

Overview

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1. MUSLIMS IN THE UK: DEPRIVATION, DISADVANTAGE AND DISCRIMINATION

The Open Society Institute published its first report on Muslims in the UK in November 2002.¹ At this time there was very limited data specifically on the situation of UK Muslims. The report therefore relied mainly on available information on the approximately 60 per cent of UK Muslims from the Pakistani and Bangladeshi communities² to assess a range of issues affecting the broader Muslim population. Since then, data on faith groups in the UK has become more widely collected and has provided a more accurate picture of the present situation of Muslims. In particular, however, this data has revealed the extent and nature of the deprivation and disadvantage faced by Muslim communities in the UK.

As outlined in the first part of this section, the increasingly available data on Muslims in the UK serves to highlight the marginalisation faced by significant numbers of this group. Muslims in the UK are ethnically diverse with a young age profile. They are disproportionately represented in the most deprived urban communities and experience poor housing conditions. Data on education is not collected on the basis of religious affiliation, but the academic achievement of Bangladeshi and Pakistani pupils at GCSE level falls below the national average. Muslim children experience high levels of the risk factors associated with child poverty. A higher proportion of working age Muslims have no qualifications than for any other faith group. Muslims are by far the most disadvantaged faith group in the British labour market. They suffer from disproportionate levels of unemployment and inactivity and are over-concentrated in certain low-paying sectors of the economy. UK Muslims report higher rates of illness than all other faith groups and fare poorly on certain health indicators.

The second part of this section addresses the levels of discrimination experienced by Muslims in the UK. It notes the different ways in which discrimination can manifest itself and the impact this has on the everyday lives of Muslim. Particular areas of concern where Muslims feel they face discrimination are employment, education and the criminal justice system.

¹ Open Society Institute, *Monitoring Minority Protection in the EU: The Situation of Muslims in the UK*, EU Monitoring and Advocacy Program (EUMAP), OSI, Budapest, 2002, available on the EUMAP website at <http://www.eumap.org/reports> (accessed 21 September 2004), (hereafter, *2002 OSI Report*).

² According to data from the 2001 UK National Census, available on the website of the Office of National statistics at <http://www.statistics.gov.uk/census2001/default.asp> (accessed 2 November 2004), (hereafter, UK 2001 National Census).

1.1 Documenting Deprivation and Disadvantage among UK Muslims

According to the 2001 UK National Census (hereafter, 2001 Census) there are 1.6 million Muslims in the UK,³ constituting three per cent of the UK population.⁴ Muslims are the largest faith group after Christians and constitute 52 per cent of the non-Christian religious population.⁵

The UK Muslim population is ethnically diverse with the majority (73 per cent) of Asian ethnic background.⁶ In 2001, 43 per cent were Pakistani, 16 per cent Bangladeshi, eight per cent Indian and six per cent of other Asian ethnic background.⁷ In addition to this there are Arab, Afghan, Iranian, Turkish, Kurdish, Kosovar, North African and Somali Muslims. Although figures for these ethnic groups are not captured by existing census data, Muslims from some of these groups may account for the 12 per cent of Muslims who identified themselves as either 'White' UK or 'White' other in the 2001 Census.⁸ In addition, six per cent of Muslims were of Black African origin. The main write-in response to the census 'Other' categories was 'Arab'.⁹ Data from the census also reveals that 46 per cent of Muslims living in Great Britain were born in the

³ Office of National Statistics, "Profiles", available on the ONS website at <http://www.statistics.gov.uk/census2001/profiles/uk.asp> (2 November 2004), (hereafter, UK 2001 National Census, *Profiles*). According to the 2001 Census, the total population of the UK was 58,789,194 million people.

⁴ However, Ansari suggests that "the broad consensus considers two million as being more realistic since it is contended that a significant number of 'undocumented' and asylum seeking Muslims remain unaccounted for". See: H. Ansari, *The Infidel Within: Muslims in Britain since 1800*, London, Hurst, 2004, p. 172, fn. 12, (hereafter, Ansari, *The Infidel Within*).

⁵ Of census respondents who stated that they had a religion, 42 million people described themselves as Christian, 1.6 million Muslim, 559,000 Hindu, 336,000 Sikh, 267,000 Jewish, 152,000 Buddhist, and 179,000 from other religions. A further 13.6 million people stated that they had no religion or did not state a religion. See: UK 2001 National Census, *Profiles*.

⁶ For the ethnic and religious categories used in the UK 2001 National Census, see Appendix 1 Definitions.

⁷ Office of National Statistics, *Focus on Religion*, London, ONS, 2004, p. 5, available at http://www.statistics.gov.uk/downloads/theme_compendia/for2004/FocusonReligion.pdf (accessed 20 October 2004), (hereafter, ONS, *Focus on Religion*).

⁸ This includes the Turkish/Turkish-Cypriot population in the UK, which is estimated at between 125,000 to 300,000. See: Ansari, *The Infidel Within*, p. 169.

⁹ See: Oxford Centre for Islamic Studies, *Muslim housing experiences*, London, Housing Corporation, 2004, p. 7, (hereafter, Oxford Centre for Islamic Studies, *Muslim housing experiences*).

UK, while 18 per cent were born in Pakistan, nine per cent in Bangladesh, nine per cent in Africa and three per cent in Turkey.¹⁰

Muslims have the youngest age profile of all faith groups in Great Britain. In 2001, one third of Muslims were under the age of 16 as compared to one fifth for the population as a whole.¹¹ The average age of Muslims is 28, 13 years below the national average. As a result of this younger age profile, Government policies aimed at children and young people will have a disproportionate impact on Muslim communities. It is vital, therefore, that Government departments and agencies implementing and delivering policy in relation to children and young people lead the way in ensuring that policy is sensitive to the needs of Muslims.

Muslims in the UK are disproportionately represented in the most deprived urban communities – 75 per cent live in 24 cities or authorities,¹² including around 38 per cent in London. Even within these cities, Muslims are highly concentrated spatially. For example, although in London Muslims represent eight per cent of the population, they are concentrated in a small number of London boroughs.¹³ 67 per cent of people from minority ethnic communities live in the 88 most deprived districts in England, as compared to 37 per cent of the White population.¹⁴ The concentration of Muslims in the poorest areas of cities is indicative of the marginalisation of Muslims, and means that the inter-faith and inter-ethnic interactions are often of a confrontational nature, resulting from fear and mistrust of the “other side”.¹⁵ It also means that a critical role will fall on departments and agencies developing and implementing Government strategies on sustainable communities and neighbourhood renewal.

Muslim households¹⁶ are more likely than the general population to be married couple households with two or more children (28 per cent, compared to 11 per cent). At the same time, though, single-parent households make up a greater proportion of Muslim

¹⁰ ONS, *Focus on Religion*, p. 6.

¹¹ ONS, *Focus on Religion*, p. 3.

¹² R. Richardson (ed.), *Islamophobia – issues, challenges and action: A Report by the Commission on British Muslims and Islamophobia*, Stoke on Trent, Trentham Books, 2004, p. 29, (hereafter, Richardson, *Islamophobia*).

¹³ A quarter of London’s Muslims live in Tower Hamlets and Newham, where they make up 36 and 24 per cent of the boroughs residents, respectively, see: Richardson, *Islamophobia*, p. 30.

¹⁴ Neighbourhood Renewal Unit 2004, cited in *Strength in Diversity: Towards and Community Cohesion and Race Equality Strategy*, London, Home Office, 2004, p. 13.

¹⁵ See: R. J. Pauly Jr., *Islam in Europe: integration or Marginalisation?*, Aldershot, Ashgate, 2004.

¹⁶ The religion of a household refers to the religion of the household reference person.

households than is the case for the general population (12 per cent, compared to 10 per cent).¹⁷

Muslims are more likely to live in socially rented housing than all other faith groups (28 per cent live, as compared to 20 per cent for the general population). Muslims are also the most likely faith group to experience poor housing conditions: 32 per cent of Muslim households live in overcrowded accommodation, as compared to 22 per cent of Hindu, 19 per cent of Sikh and six per cent of Christian households.¹⁸

Muslim children experience high levels of the risk factors associated with child poverty: 42 per cent live in overcrowded accommodation, compared to 12 per cent for the population as a whole; 12 per cent live in households without central heating, compared to six per cent for all dependent children; and 19 per cent live in single parent households, compared to 23 per cent for all dependent children. Over one third (35 per cent) are growing up in households where there are no adults in employment, compared with 17 per cent for all dependent children, and 28 per cent live a household without a car or van, compared to 16 per cent for all dependent children.¹⁹

In education, data continues to be collected on the basis of ethnicity alone. Available data indicates that the levels of academic achievement of Muslim students are low, but improving. In 2002, 40 per cent of Pakistani children and 45 per cent of Bangladeshi children in England and Wales gained five or more GCSEs at grades A*-C, as compared to 50 per cent for the population as a whole.²⁰

Almost one third of Muslims of working age have no qualifications, the highest proportion for any faith group.²¹ A major study, published in 2004, examined the influences on participation in higher education on the achievement and transition to the labour market of minority ethnic students.²² The study examines the experiences of different ethnic groups, so does not directly examine the experience of different faith groups. However, the study found that, with respect to students from other Asian groups, Pakistanis and Bangladeshis entering higher education have lower qualifications and are more likely to have vocational qualifications.²³ On the whole,

¹⁷ Oxford Centre of Islamic Studies, *Muslim housing experiences*, p. 3.

¹⁸ ONS, *Focus on Religion*, p. 11.

¹⁹ Oxford Centre for Islamic Studies, *Muslim housing experiences*, p. 13, Table 3.

²⁰ G. Bhattacharayya, L. Ison and M. Blair, *Ethnic Minority Attainment Participation in Education and Training: the Evidence*, DfES, Nottingham, 2003, p. 12.

²¹ ONS, *Focus on Religion*, p. 12.

²² H. Conners, C. Tyers, T. Modood and J. Hillage, *Why the Difference? A Closer Look at Higher Education Minority Ethnic Students and Graduates*, Research Report 552, London, Institute of Employment Studies, 2004, (hereafter, Conners, *Why the Difference?*)

²³ Conners, *Why the Difference?*, p. 23.

minority ethnic students are more influenced than White students by the expected better labour market opportunities that higher education qualifications would bring.²⁴ Nonetheless, the initial unemployment level²⁵ amongst full-time²⁶ Pakistani graduates, at 14 per cent, is the highest of all ethnic groups and compares to six per cent for White graduates.²⁷

Degree classification has a significant impact on employment. Nonetheless, even when comparing students with first and upper-second class degrees, Pakistani and Bangladeshi graduates had a higher unemployment rate than all other ethnic groups.²⁸ In fact, while, as a general rule, employment is lower among students with a higher degree classification than those with a low degree classification, this is reversed in the case of the Bangladeshi and “Asian Other” groups.²⁹ A higher percentage of Pakistani and Bangladeshi graduates go onto further study or training than White graduates.³⁰ The percentage of first-degree graduates entering into top three occupational groups is the lowest of all ethnic groups for Bangladeshis.³¹

Muslims are by far the most disadvantaged faith group in the British labour market. They are three times more likely to be unemployed than the majority Christian group. They have the lowest employment rate of any faith group (38 per cent) and the highest economic inactivity rate (52 per cent).³² At 30 per cent, Muslim men had an economic

²⁴ Conners, *Why the Difference?*, p. 37.

²⁵ The study uses information from *First Destination Surveys*. These surveys ask students about their activities six months after obtaining their qualification, so reveal a snapshot of the students’ initial employment situation.

²⁶ The study notes that there are no available statistics on part-time students’ employment outcomes. However, it finds that “anecdotal evidence suggests that many (part-time students) are likely to stay working with their existing employers”. See: Conners, *Why the Difference?*, p. 91.

²⁷ Conners, *Why the Difference?*, p. 88. The initial graduate unemployment rate refers to the level of unemployment within the first six months of graduation.

²⁸ Conners, *Why the Difference?* p. 94.

²⁹ Conners, *Why the Difference?* p. 93.

³⁰ Conners, *Why the Difference?* p. 89, Table 7.1. 17 per cent of White graduates go into further study or training after graduation, compared to 22 per cent for all minority ethnic groups and 23 and 24 per cent for Bangladeshi and Pakistani graduates.

³¹ The top three groups are: professional, assistant professional and managerial. See: Conners, *Why the Difference?* p. 99. The percentage of Pakistani first degree students entering the top three occupational group is equivalent to that of White students.

³² Figures provided by the Ethnic Minority Employment Division, Department for Work and Pensions, 2004, (hereafter, EMED, DWP).

inactivity rate almost twice that of Christians (16 per cent).³³ More than two thirds (68 per cent) of Muslim women of working age were economically inactive, the highest for any faith group. Of young people aged 16-24, Muslims have the highest unemployment rate of all faith groups; 17.5 per cent are unemployed, compared to 7.9 per cent of Christians and 7.4 per cent of Hindus.³⁴ Muslims also tend to be over-concentrated in certain sectors of the economy: 40 per cent of Muslim men in employment were working in the distribution, hotel and restaurant industry, as compared with 17 per cent of Christian men.³⁵ Moreover, 40 per cent of Muslims are in the lowest occupation groups, compared to 30 per cent of Christians. Muslim men are among the least likely to be in managerial or professional jobs and the most likely to be in low-skilled jobs.³⁶

There are also indications that the deprivation and disadvantage experienced by many Muslims in the UK may also have implications for their health status. In the 2001 Census, Muslims reported the highest rates of illness of all faith groups. After taking the age structures of the population into account, it is found that 13 per cent of Muslim males and 16 per cent of Muslim females reported that their health was “not good”, compared to 7 per cent for Christians. Compared to other faith groups, Muslims also have the highest rate of disability.³⁷ Health data on ethnic minorities reveal that Pakistanis and Bangladeshis had the highest rate of diagnosed heart disease.³⁸ There are also stark differences in the prevalence of diabetes in different ethnic groups. While Indians, African Asians and Black Caribbeans are three times more likely to have diabetes than Whites, Pakistanis and Bangladeshis are five times more likely to do so.³⁹

³³ EMED, DWP, 2004.

³⁴ EMED, DWP, 2004.

³⁵ ONS, *Focus on Religion*, p. 14.

³⁶ OMS, *Focus on Religion*, p. 14.

³⁷ 24 per cent of Muslims females and 21 per cent of Muslim males had a disability, as compared to 15 and 16 per cent for Christian males and females, ONS, *Focus on Religion*, p. 8.

³⁸ While one in six ethnic minorities over the age of forty reported diagnosed heart disease or severe chest pain, the figure for Pakistanis and Bangladeshi was one in four. See: J. Nazroo, *Ethnicity, Class and Health*, London, Policy Studies Institute, 2001, pp. 74–77, (hereafter, Nazroo, *Ethnicity, Class and Health*).

³⁹ Nazroo, *Ethnicity, Class and Health*.

1.2 UK Muslims and Discrimination

The need for protection from religious discrimination has been a key demand of Muslim communities for over 20 years. The Home Office Citizenship Survey 2001 indicates that one third of Muslims felt that the Government was doing too little to protect the rights of people belonging to different faith groups in Britain.⁴⁰ Levels of dissatisfaction were higher among young Muslims (16-24 year olds), of whom 37 per cent felt that the Government was doing “too little”.⁴¹ When asked about the amount of respect employers showed for the customs of people belonging to different faith groups, one-third of respondents in all faith groups thought employers were doing too little.⁴²

Research conducted prior to 11 September 2001 found that Muslims were the most likely to report “very serious” problems or experiences in relation to seven out of nine indicators of unfair treatment.⁴³ Recent research has concluded that in the post-September 11 environment, religion is more important than ethnicity in indicating which groups are more likely to experience racism and discrimination.⁴⁴ Religious discrimination can manifest itself in a number of different ways, including discounting

⁴⁰ Five per cent said the Government was doing ‘too much’ and 62 per cent felt the Government was doing ‘the right amount’. However, this overall figure masks significant differences by gender and age: Muslim women (37 per cent) were more likely than Muslim men (30 per cent) to feel the Government was doing ‘too little’. This gender difference is also found in the Christian, Hindu and Sikh groups. Among all respondents the response was: ‘too much’, 20 per cent; ‘right amount’, 54 per cent; and ‘too little’, 27 per cent. M. O’Beirne, *Religion in England and Wales: findings from the 2001 Home Office Citizenship Survey*, Home Office Research Study 274, London, Home Office, Research, Statistics and Development Directorate, 20004, p. 25, (hereafter, O’Beirne, *Religion in England and Wales*).

⁴¹ However, this is lower than for others in this age group. O’Beirne, *Religion in England and Wales*, p. 26.

⁴² O’Beirne, *Religion in England and Wales*, p. 30.

⁴³ The research identified nine indicators: ignorance, indifference, hostility, verbal abuse, physical abuse, damage to property, policies of organisations, practices of organisations and coverage in the media. Respondents were asked: How serious do you think the following problems/experiences are for people within your religion? Muslims were the most likely to say the problem was ‘very serious’ in relation to all indicators except verbal abuse (36 per cent of respondents from Sikh communities said this was very serious, compared to 35 per cent of Muslim respondents) and damage to property (here, 47 per cent of Hindus reported that this was a very serious problem, compared to 33 per cent of Sikhs and 30 per cent of Muslims). P. Weller, A. Fieldman and K. Purdam, *Religious Discrimination in England and Wales*, Home Office Research Study 220, London, Home Office, Research, Development and Statistics Directorate, 2001, pp. 106–105, available on the Home Office website at <http://www.homeoffice.gov.uk/rds/pdfs/hors220.pdf> (accessed 1 November 2004).

⁴⁴ See: L. Sheridan, *Effects of the Events of September 11th 2001 on Discrimination and Implicit Racism in Five Religious and Ethnic Groups*, Leicester, Leicester University, 2002.

the religious beliefs of others, religious jokes, compulsory religious services and exclusionary prayers and non-association due to the other person's religion.⁴⁵ Interviews with young Muslim men suggest that discrimination is focused on those who carry visible markers of being Muslim. Those interviewed suggested that young Muslim women suffered most discrimination in the aftermath of September 11 and that this was related to their dress choice.⁴⁶ Other studies found that "practising" young Muslim women encountered hostility from students, lecturers and employers, and that they faced "double discrimination based on the grounds of gender and religious adherence".⁴⁷

In 2004, the BBC conducted a survey in which fictitious applications were made for jobs using applicants with the same qualifications and work experience, but different names. A quarter of the applications by the candidates with traditionally English sounding names – Jenny Hughes and John Andrews – were successful in securing an interview, compared to 13 per cent for the applicants with Black African names and only nine per cent of applicants with Muslim names.⁴⁸

A 2003 survey of the perceptions of prejudice amongst young people found that they were almost twice as likely to think that there is a lot of prejudice against Asian people, than against Black people (39 per cent, compared to 20 per cent).⁴⁹ While the majority of young people believed that levels of racial prejudice would be unlikely to increase over the next five years, a survey of adults found that the majority (52 per cent) thought it would increase.⁵⁰ Another survey, conducted by several Muslim groups, found that since 11 September 2001, 80 per cent of Muslim respondents reported

⁴⁵ See: C. Huang and B. Kleiner, "New developments concerning Religious Discrimination in the Workplace", in *International Journal of Sociology and Social Policy*, vol. 21, no. 8-10, 2001, pp. 128–136.

⁴⁶ P. Hopkins, "Young Muslim men in Scotland: inclusions and exclusion", in *Children's Geographies*, vol. 2, no. 2, 2004, pp. 257–272.

⁴⁷ M. Parker-Jenkins, K. F. Haw, B. A. Irving and S. Khan, "Double Discrimination: An Examination of the Career Destinations of Muslim Women in Britain", *Advancing Women in Leadership*, 2:1 (1999)

⁴⁸ See: 'Shocking Racism in job market', BBC News, 12 July 2004, available on the BBC website at <http://news.bbc.co.uk/1/hi/business/3885213.stm> (accessed 28 November 2004). See also J. Wilson, "Muslim says he was sacked for wearing beard", *The Guardian*, 11 August 2004; and V. Dodd, "City Firm Sued for Bin Laden jibes", *The Guardian*, 9 April 2004.

⁴⁹ While 39 per cent perceived there was a lot of prejudice against Asian people, 49 per cent perceived "a little" and 11 per cent "hardly any". A. Park, P. Philips and M. Johnson, *Young People in Britain: The Attitudes of Experiences of 12 to 19 year olds*, London, National Centre for Social Research, 2004, p. 46, (hereafter, Park et al., *Young People in Britain*).

⁵⁰ Park et al., *Young People in Britain*, p. 47.

being subjected to Islamophobia; that 68 per cent felt they had been perceived and treated differently; and that 32 per cent reported being subjected to discrimination at UK airports.⁵¹

Attitudes and treatment based on stereotypes and prejudice are one of the ways in which Muslims encounter discrimination. Alexander suggests that Muslim young men have emerged as the new “folk devils” of popular and media imagination, being represented as the embodiment of fundamentalism. To be a British Muslim is defined “solely in terms of negativity, deprivation, disadvantage and alienation”.⁵² Archer notes that in public discourse Muslim men are not only conceptualised as “dangerous individuals” with a capacity for violence and/or terrorism, but also as “culturally dangerous” – as threatening “the British way of life/civilisation”. She finds that “conceptualisations, assumptions and stereotypes about Muslim boys can have “real” effects and implications for pupils within schools”.⁵³

Other studies have picked up on the way in which stereotypes about Muslim women impact on the lives of these women. Gendered, class and racialised explanations reinforce dominant representations of young Muslim women as both oppressed and powerless, stereotypes that impinge directly on the lives of Muslim women. In one case, for example, a Muslim pupil interviewed for medical degree was questioned about her commitment to the profession. Muslim women find that they are often judged on the basis of being representatives of a stereotype, rather than as individuals.⁵⁴

Discrimination in the criminal justice system, in particular with respect to police stop and search powers, continues to be of concern to British Muslim. Muslims report that they face religious profiling, and that they are being stopped and searched on the basis

⁵¹ Forum Against Islamophobia and Racism, Al-Khoei Foundation and the Muslim College, *Counter-Terrorism Powers: Reconciling Security and Liberty in an Open Society: Discussion Paper – A Muslim Response*, London, FAIR, 2004, p. 22. The FAIR survey was based on questionnaires sent out to Muslim schools, Mosques, charities, Islamic students’ societies, NGOs and members of the community. Over 200 people responded to the Survey, providing information on how they had been affected by Islamophobia.

⁵² C. Alexander, *The Asian Gang, ethnicity, identity, masculinity*, Oxford, Berg, 2000, p. 6.

⁵³ L. Archer, *Race, Masculinity and Schooling: Muslim boys and education*, Maidenhead, Open University Press, 2003, p. 157, (hereafter, Archer, *Race, Masculinity and Schooling*).

⁵⁴ C. Dwyer, “Negotiating diasporic identities: young British South Asian Muslim women”, in *Women’s studies international forum*, vol. 23, no.4, 2000, pp. 475–486.

of their appearance.⁵⁵ It is difficult to obtain direct statistical evidence to support this, as data is not collected on the basis of religion. However, data on ethnicity shows, for example, that between 2001-02 and 2002-03, the number of White people stopped and searched under the Terrorism Act 2000 increased by 118 per cent, while the corresponding increase for Black people was 230 per cent and for Asian people 302 per cent.⁵⁶ The high number of stops and searches – and the gap between the number of stop and searches and that of actual arrests, charges and convictions – is leading to a perception among British Muslims of being unfairly policed, and is fuelling a strong disaffection and a sense of being “under siege”.⁵⁷ The incarceration without trial, under anti-terrorism legislation, of detainees at HMP Belmarsh, also serves to further undermine Muslims’ confidence in the justice system.⁵⁸

According to the Forum Against Islamophobia and Racism (FAIR), the enforcement of anti-terrorism legislation “has led to the victimisation and stigmatisation of the Muslim community”.⁵⁹ FAIR has also found that:

“victimisation of Muslims under the anti-terrorism legislation has led to increased incidences of Islamophobia and racism against Muslims. This has manifested itself in the form of vandalism of mosques, Muslim graves and homes” and that “the increased hostility towards Muslims has also seen an increase in hate campaigns against Islam and Muslims from far right groups”.⁶⁰

⁵⁵ Liberty, *Reconciling Security and Liberty in an Open Society – Liberty Response*, London, Liberty, August 2004, available on the Liberty website at <http://www.liberty-human-rights.org.uk/resources/policy-papers/2004/liberty-and-security.pdf> (accessed 2 November 2004), pp. 8–14, (hereafter, Liberty, *Reconciling Security and Liberty*). See also oral evidence given by the Muslim Council of Britain to the House of Commons Home Affairs Select Committee investigations into Anti-Terrorism Powers, 8 July 2004, available at <http://www.publications.parliament.uk/pa/cm200304/cmselect/cmhaff/uc886-i/uc88602.htm> (accessed 1 November 2004).

⁵⁶ Home Office, *Statistics on race and the Criminal Justice System: A Home office publication under section 95 of the Criminal Justice Act 1991*, London, Home Office, 2004, p. 28.

⁵⁷ See: Liberty, *Reconciling Security and Liberty*, p. 8. See also: S. Bates, “Anti-Terror measures alienate Muslims”, *The Guardian*, 21 September 2004, available at http://www.guardian.co.uk/uk_news/story/0,,1309011,00.html (accessed 4 November 2004).

⁵⁸ Liberty, *Reconciling Security and Liberty*, p. 8. See also: *Concluding Observations/Comments of the UN Committee on the Elimination of Racial Discrimination*, para. 17, available on the UNHCR website at <http://www.unhchr.ch/tbs/doc.nsf/0/cd515b6fbf9c7a12c1256e010056fdf4?Opendocument> (accessed 1 November 2004)

⁵⁹ Forum Against Islamophobia and Racism, *A Submission to the Home Affairs Committee’s Inquiry into Terrorism and Social Cohesion*, London, FAIR, 2004, p. 4, (hereafter, FAIR, *Terrorism and Social Cohesion*).

⁶⁰ FAIR, *Terrorism and Social Cohesion*, pp. 5–6.

Human Rights Watch has also found that the enforcement of the legislation “has harmed race and community relations” and undermined the willingness of Muslims in the United Kingdom to cooperate with police and security services.⁶¹

⁶¹ Human Rights Watch, *Neither Just nor Effective: indefinite detention without trial in the United Kingdom under Part 4 of the Anti-Terrorism, Crime and Security Act 2001*, Human Rights Watch Briefing Paper, New York, HRW, 2004, pp. 14–15, available on the HRW website at <http://hrw.org/backgrounder/eca/uk/anti-terrorism.pdf> (accessed 29 October 2004).

2. THE RESPONSE OF UK MUSLIMS

This section addresses the response of UK Muslims to the deprivation, disadvantage and discrimination that many experience in their daily lives. Here, two key trends within Muslims communities can be highlighted. First, for some time now research has highlighted the growing importance to many UK Muslims of religious affiliation as a marker of identity. Many are now seeking recognition and acknowledgement of this in the public sphere. As outlined in the first part of this section, the tendency for religious identity to be prioritised over ethnic identity has important consequences in terms of addressing the needs of the (ethnically diverse) UK Muslim communities. As for other groups, British Muslims have many different identities. Nonetheless, it is a central premise of this report that it is legitimate to address the needs of British Muslims in terms of their membership of a distinct faith group.

A second trend, outlined in the second part of this section, is the development by British Muslims of a distinct discourse of “British Muslim citizenship”. This is a positive attempt contribute to debates on citizenship by drawing upon Islamic traditions and ideas. Here Muslim groups and organisations have played an important role, as has the emergence of second- and third-generation British Muslims, educated and socialised in Britain, who clearly see their future as active and engaged British citizens.

2.1 Religious Affiliation as a Marker of Identity

The Home Office Citizenship Survey 2001 indicated that, for Muslims, religion was a more important aspect of identity (second to family) than ethnicity.⁶² This finding is supported by other research that has tracked the rise, since the 1980s, of religion as a more significant marker of identity amongst Muslims than ethnicity.⁶³ Different

⁶² M. O’Beirne, *Religion in England and Wales*, p. 20. The survey asked participants to list the top ten things that would say something important about themselves. For Muslims, Hindus and Sikhs the top three were family, religion and ethnicity. For Christians, religion was seventh on the list.

⁶³ See: S. Bouchner, *Cultures in Contact*, New York, Pergamon Press, 1982; N. Hutnik, “Aspects of identity in multi-ethnic society”, in *New Community*, 12(1), 1985, p. 298; J. Jacobson, “Religion and Ethnicity: dual and alternative sources of identity among young British Pakistanis”, in *Ethnic and Racial Studies*, 20(2), 1997; A. Saeed, N. Blain and D. Forbes, “New ethnic and national questions in Scotland: post-British identities among Glasgow Pakistani teenagers”, in *Ethnic and racial studies*, 22(5), 1999, pp. 821–844, (hereafter, Saeed et al, *New ethnic and national questions in Scotland*); and L. Archer, *Race, Masculinity and Schooling: Muslim boys and education*, Maidenhead, Open University Press, 2003, (hereafter, Archer, *Race, Masculinity and Schooling*).

explanations have been put forward for this. Muslim mobilisation may be a response to racism, in which Muslim identities provide a way to respond to inequalities and negative stereotypes.⁶⁴ It may also be a reaction to the public devaluation and disparagement of Muslims and Islam that has led to increased in-group solidarity.⁶⁵ Muslim political activism can also be seen as part the “politics of ‘catching-up’ with racial equality and feminism”.⁶⁶

There are significant gender differences in the way that Muslim identities are imagined and used. For young women, Muslim identities can provide a way to negotiate parental restrictions which they locate in ethnicity. Islamic teachings in this context can be an important source for resistance to parental and community restrictions on behaviour, that allow women to reject their parent’s views as set within ethnic tradition.⁶⁷ It provides a pathway to greater integration in education, employment and civic participation.

⁶⁴ “Islam provides both a positive identity, in which solidarity can be found, together with an escape from the oppressive tedium of being constantly identified in negative term”. K. Gardner and A. Shuker, “I’m Bengali, I’m Asian and I’m living here’: the changing identity of British Bengalis”, in R. Ballard (ed.), *Desh Pardesh: The South Asian Presence in Britain*, London, Hurst and Company, 1994, p. 163.

⁶⁵ See: Saeed et al, *New ethnic and national questions in Scotland*, pp. 821–844 and p. 826. Here, it is noted that “majority group public devaluation of a personally important social identity results in more ingroup solidarity on the part of the minority devalued group, and that this is a mechanism which allows the minority group to increase intergroup differentiation and to maintain its self esteem. Thus for example, recent growing disparagement by non-Muslims may be expected to have resulted in greater unity among Muslims themselves”. See also: Y. Samad, “The politics of Islamic identity among Bangladeshis and Pakistanis in Britain”, in Y. Samad, T. Ranger and O. Stuart (eds.), *Culture Identity and Politics: Ethnic Minorities in Britain*, Aldershot, Avebury, 1996; and P. Mandaville, “Europe’s Muslim Youth. Dynamics of Alienation and Integration”, in S.T. Hunter and H. Malik (eds.), *Islam in Europe and the United States: A Comparative Perspective*, Washington, Centre for Strategic and International Studies, 2002, p. 22.

⁶⁶ T. Modood, “Muslims and the Politics of Difference”, in *Political Quarterly*, 74 (1), 2003, pp. 100–115. (Simultaneous publication in Sarah Spencer (ed.), *The Politics of Migration*, Oxford, Blackwell, 2003). See also: P. Statham, “New Conflicts about Integration and Cultural Diversity in Britain: The Muslim Challenge to Race Relations”, in R. Cuperus, K. A. Duffek and J. Kandel (eds.), *The Challenge of Diversity: European Social Democracy Facing Migration, Integration, and Multiculturalism*, Innsbruck, Studienverlag, 2003, pp. 126–149.

⁶⁷ See: Y. Ali, “Muslim Women and the Politics of Ethnicity and Culture in Northern England”, in G. Sahgal and N. Yuval-Davis (eds.) *Refusing Holy Orders: Women and fundamentalism in Britain*, London, Virago Press, 1992, p. 113; and S. Glynn, “Bengali Muslims: the new East End radicals?”, in *Ethnic and racial studies*, 25, 6, p. 969, 2002.

For example, studies by Dwyer of South Asian Muslim female pupils have found that, while “Asian” dress signified difference from “Englishness”, Islamic dress came to be seen as a way of bridging the gap, allowing the young women to wear what would otherwise be regarded as “English dress”. The women wore trousers and long skirts rather than *shalwar kameez* on the basis that it was Islamic. Such dress challenged the supposed opposition between English and Asian clothes, creating a new fused identity that is both “Western” and “Islamic”. Dwyer found that fashionable “western” and yet Islamic dress codes were particularly important for those young women who had begun to explore an alternative “new” Muslim identity. This reasserted Muslim identity offered an alternative gender identity, with respect to their ethnic identity, that emphasised not restrictions but greater possibilities for women. By showing themselves to be “good Muslims”, the women gained greater freedom to pursue other interests. By evoking Islamic authority, individuals were able to argue that not only should they be able to dress in a style which was both “western” and “Islamic”, but that they should also have greater freedom to go out, to go on to higher education and be fully involved in the choice of their marriage partner.⁶⁸ These findings confirm those of other studies of young Muslim women which found that they “desire to achieve equality within Islam, not without it, engaging in a discourse of what it means to be a Muslim woman and articulating their sense of equality within the religion”.⁶⁹

Archer’s study of young Muslim men finds that the construction of Muslim male identities is intimately tied up with issues of masculinity. Here as elsewhere, masculinity is constructed through various positioning of self and others. In some cases, young Muslim men constructed a “strong” Muslim identity as a way in which to resist stereotypes of “weak passive Asians”. The young men challenged this stereotype of Asian men by replacing it with an alternative association of Muslim masculinity with strength. They emphasise the brotherhood that this identity provides:

The boys’ construction of a ‘strong’ Muslim brotherhood might more usefully be read in terms of intertwining of racial and patriarchal themes, through which boys resist popular stereotypes of ‘weak’ and ‘passive’ Asian masculinity. The boys identifications could be seen as straightforwardly challenging this

⁶⁸ See: C. Dwyer, “Negotiating diasporic identities: young British South Asian Muslim women”, in *Women’s studies international forum*, 23(4), 2000, pp. 475–486; C. Dwyer, “Veiled meanings: young British Muslim women and the negotiation of differences”, in *Gender, place and culture*, 6(1), 1999, p. 5; C. Dwyer, “Contradictions of community: questions of identity for young British Muslim women”, in *Environment and Planning A*, 31(1), 1999, pp. 53–68; and C. Dwyer, “Contested Identities: Challenging Dominant Representations of young British Muslim Women”, in T. Skelton and G. Valentine (eds.), *Cool Places: Geographies of Youth Cultures*, London, Routledge, 1997, pp. 50–65.

⁶⁹ M. Parker-Jenkins and K. F. Haw, “Equality within Islam, not without it: The views of Muslim girls in Britain”, in *The Muslim Educational Quarterly*, 13, 3, 1996, pp. 17–34.

stereotype, replacing it with an alternative association of Muslim masculinity with strength. The boys' associations between Muslim identity, unity and strength challenge contemporary western ideals of individualistic white masculinity and elsewhere the boys differentiated between 'strong' collective Muslim families and unstable, highly individualistic western/white family structure.⁷⁰

Archer found that Muslim male identity was at times racialised, and that young Pakistani Muslim men viewed being Muslim as a contrast to being White. The Muslim identity of these young men provided an important element of the defence of local male power. The talking up of race provided a way for them to "assert themselves in relation to white men".⁷¹

Research in Scotland found that Muslim men identified themselves as Scottish Muslims rather than British Muslims and did not see a contradiction between being Scottish and being Muslim.⁷² Muslim men drew upon the different markers of "Scottishness" in ways that simultaneously included themselves in the perimeters of "Scottishness", whilst also excluding themselves from belonging completely within its boundaries. Inclusive markers of Scottishness included the accent, drinking Iron-Bru (a popular Scottish soft drink), and liking football and the natural environment. When asked if there were certain things that they would say are not Scottish about themselves, the most frequent response from the young Muslim men in this research related to drinking alcohol and being part of the "pub and club" culture that they saw as being an important part of Scottish culture.⁷³

As with other forms of masculinity, one aspect of male Muslim masculinity is its role in the control and policing of women. Male discussion of female behaviour as being "un-Islamic" allows men to define themselves against women and place themselves as the authentic speakers. At the same time, it allows them to create the boundaries of Muslim and western society in terms of alternative perceptions of acceptable behaviour in women. Thus, the young men use "women" as a particular discursive arena for

⁷⁰ Archer, *Race, Masculinity and Schooling*, p. 50.

⁷¹ Archer, *Race, Masculinity and Schooling*.

⁷² P. Hopkins, "Young Muslim Men in Scotland: inclusions and exclusions", in *Children's Geographies*, 2(2), 2004, p. 257, (hereafter, Hopkins, *Young Muslim Men in Scotland*); and P. Hopkins, *Young Muslim men and 'blue squares': Negotiating Citizenship and Nationality in Scotland*, paper presented at the Royal Geographical Society at the Institute of British Geographers Annual Conference, London, 3-5 September 2003, (hereafter, Hopkins, *Young Muslim men and 'blue squares'*). See also: A. Saeed, N. Blain and D. Forbes, "New Ethnic and national questions in Scotland: post-British identities among Glasgow Pakistani teenagers", in *Ethnic and Racial Studies*, vol 22, no 5, 1999, pp. 821-844.

⁷³ See: Hopkins, *Young Muslim Men in Scotland*; and Hopkins, *Young Muslim men and 'blue squares'*.

drawing divisions and negotiating power between themselves and other white men. The women's perceived "inauthenticity" is rooted in their Britishness and western way of life, which is positioned as incompatible with Islam.⁷⁴ For young men, the policing of women is an important means for maintaining and asserting their own adolescent masculine ethnic and religious identities. Young Muslim men can mobilise religious discourses in order to legitimise their authority.⁷⁵

The complexity of identity means, however, that caution is required in viewing Muslims as having neatly "bounded" Muslim identities. Archer, for example, found that while young Muslim men asserted specifically Muslim masculinities in the political sphere, and patriarchal Asian identities in relation to gender, these were both rejected in relation to youth culture, where the preference was for reggae, soul and rap music.⁷⁶

2.2 Developing British Muslim Citizenship

An increasing political assertiveness by British Muslims should not be mistaken for a desire for separateness. Studies of different ethnic communities in the UK have found that similar levels of Pakistanis and Bangladeshis identified themselves as being "British" as black Caribbeans.⁷⁷ As Stratham has noted, "although British Muslims are politically assertive, they see themselves as being just as British as other minorities, and so importantly, they are for the most part being assertive *within* the British political community".⁷⁸ In the 2002 OSI Report, for example, it was noted that few Muslim responded to negative media coverage by making complaints to press and television regulators.⁷⁹ Since 2002, however, there have been several instances in which Muslims have mobilised to complain about particular articles or programmes in the media. In

⁷⁴ Archer, *Race, Masculinity and Schooling*.

⁷⁵ See also: M. Macey, "Religion, male violence and the control of women: Pakistani Muslim men in Bradford, UK", *Gender and Development* vol 7, no. 1, 1999, pp. 48–55.

⁷⁶ Archer, *Race, Masculinity and Schooling*.

⁷⁷ Asked whether they thought of themselves as British, 66 per cent of Pakistanis and 60 per cent of Bangladeshis said yes, compared to 62 per cent of Indians and 64 per cent of Caribbeans. See: T. Modood and R. Berthoud, *Ethnic Minorities in Britain: Diversity and Disadvantage*, London, Policy Studies Institute, p. 329.

⁷⁸ P. Statham, "New Conflicts about Integration and Cultural Diversity in Britain: The Muslim Challenge to Race Relations", in R. Cuperus, K.A. Duffek, J. Kandel (eds.), *The Challenge of Diversity: European Social Democracy Facing Migration, Integration, and Multiculturalism*, Innsbruck, Studienverlag, 2003, p. 138.

⁷⁹ *2002 OSI Report*, p. 130.

two cases, complaints by Muslims and others have led to action against individuals.⁸⁰ Muslim organisations are increasingly submitting responses to Government consultations, and submitting and presenting evidence to Parliamentary enquiries.

Commentators have also noted the emergence within Muslim groups and organisations of a discourse of British Muslim citizenship.⁸¹ The development of this discourse has been attributed to the emergence of a younger generation of British born Muslims, educated and socialised in Britain and embedded in communities whose future is in Britain.⁸² Lewis, whose study focuses on Bradford, shows how this shift is taking place across a whole range of Muslim groups.⁸³ Critical debates are taking place within active Muslim youth groups. The debate is often led by young educated professional Muslims who are developing an understanding of Islam that addresses the social and moral

⁸⁰ When Robert Kilroy-Silk, the presenter of the BBC 1 daytime discussion programme, published an article in the *Sunday Express* newspaper in which he called Arabs “suicide bombers, limb-amputators and women oppressors”, his show was suspended by the BBC and eventually cancelled, due in part to complaints by Muslims. See: “CRE calls for Kilroy Apology”, BBC News, 11 January 2004, available on the BBC website at <http://news.bbc.co.uk/go/pr/fr/-/1/hi/uk/3387599.stm> (accessed 26 October). Similarly, the British Council fired a senior press officer, Harry Cummins, after it was discovered that he was the author of a series of anti-Muslim articles in the *Sunday Telegraph*. See: W. Cummins, “Muslims are a threat to our way of life” *Sunday Telegraph*, 25 July 2004, available at <http://www.telegraph.co.uk/opinion/main.jhtml?xml=/opinion/2004/07/25/do2504.xml> (accessed 2 November 2004). See also: “The Tories must confront Islam rather than kowtowing to it” *Sunday Telegraph*, 18 July 2004, available at <http://www.telegraph.co.uk/opinion/main.jhtml?xml=/opinion/2004/07/18/do1802.xml> (accessed 2 November 2004). In particular, Muslim organisations have submitted responses to, and presented evidence before, inquiries concerning anti-terrorism legislation; proposals for a Commission for Equality and Human Rights; and changes to religious offences legislation.

⁸¹ There is also a developing discourse around European Muslim citizenship. See, for example: T. Ramadan, *To be a European Muslim: a study of Islamic sources in the European context*, Leicester, The Islamic Foundation, 2002; J. Cesari, “Muslim Minorities in Europe, the Silent Revolution”, in John L. Esposito and Francois Burgat (eds.), *Modernizing Islam, Religion and the Public Sphere in Europe and the Middle East*, London, Hurst, 2003; and S. Lathion, “A New Spectre? Islam and Muslims in Europe after 9/11”, in *Islamica Magazine*, Summer/Fall 61, 2004.

⁸² P. Lewis, “Beyond Victimhood: from the global to the local, a British case study”, in J. Cesari, (ed.), in *European Muslims and the Secular State in a comparative perspective: final symposium report*, Network on Comparative Research on Islam and Muslims and Europe, Brussels, European Commission DG Research, 2003, (hereafter, Lewis, *Beyond Victimhood*).

⁸³ Lewis, *Beyond Victimhood*, p. 82.

issues that arise in their daily lives in Britain.⁸⁴ A key role here is played by media outlets that cater to second and third generation British Muslims, which create a public space in which issues of citizenship and belonging can be explored.⁸⁵

Several authors have noted a significant shift in the discourse within many British Muslim organisations, from a defensive isolationism focused on the good of the Muslim community, towards discussion of Muslim contributions towards the “common good”.⁸⁶ For example, Dr Manazir Ahsan, Director General of The Islamic Foundation, argues for the “need for British Muslims to define themselves in respect of their national and political loyalties and belonging with an emphasis on the mutualities and commonalities with the wider non-Muslim society”.⁸⁷

Within Muslim organisations, “the debate is no longer centred on rights and has moved on to responsibilities in the broader context of Islamic altruism. The reclamation of the Muslim contribution to social welfare, with a view to leading Muslims towards “making history” in a secularised context”.⁸⁸ Home Office Minister Fiona MacTaggart has acknowledged that British Muslims “have consistently shown how it is possible to be British, Muslim and proud”, and that:

throughout the country, Muslims, with their strong commitment to community development and with enterprise and dedication, are playing a vital role in building a strong and vibrant society.⁸⁹

⁸⁴ S. McLoughlin, “Islam. Citizenship and Civil Society: ‘New’ Muslim Leadership in the UK”, in J. Cersari (ed.), *European Muslims and the Secular State in a comparative perspective: final symposium report*, Network on Comparative Research on Islam and Muslims and Europe, Brussels, European Commission DG Research, pp. 100–125.

⁸⁵ P. Mandaville, “Europe’s Muslim Youth. Dynamics of Alienation and Integration”, in S. T. Hunter and H. Malik (eds.), *Islam in Europe and the United States: A Comparative Perspective*, Washington, Centre for Strategic and International Studies, 2002, p. 23.

⁸⁶ See: S. McLoughlin, “Islam. Citizenship and Civil Society: ‘New’ Muslim Leadership in the UK” in J. Cersari (ed.), in *European Muslims and the Secular State in a comparative perspective: final symposium report*, Network on Comparative Research on Islam and Muslims and Europe, Brussels, European Commission DG Research, p. 102, where McLoughlin notes the role in the Islamic Foundation, through its work with the Citizen Organising Foundation in “encouraging Muslims to move beyond the ‘Pakistani’ or even ‘Muslim’ good to some sort of ‘common good’”.

⁸⁷ M. S. Seddon, D. Hussain and N. Malik, *British Muslims – Loyalty and Belonging*, Leicester, The Islamic Foundation, 2003, p. viii.

⁸⁸ I. H. Malik, *Islam and Modernity: Muslims in Europe and the United States*, London, Pluto Press, 2004. See also: R. J. Pauly Jr., *Islam in Europe: integration or Marginalisation?* Aldershot, Ashgate, 2004.

⁸⁹ Speech by Home Office Minister Fiona MacTaggart, December 2003. Cited in Richardson, *Islamophobia*, p. 1.

3. THE GOVERNMENT POLICY RESPONSE

Just as Muslims have been active in developing a sense of engaged and active British Muslim citizenship, so Government policies have increasingly sought to respond to the demands and needs of Muslims. The Government has stated that “integration is not about assimilation into a single homogenous culture and there is space within the concept of ‘British’ for people to express their religious and cultural beliefs”.⁹⁰

This section examines the ways in which existing legislation and Government policy has addressed the deprivation, disadvantage and discrimination encountered by Muslims. It evaluates the degree to which Government policy has acknowledged the importance of addressing the specific needs of Muslims as a distinct group, as opposed to through the lens of ethnic affiliation.

A central prerequisite for designing effective policy is the collection of data. Increasing amounts of data are being collected and disaggregated on the basis of faith. The Office of National Statistics has begun analysing the 2001 Census data and has already published socio-economic data on faith communities.⁹¹ The Labour Force Survey and the Home Office Citizenship Survey both ask questions on religion. However, significant knowledge gaps remain. In particular, data on the basis of religious affiliation is not collected in the key areas of education and, apart from in the Prison Service, of criminal justice.

Over recent years, there has been a significant evolution in legislation addressing discrimination based on religion. Legislation now prohibits direct and indirect discrimination, harassment and victimisation on the grounds of religion and belief, with respect to employment and vocational training. This legislation also applies to discrimination by institutions (including universities) which provide further or higher education.⁹² The Government has announced its intention to bring legislation

⁹⁰ Home Office, *Strength in Diversity: Towards a Community Cohesion and Race Equality Strategy*, London, Home Office Communications Directorate, 2004, p. 5.

⁹¹ See: ONS, *Focus on Religion*, p. 14.

⁹² Employment Equality (Religion or Belief) Regulations 2003 (SI 2003/1660). The regulations came into force on 2 December 2003. They aimed to implement EU Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation.

addressing discrimination on the ground of religion into line with that for discrimination on the grounds of race, sex and disability.⁹³

Several measures have been taken to support the implementation of the EU Employment Directive.⁹⁴ For example, the Advisory, Conciliation and Arbitration Service (ACAS) issued guidelines for employers on meeting the requirements of regulations on religion and belief. The Department of Trade and Industry has funded several faith community organisations, including Muslim organisations to disseminate information about the new rights. The Government has published proposals for creating a Commission for Equality and Human Rights (CEHR),⁹⁵ although these have been rejected by the Commission for Racial Equality.⁹⁶ At the same time, however, the CRE appointed one of its commissioners Khurshid Ahmed, as a special Ambassador for Britain's Muslim communities and argued for comprehensive religious equality legislation.⁹⁷

Government policy is only now beginning to address the discrimination and disadvantage experienced by Muslims as a group, with adjustments to meet the specific

⁹³ Speech by Prime Minister Blair at the Labour Party conference on 28 September 2004. The Prime Minister said that the Government would “change the law to make religious discrimination unlawful as we do race, gender and disability”. See: “Full text: Blair's conference speech (part two)”, *The Guardian*, 28 September 2004, available at <http://politics.guardian.co.uk/labour2004/story/0,14991,1314765,00.html> (accessed 2 November 2004).

⁹⁴ EU Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation, (hereafter, EU Employment Directive).

⁹⁵ Department for Trade and Industry, *Fairness for All*, London, DTI, 2004.

⁹⁶ See: Commission for Racial Equality, *Fairness for All: A New Commission for Equality and Human Rights – a response*, London: CRE, 2004. The CRE reached this position having posed three key tests. First, are the proposals right in principle; second, will they work in practice; and third, are they an improvement on the current Commission. The CRE answered these questions in the negative and found that a positive and conclusive case for a new body had not been made. They concluded that “the proposals would reduce our (or a successor body's) impact and authority; and the process of merger would destroy our capacity to reduce conflict within communities, to combat the rise of racist sentiment and organisations, and to meet the challenging objectives set for us by the government itself”. Particular concerns included the reduced focus on legal enforcement in the new body and the absence of any proposals for a single equality act.

⁹⁷ See Commission for Racial Equality Press Releases: “Outlawing Religious Discrimination is CRE's top legislative priority”, 22 July 2004, available at http://www.cre.gov.uk/media/nr_arch/2004/nr040722.html; and “CRE gives special voice to Muslims”, 31 March 2004, http://www.cre.gov.uk/media/nr_arch/2004/nr040331.html (both accessed 6 November 2004).

needs of Muslims. For example, the Treasury has changed the rules on Stamp Duty to allow financial institutions to offer *Sharia* compliant mortgages and loans. It is also looking at ways to remove barriers for those in social housing to accessing such financial products.⁹⁸ The Home Office has set up a Faith Communities Unit (FCU), which includes within its remit engaging with Muslim communities. The Government acknowledges that the record of Government engagement with faith communities has been patchy. Following a review of policy in this area, the FCU has published a guide for Government departments on how to improve consultation with faith communities.⁹⁹

Soon after September 11, the Government passed legislation introducing a new provision in the 2001 Anti-Terrorism Crime and Security Act, to ensure that, in England and Wales, religious motivation for some violent offences would constitute a racially or religiously aggravated form of that offence (i.e. a separate offence).¹⁰⁰ Between December 2001 and March 2003, there were 18 prosecutions in England and Wales of religiously aggravated offences, of which ten involved Muslim victims.¹⁰¹ In October 2003, the Attorney General's powers to challenge unduly lenient sentences were extended to include racially and religiously aggravated offences, following a recommendation by the Crown Prosecution Service Inspectorate. In July 2004, the Home Secretary announced the Government's intention to introduce legislation to outlaw incitement to religious hatred.¹⁰²

As a response to the significant rise in stops and searches carried out against ethnic minority groups, the Government has established a Stop and Search Action team.¹⁰³ It

⁹⁸ See: *Hansard*, 16 September 2004, Col 1653W.

⁹⁹ Home Office, *Working Together: Co-operation Between Government and Faith Communities – Recommendations of the Steering Group Reviewing patterns of engagement between Government and Faith Communities in England*, London, Home Office Faith Communities Unit, 2004, see: http://www.homeoffice.gov.uk/docs3/workingtog_faith040329.pdf (accessed 29 October 2004).

¹⁰⁰ Crime and Disorder Act 1998, s. 28–32, as amended by Anti-terrorism, Crime and Security Act 2001, s. 39.

¹⁰¹ The others were: two Sikh victims, two Hindu victims, one Jewish victim, one Jehovah's Witness victim, one Christian victim and one victim whose religion was not stated. See: Crown Prosecution Service, *Annual Report 2002–2003*, London, Crown Prosecution Service, 2003.

¹⁰² Home Office, "Sideline the Extremists – Home Secretary", Press Release 222/2004, 7 July 2004, available at: http://www.homeoffice.gov.uk/n_story.asp?item_id=993 (accessed 2 November 2004).

¹⁰³ Home Office, "Government and police must engage communities to build a fairer criminal justice system", Press Release 220/2004, 2 July 2004.

has also announced a review of criminal justice statistics, with the aim to develop statistics that are “more informative, accessible and powerful at driving change”.¹⁰⁴

Government policy is not yet targeted at reaching individual faith groups. Government policy aimed at tackling socio-economic deprivation and improving life chances for the most disadvantaged should, indirectly, have a significant impact on Muslims. In addition, in some areas, like employment, policy is focused on minority ethnic communities and, as such, has the potential to reach Pakistani and Bangladeshi Muslims. However, such targeting does not extend to the 40 per cent of Muslims from other ethnic communities.

¹⁰⁴ Home Office, “New Challenges for Race Equality and Community Cohesion in the 21st Century”, speech by the Rt. Hon. David Blunkett MP, Home Secretary, to the Institute of Public Policy Research, 7 July 2004, p. 14, available on the Home Office website at <http://www.homeoffice.gov.uk/docs3/race-speech.pdf> (accessed 2 November 2004).

4. IMPROVING POLICY FOR MUSLIMS IN THE UK

It is clear that, in designing and shaping public policy there is a move towards greater acknowledgement of the relevance of faith identities. At the same time, however, it is also clear that policy too often continues to focus on ethnicity alone, at a time when, for many Muslims, religion is becoming a more important marker of identity than ethnicity. It is in this context, that the policy papers in this report aim to support the Government in providing arguments and recommendations in favour of more nuanced policy which is sensitive to the needs of Muslim. The chapters in this report focus on four key policy areas: equality and discrimination, education, employment and criminal justice.

4.1 Recognising Muslim Identity

Chapter 1 of this report focuses on discrimination, equality and community cohesion. Its central premise is that religion is an important marker of identity for Muslims. It argues that it is important that Muslims see an accurate reflection of their sense of self in the public sphere. Citizens who sense that key legal and political institutions understand, accommodate and reflect their central concerns will feel a deeper sense of identification and belonging to these institutions. Recognition of identity by others is important for individual well-being. The failure to grant recognition (or the reflecting back to an individual a demeaning picture of themselves or the group from which they draw their sense of self) is a serious matter, which has implications for their well-being and autonomy. If Muslims see their sense of identity reflected in legal and political institutions, and their concerns being taken seriously by these institutions, they are more likely to comply with the obligations of these institutions without feeling coerced. It finds that the importance of recognising Muslims as a group based on religious affiliation is strengthened by the ways in which as a group they face social exclusion.

This chapter examines three forms of exclusion experienced by British Muslims: exclusion through violence, economic exclusion and exclusion from the public sphere. In relation to exclusion through violence, this paper argues for a broad definition of violence to also include less severe incidents of harassment and intimidation, including hatred expressed in speech (“hate speech”) and vilification. At the same time, it recognises that the policy response to such violence cannot be the restriction of speech, except in severe cases where there is a risk of physical violence or public disorder. Instead, it is argued that the solution to the problem of the vilification of Muslims is to enable Muslims to enter into public debate. This includes, for example, investment that builds the capacity of Muslims to intervene in public discourse to be able to

defend their group and faith and community. In short, what is needed is more speech, rather than the further regulation of free speech.

One consequence of the economic and social exclusion of Muslims is that they are heavy users of public and welfare services. In fact, one of the main points of contact between Muslims and the State is their experience of the State as a provider of key services such as health, education, housing and welfare. The Government acknowledges that, in Britain, people's religious differences affect their experience of public services.¹⁰⁵ This paper recommends that any attempt to improve the relationship between Muslims and the State, and their feeling of being respected and belonging, must therefore give this issue the highest priority.

4.2 Improving Policy on Education, Employment and Justice

Chapter 2 of this report argues that education is crucial for integration and social cohesion for several reasons. First, the school system is the first mainstream institution with which young people come into sustained contact. The extent to which schools respect and accommodate diversity send out strong signals about the value society, as a whole, places on diversity. Second, educational attainment is a key determinant of opportunities for finding employment and improving future life chances. Third, schools provide an opportunity to develop bonds and friendships across different ethnic and faith groups, and the education curriculum is itself a mechanism by which pupils are able to develop an understanding of the different groups within their community. This paper examines the key educational issues concerning Muslim parents, including the continuing poor academic results of Muslim children and the need to eradicate racism and racist and Islamophobic bullying in schools. The recommendations in relation to education are based on the premise, that a commitment to inclusive education requires both a willingness to listen to the ways that minority communities like Muslims define their own needs, and a determination to respond to those needs. It is argued that this approach will equally serve the well-being of the Muslim community and the interests of the broader, multicultural society.

Chapter 3 examines employment and participation in the labour market. Employment remains key to integration, empowerment and participation. The chapter outlines the context of Muslim participation in the labour market, in particular with respect to the labour market attainment of British Muslims. It identifies the barriers that Muslims face in entering and progressing in the labour market and the present gaps in public policy in this area. It argues that the Government should commit itself to policy

¹⁰⁵ Home Office, *Strength in Diversity: Towards and Community Cohesion and Race Equality Strategy*, London, Home Office, 2004, p. 13.

which has the clear aim of integrating Muslims into the mainstream labour market. It recommends that policy-makers should develop an inclusive and integrated strategy for Muslims to support their labour market entry and progression, and help overcome the barriers they encounter.

Chapter 4 examines policing and criminal justice, an area of growing concern, both in light of the high risk of Muslim experiencing crime as victims, the growing numbers of Muslim prisoners and the impact of anti-terrorism legislation on policing and on the Muslim communities sense of justice. Confidence in the criminal justice system is central to a sense of belonging and inclusion in society. This chapter examines the extent to which the criminal justice system presently addresses the needs of Muslims and makes recommendations aimed at improving the confidence of Muslims in the system. It looks across the board at all aspects of the contacts between Muslims and the criminal justice system, whether as victims of crime, witnesses, offenders, employees or volunteers.

4.3 General Findings

While policy is moving in the right direction with respect to meeting the needs of Muslims as a group, progress is still not enough to enable some of the real and rapid changes now required. This report makes a number of recommendations in the areas of equality and discrimination, education, employment and criminal justice. At the heart of these recommendations, however, is an underlying need for policy, as a whole, to become more responsive, sensitised and proactive with respect to engagement with Muslim communities. To achieve this, however, there is a need for the experiences of Muslim communities to be adequately understood and researched. Some of the general recommendations this report makes are:

- Improved data collection on the basis of faith (as well as ethnicity).
- More research on the specific needs of British Muslims as a group. For example, research to understand the barriers which Muslim women may face in accessing employment opportunities, and how these differ across generation and class.
- Strengthened engagement by Government agencies and public bodies with local Muslim communities, which should in turn feed into policymaking.
- Greater capacity building among Muslims and Muslim voluntary sector groups, to support greater participation and engagement in civic life.
- Better Muslim representation (for example, within the education and criminal justice system).

From the recommendations in these reports, three broad areas of work can be identified:

1. Policy aimed at tackling the socio-economic disadvantage experienced by Muslim communities should be better targeted to meet the specific needs of Muslims as a group (rather than through the lens of ethnic affiliation), to ensure that it reaches individuals from Muslim communities.
2. Policy aimed at addressing the discrimination encountered by Muslims, as a result of the prejudice and stereotypes that others have about them. In particular, anti-racism and diversity training should also cover anti-Muslim racism; and ethnic monitoring should, where possible, also include monitoring of religious affiliation, in order to identify ways in which policies can, unintentionally, operate to disadvantage Muslims.
3. Policy that views faith identities as a positive resource, which should be respected and acknowledged. For example, in education, supporting the interests of Muslim pupils by offering Arabic as a foreign language option or by including Muslim civilisation in the study of history.

Appendix 1: Definitions

Religious categories in the 2001 Census: the UK 2001 National Census asked an optional question on religious affiliation. The data is disaggregated into the following nine categories: Buddhist, Christian, Hindu, Jewish, Muslim, Sikh, any other religion, no religion and religion not stated.

Ethnic categories in the 2001 Census: the UK 2001 National Census contained a 16-point structure: White (British, Irish or Any Other White Background); Mixed (White and Black Caribbean, White and Black African, White and Asian or any other Mixed Background); Asian or Asian British (Indian, Pakistani, Bangladeshi, Any Other Asian Background); Black and Black British (Caribbean, African, any other Black background); Chinese or other ethnic group (Chinese, any other).

“Ethnic minorities”: in this report, the use of the term “ethnic minority” as a broad “umbrella” label, is deliberate, to signify reference to a wide variety of ethnic minority groups. Where greater precision is required, reference to specific component groups within the ethnic minority population is made in the text. There is, inevitably, considerable debate and disagreement on the question of race, ethnicity and nomenclature. No specific political or sociological inference should be drawn from the use of related terminology in this report.

“White”: as with the term “ethnic minority”, the generic label “White” should be used with some caution. The existence of distinctive ethnic groups within the “White” category is gradually being acknowledged. Notably, in the UK 2001 National Census, people of Irish descent are recognised as a separate ethnic group.

Appendix 2: Bibliography

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