US-American society to integrate ever more different strangers into one national super-culture.

In France, the realisation of these American states of affairs seems to coincide with the emergence of an almost universal consensus on the need to, maybe redefine, but certainly reemphasise French republicanism in the face of the multiculturalist challenge. At the same time as discrimination based on identity is rejected, it is maintained that a person is to be granted everything as an individual but nothing as a member of any cultural group. The section on France, however, shows how this egalitarian promises risk becoming farcical in the face of prevailing racist tendencies in the French society. An egalitarian promise not kept and a grievance that cannot be addressed because the object of discrimination is made a taboo-concept in political discourse would indeed be a situation difficult to bear. Nevertheless, it seems far from clear how the multiculturalist alternative would benefit a minority who is internally as dissimilar as every member differs from the majority. The few attempts at forging multiculturalist policies at disadvantaged immigrants have proved futile in the face of the internal disunity of the immigrant community. There is no obvious solution out of this dilemma. The most promising vein seems to be an approach that does not bother so much about ideological questions but pragmatically looks for results.

In the section on the multiculturalist discourse in Germany, emphasis is put on the traditional church-state relations. The traditionally strong Christian churches have carved out for themselves privileges that would be plainly at odds with a republican philosophy of state as we see it in France. Here, the German society retains some of the pre-modern communitarianism that has so much inspired Hegel in his political thinking. Hegel was much averse against Rousseau's idea of an atomised society and despised the idea of a people where individuals form an inorganic mass. In Hegel's conception of a corporate state, persons are represented not as individuals but as members of their respective trades. To the present day, German politics suffers from this corporatist spirit which allows too many associations to come between the individual and the state. A well institutionalised example is the two Christian churches, Protestant and Catholic, which still wield an influence far over proportion of the individuals who they represent. Since the inbuilt communitarianism implicit in the German corporate model shares much of the problems regarding the privileging of groups over individuals with some of the multiculturalist positions, multiculturalism has had a more fertile ground to fall upon than in France. The section shows that the most interesting questions regarding the relationship between the state and the immigrant, notably the Muslim, community arises due to the fact that Islam and other religions somehow do not quite fit into the traditional scheme of Church state relations. This is partly due to the fact that these communities lack the authoritative structures that the churches for instance have developed over the centuries. In the traditional churches, theological as well as political matters were

decided by elites and the faithful were expected to follow. This model, having evolved in pre-democratic times, is seen as obsolete today even by many from within the Churches. Outside the Christian sphere, the model becomes completely untenable since in many non-Christian religious communities religious authority has always been diffuse and decentralised. Such a decentralised form of religious practice, however, seems more suitable for a democratic society than the authoritarian structures of the churches. To force such religious communities into the unified framework of a church-like structure would do harm to this diversity and its inherent democratic spirit. It would necessarily lead to privileging some parts of the community over others. Such attempts have been made in France and they are being discussed in Germany as well. So far they have not proved feasible. The lack of authoritative structures in other than the Christian religious communities poses a challenge to the liberal democratic state to redefine its relations with the growing number of religions claiming recognition in Germany. ~~Herein, the state faces the following principled difficulty. The model of the German state church law (*Staatskirchenrecht*) in combination with the concept of a unified religious community leads to the creation of a religious corporation with quasi-public functions. For the administration of church tax revenues the religious corporation under public law as the sole representative of the religious community has to decide who it wants to count as its member. If this decision is left to the religious corporation, the liberal democratic state abdicates its obligation vis-à-vis the individual to protect its religious autonomy, for if an individual calls itself a Christian or a Muslim without being recognised as such by the respective corporation, it should be neither up to the state nor up to any public body to decide whether this individual is justified in doing so. The decision cannot rest with the state lest it gets itself entangled in theological controversies, nor can any public body be allowed to decide such matters on behalf of the state without the state sanctioning it. By sanctioning it, however, the state does take a stand in matters beyond its competence. The only alternative is to either abstain from creating or sanctioning such unified public bodies or to prohibit them from deciding on behalf of the state whether any individual should be counted as member of a particular religious community or not. Since the latter is no viable option for any religious community who wants to—and has a right to—define who to count as its members, the concept of the unified corporation is no viable option for a liberal democratic state. There is an obvious way out. Abandoning the concept of a unified religious organisation for religious communities, the faithful have the option of creating as many religious organisations as they need. Each can claim the same recognition and furtherance by the state provided it abides by the constitution and international standards of human rights. Whether these organisations have to be~~

~~bodies of public or private law is another matter. In any case, however, the same treatment has to be granted to organisations of all religions.~~

In the end, it turns out that neither the French republican nor the German communitarian modal are ~~acceptable ways of~~ ideal for dealing with the problems posed by migration into continental Europe. The middle way seems to be ~~integration~~ a notion of inclusion on the basis of a liberally interpreted common legal order. This may involve some changes in the corporatist as well as in the republican conception of the state church relations. Immigrants from non-European cultures can legitimately claim that the nation state and its symbols be rid of any exclusionist elements that they might have acquired over the years while there was no one to challenge this. The impulse behind the multiculturalist objection that the national culture should be made to include people from different cultural backgrounds is legitimate. The nation state cannot legitimately demand assimilation to the particular national culture that it has acquired in a historical process. Legitimately, there cannot be any such thing called ‘un-French’ or ‘un-German’. Whatever French or German national culture may legitimately claim is adherence to its normative background consensus,¹ which is based in each case on similar republican principles of popular sovereignty, liberal principles of individual human rights and democratic principles of justice. To violate these civilizational background assumptions could be called ‘un-French’ just as well as it could be called ‘un-German’. There is nothing culturally specific, i.e. exclusive in these norms. Multiculturalism, as far as it attempts an alternative to the liberal-democratic conception of the state, in particular where it demands group rights on a par with individual rights, has to be rejected. However, what we may accept from the multiculturalist critique is the need to revise our national cultures and to purge them from all particularistic encroachments that have gone unchallenged before we had to deal with pluralism to such an extent as we have to in our present-day multicultural societies. The best principle to govern such a revision, it seems, is the principle of liberality itself: Do not restrict individual liberties where they do not hamper the liberty of another individual. By this rule it would be illegitimate to prevent a Muslim woman from wearing a headscarf for it is by no means clear how this liberty of hers would hamper anybody else’s liberty. However, this rule also implies that a Muslim who in the name of religion engages in activities that are directed at the destruction of that same liberal order that allows him to engage in such activities under the constitutional rights of freedom of assembly, freedom of speech, etc. will not be allowed to do so. By the same rule it would not be permissible to allow parents the liberty of clitoridectomy for it infringes on the right of their daughter to physical integrity and sexual self-determination but it would be wrong not to grant to a Muslim *halal* slaughtering practices for the liberty of religion is not outweighed by the right an animal may have to be killed

in a 'humane' way. Human rights and animal rights cannot be placed on the same level. Of course, not all cases are so simple and even the simple cases may give rise to more controversy. But nevertheless, it seems safe to maintain that the principle of liberality provides best guidance for it prevents us from falling into both the republican trap of demanding assimilation where it is unnecessary and the communitarian trap of granting liberties to communities at the expense of individual elementary rights.

European Reception of Multiculturalist Discourse

The term 'multiculturalism' came into wide public use during the early 1980s in the context of public school curriculum reforms in the United States.² It was widely popularized as a philosophical concept through Will Kymlicka's book on 'Multicultural Citizenship' in 1995. The background of the multiculturalist discourse in Canada is formed by three issues: First, the issue of autochthonous aboriginal people, second, the Anglophone/Francophone multinational setup of the Canadian state and, third, the fact that Canada is the destination of immigrants from all parts of the world. Since Europe hardly has any autochthonous populations with civilizational reference-points highly divergent from the majority civilization, the background of the multiculturalist debate is formed mainly by the issue of immigration, and that mainly from Muslim countries. The discourse on multiculturalism in Europe, therefore, is overwhelmingly a discourse on Islam in Europe. In Europe, the introduction of the term 'multiculturalism' marks the passage from immigration perceived only as economic and temporary to a permanent presence of populations.³ The discourse on multiculturalism and on Islam in Europe only recently gained momentum due to two factors; first, the terrorist attacks of New York and Washington on 11 September 2001 and, second, the debate on European identity that was catalysed by the simultaneous negotiations for a constitution of the European Union.

Against this ~~occidental position, other intellectuals~~ position some bring to bear the universal achievements of modernity such as secularism, the freedom of conscience – which includes the right to profess no religion at all, – independence of the state from religion and a religiously neutral justification for state legitimacy. Increasingly, Muslim scholars take part in these debates. In Great Britain, where anti-discrimination laws in favour of visible minorities are ~~long~~ in place, Tariq Modood has criticised that discrimination is not only based on racist attitudes but also on religious prejudice. He has established the fact that discrimination targets especially Muslims and that not for racist but for religious reasons.⁴ As another scholar summarises it:

In the United Kingdom ... for a long period, the emphasis has ... been put on race ... Also 'general' ethnic categories have been raised, such as Asians – categories that ... underestimate the cultural factor and ignore the religious one".⁵

With Muslim scholars participating in these debates, the debates gain significance also for the Islamic world at large. Without overstating the case, Allievi concedes that 'although the European case is peripheral towards the Muslim world ... it is innovative towards the historical situation of the Muslim world'.⁶ Apparently, "the European Muslim world is living through a process of extremely rapid transformation and it will be of strategic interest to see how the processes of structuring of Muslim communities continues in this crucial phase".⁷ In a network analysis of Muslim communities in Europe, Allievi suggests that we are presently witnessing the emergence of new Muslim communities in Europe that differ in important ways from communities as they are traditionally conceived.

[T]hese networks, although in most cases 'private' ... play their role and are perceived in the public sphere as collective or communitarian in a broad sense ... [The populations involved] enter the European public sphere as a new social actor, with cultural / religious references, which did not previously exist in this same public sphere ... These major changes will ... change our image not only of the Muslim communities in Europe, but of European societies. These changes are possibly also going to affect, through a different comprehension of Islam, the relations of European societies with the 'countries of origin' of the Muslim populations, and in some ways, their idea of Islam; but they will particularly affect some aspects of European Islam, including, in the long ... term, its religious self-definition. Not to mention that they are going to change, in a slow and silent but nonetheless spectacular way, the image and self-image of Europe itself.⁸

Their networks, Allievi argues, produce community between parts of the Muslim world hitherto detached. In many ways, the Muslim 'umma' is more visible in Europe than in the countries of origin, where a believer can practically only find persons like himself. More than elsewhere, the internal diversity among Muslims in Europe is clear; certainly more than in the respective countries of origin of the immigrants. The same holds true for the different legal schools of Islam being present in Europe where they mix more easily. Allievi quotes an interviewee born in Africa, but of Yemeni origin, who lives in London and claims:

I am shafii, but I have to follow the most diffused madhhab here, which is the hanafi one. Personally, as far as the hajj is concerned, I am hanafi, for jihad I am maliki, for the conception of minority I am hanbali.⁹

The quoted case evidences the fact that the migratory umma sometimes gives birth to new forms of belief itself. Allievi observes that while European Muslims have to understand themselves as a minority, the implicit theological Muslim self-comprehension is that of a majority, possibly hosting some religious minorities. European Islam, thus, is forced to rework its self-understanding in the light of this situation. According to Allievi, for instance, in Europe the traditional dar al-Islam / dar al-harb dichotomy becomes more and more meaningless for the majority of Muslims.

These internal reworkings of Islam, Allievi suspects, will have an impact on the whole of the Muslim world. According to Allievi, in future it will not be possible to understand the history and the social evolution of Europe without taking into account its Muslim component. In the same way it will not be possible to understand the history and the social (and even theological) evolution of Islam without taking its European component into account. In the following two chapters, I would like to look at how the pan-European situation is reflected in two of its leading societies, France and Germany.

The Discourse on Multiculturalism in France¹⁰

According to the French ministry of the interior, around 4 million Muslims (8% of the general population) live in France, most of them in and around Paris. Of these, almost three fourth are of Algerian origin; others come from Morocco, Tunisia, and sub-Saharan Africa.¹¹ In France, unlike in Germany, the nation, officially, has never been understood ethnically. The two dominant traditions of thought – republicanism and nationalism – have focussed either on democracy (equality irrespective of descent, race or religious affiliation) or on an allegiance to a common history in which to share would be a matter of choice, not of descent.¹² Thus, in France, multiculturalism has rarely been a topic taken seriously in academic or political debate. Immigrants had to adapt to the republican idea of the state catering to the individual directly and not allowing intermediaries such as religious or cultural organisations to mediate between the individual and the state. Some French intellectuals fear the tyranny of the majority much less than the tyranny of the minorities.¹³ For the defenders of the republican model, negative, as well as positive discrimination is based on the same set of faulty assumptions. There is thus no principled difference between the subjugation of a race or culture in view of its alleged inferiority and the privileging of certain groups of people – say through affirmative action – which is also based on their racial or cultural origin.¹⁴ French intellectuals warn that the concept of multiculturalism, especially in its US-American variant, should not to be taken at face value. The name suggests a radical departure from liberal constitutional principles. In reality, however, multiculturalist

policies in the US have largely remained within the limits of liberal constitutionalism. Clearly, priority is given to individual rights above group rights and we are nowhere near multicultural citizenship. Thus, far from serving as a new constitutive principle of US-American policy, multiculturalism only helps the US to advance another step on the old road of liberal pluralism by purging its polity from yet another bias.¹⁵ Multiculturalism, in this reading, is an attempt to counter discriminatory tendencies based on culture. Similar attempts have been made to counter earlier forms of discrimination i.e. against blacks, Catholic Irish and Italians, Jews etc. all of which had been labelled ‘un-American’ at some point of time.¹⁶ In Raynaud’s critical analysis of the US-American discourse on multiculturalism, the republican and assimilationist tendency in US-American ‘culture’ is still stronger than the import given to multiculturalism. Thus, we can think of school education in Spanish language but treating Spanish as another national language on a par with English still seems far-fetched, not to speak of differential legal practices or multicultural citizenship. Multiculturalism is thus not always what the name suggests: a new openness towards the diversity of national cultures or civilisations or a greater cultural heterogeneity of the American society.¹⁷ Yet others¹⁸ perceive US-American multiculturalism as an attempt to de-emphasise the European heritage domestically in order to accommodate a growing number of non-European Americans into the common egalitarian – and still individualistic – value system, which would be an exercise entirely in the vein of liberal pluralism. Thus, the French discourse seems to de-emphasise multiculturalist ideology, even in the country of its origin, in favour of the republican model that seems to still outweigh the influence of multiculturalism for all practical purposes even in the United States.

The republican model is outlined by Fassin in a somewhat pointed way in that he writes: “Particularities are fine as long as they stay private and do not claim any official legitimation at school or in court: above all, the state must not get involved”.¹⁹ Since the mid-1980s, French controversies about problems of immigrant integration and national identity were marked by a vigorous consensus amongst the elites to reject the ideas and practices of multiculturalist policy. The principle political parties, interest groups, decision-makers, and intellectuals basically agreed on a republican model of assimilation as it has been customary in France since the days of the French Revolution. With respect to the Jewish community, French revolutionaries maintained ‘that Jews should be awarded everything as individuals, but nothing as a group’²⁰ i.e. there should be no discrimination, but also no privileging, of individuals based on group affiliation, estate, or creed. The conviction that in a democracy the general will (*volonté générale*) will only be distorted by vested interests if associations were to be sanctioned as intermediaries between the citizen and the state dates back to Rousseau’s Contract Social and has ever since been a guiding

principle in French politics.²¹ In the republican model, integration amounts to assimilation into a republican super-culture while competing local, ethnic or religious cultures are relegated into the background and made a private affair of the individuals concerned. If these sub-cultures were to assume a political role, it was feared that this would lead to a fragmentation of the nation and invite foreign intervention in support of the remnants of the *ancien régime*.

The strong republican consensus on inclusion seems to have prevented the agenda of the extreme right which calls for exclusion from citizenship for non-European and non-Christian immigrants. It also seems to have prevented the politics of identity to gain a foothold in France. However, some authors also hold that for some, the republican model serves as an ideological tool to divert attention from the fact that, in practice, French politics does often differentiate along ethnic and religious lines.²² Failure to recognise this gap between theoretical ideal and practical reality leads to frustration and violence and a sense of despair among immigrant communities in France with the consequence that some turn to the multiculturalist model in hope for some autonomous space where the community as a whole can achieve what is being denied to the individual. In the following, I would like to outline, in a somewhat chronological manner, the achievements and failures of French politics towards integration of immigrant communities.

Like many European countries who witnessed a period of economic growth in the period after World War II, France similarly allowed workers to immigrate into the country in the sixties and early seventies. In 1975, the immigrant population had almost doubled from 1.77 million in 1954 to 3.44 million.²³ Only in 1974 when the oil crisis struck the economy, the French government stopped the influx of immigrants who were still perceived then as temporary or guest workers. On grounds of their status as guest workers, the French government excluded immigrants from acquiring citizenship and barred their right to form political associations who could voice their demands. However, what the French government eventually did allow for in purview of the immigrants return to their home countries was instruction of their children in their native language, the creation of a National Office for the Promotion of Immigrant Cultures, provisions for TV-Channels in the major immigrant languages, and the establishment of Islamic prayer halls in immigrant hostels and workplaces. These measures were often put in place in cooperation with the governments of the countries of origin of the respective immigrant community.

The election of François Mitterrand as president in May 1981 and the victory of the socialist party in the parliamentary elections the following month marked a turning point in the policies of the French government vis-à-vis the immigrant community especially regarding their right to political participation. In October 1981, a law was passed that granted the right to engage in political activities to all associations, no matter which nationality their members held. Immigrants

associations had to register with government agencies and received financial support for their work with the thought in mind that thereby the government would obtain interlocutors to consult with in matters concerning the immigrant communities in France. Direct participation in politics being barred for non-citizens, the French government now called on such interlocutors to participate in the framework of consultative structures that were created for politics concerning immigrants. The ensuing question was, who to recognise as a legitimate representative of the various groupings of the immigrant community. Their representatives were divided along various lines. Lack of political experience and a dearth of good leaders who could have integrated the diverse factions and confront the government with a common policy line and agenda seems to be accountable for the ultimate failure of this short experiment in ethno-politics. One of the more successful social movements was Mouvement Beurs which emerged in 1983-1984 as a major anti-racist social movement of mostly young Maghribean immigrants in response to racist infringements on members of their community.

After the failure of these short-lived experiments in multicultural politics and terrified by the Front National and the rising spectre of French ethno-nationalism on the far right of the political spectrum, mainstream politics returned to the righteous path of republicanism. This meant elimination of any policies towards the integration of immigrants that would have been based on ethnic, national or religious identity. Since the republican model rejects the language of identity not only with respect to immigrants but also in view of the Front National who would like the French state to be founded on an ethnically defined French nation, it serves several purposes at the same time. Firstly, it promises integration into an open, ethnically and racially blind republican super-culture, secondly, it clearly demarcates the line not to be crossed for those with a penchant towards Le Pen's xenophobia, and thirdly, it reassures the French of their historical achievement of forging an identity which is not exclusive but principally open for people of all colour and creed. Henceforth, multiculturalism was seen as only perpetuating cultural minority identities, which were perceived as an obstacle in the way of integration rather than a potential value in them. Pierre-André Taguieff went as far as to denounce multiculturalism as embracing ideas that are dangerously close to those of the extreme right.²⁴

Far from being only an elite ideology, French republicanism took to the roads in the mid-eighties when SOS-Racisme was founded as a multi-ethnic, multi-national social force to foster solidarity amongst French and immigrant youth against racism. By embracing the republican model of integration through assimilation into the French political super-culture, SOS-Racisme availed itself of an almost ancient and widely accepted trope in French politics. Consequently, SOS-Racisme firmly opposed all attempts at politicising or officially recognising ethnic or

religious identity while it accepted every right of the individual regardless of its ethnic or religious identity to be accepted as an equal amongst equals.

On the government level, the republican model gave legitimacy to the practice of not preferring representatives of the immigrant community over experts from academia or civil society when it came to consultations regarding issues of integration. In fact, however, the already mentioned lack of acceptable spokespersons from the immigrant communities may have been at the heart of this decision in various policy arenas, the government did deviate from the republican precepts. In spite of the republican model, various elites did give way to the recognition of identities in their dealings with the immigrant communities. Blatt²⁵ cites two government programmes, France-Plus and the Conseil de Réflexion sur l'Islam en France (CORIF), as examples for ethnic-religious politics within an anti-ethnic-religious political framework.

France-Plus was founded in 1985 by North-African immigrants with the support of some socialist counsellors who wanted to promote participation in elections of some 1 to 1.5 million members of the North-African community who had obtained French citizenship. Although France-Plus managed to support a couple of hundred successful Maghribean candidates, it turned out that these candidates did not exert any sizable influence on the immigrant population itself. Thus the ethnic link that was designed to help the immigrant communities through their representatives in government institutions did not work even within these communities themselves. Especially the Beurs candidates who had ventured to represent their communities were ridiculed within these same communities as 'bourgeois' and corrupt. Finally, France-Plus was undermined by internal schisms and financial irregularities so that by the 1992-1995 electoral cycles not a single organisation nominated any minority candidates.

When France-Plus failed because of internal disunity, CORIF suffered a similar fate. It was created in 1989 by the minister of the interior to help organise and institutionalise relations between the government and the Muslim community in France. CORIF tried to mediate conflicts on 'halal' slaughtering and on the Ramadan calendar but soon got entangled in its competition with the Mosque de Paris for the leadership of the Muslim community in France. CORIF proved to be another example for the failure of the government to find a legitimate leadership for the immigrant communities based on ethnic or religious identity in spite of its willingness to compromise on the republican model of integration which would forbid any such ethnically based politics. Since the total embrace of the republican model of integration, the French elites have acted in an incoherent manner with respect to the question of political participation and representation of immigrants.

Recently, there have been new attempts to regulate Islam from above following the model of the Jewish community in France. With the foundation of the Representative Council of Jewish Institutions in France (*Conseil représentatif des institutions juives de France*), a laicist organisation of Jews in France had been created. Attempts to create a similar body for Muslims in France failed due to several reasons. Etienne²⁶ and Dollé²⁷ mention French Jacobinism and the heterogeneity of the Muslim community in France and its failure to organise itself in a twofold system, laicist and religious, as possible reasons as well as governments of respective home countries interfering in the cases of Muslims who have not yet become French citizens, and, lastly, compulsions to harmonise French law with European Union law regarding minority rights.²⁸

In spite of the large consensus in favour of an ideological model that rejects any sort of official recognition of ethnic identity, in spite of a powerful nationalistic movement that sees in all affirmation of minority identity a threat against the nation, and in spite of the absence of effective mediators who would have enjoyed recognition and legitimacy vis-à-vis the minority communities, the French political elites persistently recognised and promoted participation in the political process based, at least partially, on identity. Blatt explains this discrepancy by strong independent forces from within France and from without:

Racist forces from within France tend to entertain and develop an ethnic conscience among minorities in France. Within France, an ethnic awareness is nourished by anti-Muslim and anti-Arabic racism inherited from the colonial era and affecting the way immigrants are treated by employers, landlords, neighbours and, in particular, the police, and also by governmental policies which, in a whole series of domains, implicitly but clearly, treats non-European immigrants differently. From outside the French borders, the global diffusion of ‘black’ and Arabic culture gives shape and force to an ethnic conscience through music, film, sports, and other vectors and by trans-national movements for the rights of minorities and Islam ... Confronted with the necessity to treat these thorny and explosive questions, the political elites have hence accepted, in an ad hoc and partial fashion, the appearance and recognition of ethnic intermediaries in the political process”.²⁹

Blatt, holding that there can be no organisational, institutional or ideological basis for a coherent multiculturalist approach, nevertheless maintains that “to pretend that ethnicity does not exist, as the republican model would have it, creates a representational vacuum which leaves immigrant populations and their offspring all the more excluded from the political process and far-off the aim of integration”.³⁰

From Blatt’s analysis it becomes apparent that identity formations along ethnic and religious lines will persist as long as religious and cultural prejudice and racism persist in the host society. The conclusion to be drawn could be twofold. One possible conclusion would be to secure

religious and ethnic minorities an autonomous sphere where they can flourish outside the reach of racism. The other conclusion would be to challenge racism more sincerely. It seems, however, that racial prejudice remains a permanent feature of some parts of the French society. We have seen that republicanism plays a strong integrative role for the French society due to its rootedness in French history, notably the French Revolution. The latter, however, has also embraced the principle of liberality in its Human Rights Declaration of 1789. Article four of that declaration reminds us that “Liberty consists in the freedom to do everything which injures no one else; hence the exercise of the natural rights of each man has no limits except those which assure to the other members of the society the enjoyment of the same rights. These limits can only be determined by law.” The main principle of liberality sets limits to the integrative aspirations of republicanism. In the light of the principle of maximal liberty for all, the republican super-culture needs to be as indeterminate as possible. Since assimilation into this super-culture is a necessity for all who want to exercise their right to political participation, the content of that culture must not come into conflict with the liberty of anybody to be (in ethnic, religious or other terms) as he or she likes, and to be part of any culture or religious community s/he desires without risking exclusion from the realm of politics. Thus becoming French cannot mean for the immigrant to have to assimilate into a French ethnic community in all its density.

The Discourse on Multiculturalism in Germany

In Germany, opposition to the notion of multiculturalism was never as marked as in France, for several reasons. One is historical. When enlightenment republicanism was at its peak in France, Germany in the early 19th century was still struggling to become a unified nation that could only then decide on the form of government it wanted to take. The republican notion being a political one and Germany lacking political unity at that time, it was ~~only natural~~understandable that political unity had to be achieved first before ~~any final decision could be made~~Germans could make up their minds regarding the constitutional form of the ensuing polity. To achieve political unity, German nationalists, following the early romanticist ideas of Johann Gottfried Herder, in the late 18th and the early 19th century resorted to the concept of common culture and language as basis for political unification. Thus, the terms ‘politics’ and ‘culture’ have other connotations in the German political tradition than in the French. Unlike in France, culture was at the basis of the German nation, not republican self-government, for a common culture seemed to be there before popular sovereignty could even be thought of.

Equally for historical reasons, state and church have never been separated in Germany as they have been in France. To understand the nature of the relationship between state and religion in

Germany, one has to look at the German ‘State-Church-Law’ (*Staatskirchenrecht*) that regulates the relations between the central and federal states and diverse groups whose members share a common ‘world view’ (*Weltanschauung*). The German State-Church-Law is perceived by some as the most sophisticated of its sort in all of Europe.³¹ For one thing, the definition of ‘world view’ is the widest conception in Europe of what forms a religious community. If a religious organisation fulfils requirements such as assurance of permanence and a certain size and if there is no indication that the organisation’s principles conflict with the constitution or the European Human Rights laws, the organisation may request that it be granted the status of a corporation under public law. Public law corporation status, among other things, entitles it to levy taxes on its members that the State collects for it and for which the organisation pays a fee to the state. Most religious organisations are registered and treated as non-profit associations and therefore enjoy tax-exempt status. State level authorities review these submissions and routinely grant this status. Organisations must register at a local or municipal court and provide evidence (through their own statutes) that they are a religion and thus contribute socially, spiritually, or materially to society. Among the religious organisations that have been granted public law corporation status are the Protestant and Roman Catholic Church, Judaism, some smaller Christian denominations and, of late, the community of Allevite Muslims. Other Muslim communities in Germany so far do not qualify for this form of public recognition for their reluctance to recognise the right of their members to change or abandon their faith, which conflicts with the constitutionally guaranteed liberty of conscience and relevant Human Rights law on the European Union level.³² State governments also subsidise various institutions affiliated with public law corporations, such as church-run schools and hospitals. Most public schools offer religious instruction in co-operation with the Protestant and Catholic churches and the Central Council for Jews in Germany (CCJG). A non-religious course in ethics generally is available for students not wishing to participate in confessional instruction. The issue of Islamic education in public schools is becoming topical in several states and at the federal level and chairs of Islamic theology are being established in several German universities. In terms of the need to rethink and possibly redefine the relationship between the liberal democratic state and the various religious communities, the growing Muslim community offers controversial material for debate since they conform less to the occidental view of how religious communities should be organised.

NOTES

- 1 Cf. Habermas conception of constitutional patriotism.
- 2 Gregory Jay, “What is Multiculturalism” (Milwaukee: University of Wisconsin, 2002); <https://pantherfile.uwm.edu/gjay/www/Multicult/whatismc.pdf>

- 3 cf. Stefano Allievi, "Multiculturalism in Europe," in Proceedings of the St. Anthony's-Princeton conference on "Muslims in Europe post 9/11", Oxford, 25-26 April 2003, unpublished manuscript.
- 4 Cf. Tariq Modood, R. Berthoud, J. Lekey, J. Nagroo, P. Smith, S. Virdee, and S. Beishon, *Britain's Ethnic Minorities: Diversity and Disadvantage* (London: Policy Studies Institute, 1997); Tariq Modood and P. Werbner, eds., *The Politics of Multiculturalism in the New Europe: Racism, Identity and Community* (London: Zed Books, 1997); Tariq Modood, "Anti-Essentialism, Multiculturalism and the Recognition of Religious Minorities," *Journal of Political Philosophy*, 6(4), 1998, pp. 378-399.
- 5 Allievi, n. 3.
- 6 Ibid.
- 7 Ibid.
- 8 Ibid.
- 9 Ibid.
- 10 The following section owes much to Blatt's extensive work on the history of immigration politics in France (cf. David Blatt. "Une politique sans ethnicité? Les immigrés en France, entre théorie et pratique," in: Hélène Greven-Borde and Jean Tournon. *Les identités en débat: intégration ou multiculturalisme?* Paris: L'Harmattan 2000, 137-168).
- 11 cf. Sönke Giard. "Frankreich: Über vier Millionen Muslime suchen ihren Weg." *Das Parlament*, January 2002, pp. 18-25.
- 12 cf. Joseph Hanimann, "Du sollst keine Götter neben mir haben. Das erste Gebot der Republik: Der Multikulturalismus ist in Frankreich kein Thema mehr," *Frankfurter Allgemeine Zeitung*, 8 July 1993, p. 25.
- 13 cf. Philippe Raynaud, "De la tyrannie de la majorité à la tyrannie des minorités," *Débat* 69, March-April 1992, 50-59.
- 14 cf. Éric Fassin, "Du multiculturalisme à la discrimination," *Débat*, November-December 1997, p. 134.
- 15 cf. Philippe Raynaud, "Multiculturalisme et démocratie," *Débat*, November-December 1997, pp. 152-157.
- 16 Ibid.
- 17 Ibid., p. 156.
- 18 Such as François Furet, "L'Amérique de Clinton II," *Débat* 94, March-April 1997, pp. 3-10.
- 19 Cf. Didier Fassin, Alain Morice & Catherine Quiminal (eds.), *Les lois de l'inhospitalité. La société française à l'épreuve des sans-papiers* (Paris: La Découverte, 1997), p. 135f. See also Denis Lacorne. *La Crise de l'identité américaine. Du melting-pot au multiculturalisme*. (Paris: Fayard, 1997); 'Pour un multiculturalisme modéré.' *Débat* 1997, November-December issue, 159-167. All translations from French or German are mine.
- 20 cf. Michael Brenner, "Conflict and Coexistence: Jews in Europe under Muslim and Christian Rule," in Satish Saberwal and Mushirul Hassan (eds), *Asserting Religious Identities* (New Delhi: Manohar, 2006).
- 21 cf. Jean-Jacques Rousseau, *Du contrat social*, ed. by Pierre Burgelin (1966) Paris: Flammarion, 1762.
- 22 cf. Schain 1995. Miriam Feldblum, "Paradoxes of Ethnic Politics: The case of Franco-Maghrebins in France," *Ethnic and Racial Studies*, 16, 1993, pp. 52-74; Schain, Martin (1995) 'Policy-Making and Defining Ethnic Minorities: The Case of Immigrants in France', in: *New Community* 20, 59-77.
- 23 cf. Hollifield 1994). Cf. James Hollifield, "Immigration and Republicanism in France: The Hidden Consensus," in Wayne A. Cornelius et al. (eds.) *Controlling Immigration: A Global Perspective* (Stanford: Stanford University Press, 1994), pp. 143-177.
- 24 Cf. Pierre-André Taguieff, *La force du préjugé* (Paris: Éditions La Découverte, 1987)
- 25 Blatt 2000: 159. Blatt, David (2000) 'Une politique sans ethnicité? Les immigrés en France, entre théorie et pratique,' in Hélène Greven-Borde and Jean Tournon, *Les identités en débat: intégration ou multiculturalisme?* (Paris: L'Harmattan, 2000), pp.137-168.
- 26 Bruno Etienne, "La France multiconfessionnelle face à l'Europe plurielle: le cas statut de l'Islam," *Dialogues Politiques*, April 2002, at www.la-science-politique.com/revue/revue0/france.htm.
- 27 Nathalie Dollé, "Qui représentera les musulmans de France?," *Le Monde diplomatique*, January 2002, p. 6.
- 28 cf. Riva Kastoryano, "Des multiculturalismes en Europe au multiculturalisme européen," *Politique Étrangère*, (1) 2000, pp. 163-178.
- 29 Ibid: 163f.

30 Ibid: 164.

31 cf. Etienne, n. 26. .

32 Ibid.