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## Veil Bans in Western Europe: Interpreting Policy Diffusion

Adriana Piatti-Crocker

Laman Tasch

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## Veil Bans in Western Europe: Interpreting Policy Diffusion

### Erratum

On page 25, the information on the outcome of the Muslim veil-ban bill in the Netherlands was incorrect. Even though the bill was sponsored by a center-right coalition government in 2012, the government collapsed in 2013 and was replaced by a center-left government. The new government coalition shelved the bill (BBC, July 1st 2014).

## Veil Bans in Western Europe: Interpreting Policy Diffusion

By Adriana Piatti-Crocker<sup>1</sup> and Laman Tasch<sup>2</sup>

### Abstract

*Veil Bans in Western Europe: Interpreting Policy Diffusion* examines the diffusion of Muslim veil-ban laws in four Western European countries within the last decade; France, Belgium, Italy and the Netherlands. Nationwide bans on full-face Muslim veiling are rooted in several systemic, normative, and political accounts and advocated by contrasting political ideologies. Methodologically, this paper employs an integrative perspective to explain the process of diffusion in some countries but not in others, by exploring both external and internal factors that led to policy innovation. Overall, full-face Muslim veil bans in Western Europe have been intended to accelerate cultural integration of minorities to European values and traditions, but have been challenged by Muslim minorities in the region and their rights of expression and religion.

*Key Words:* Diffusion, Muslim-Veil Bans, Western Europe

### Introduction

Within the first decade of this millennium, several Western European countries introduced Muslim veil-ban legislation in public schools and/or at local levels through city ordinances. Starting with France in 2010, nationwide bans on full-face Muslim veils were also adopted in Belgium, Italy, and the Netherlands. Despite some controversy, bans on Muslim veils were supported overwhelmingly by political parties and the public, were rooted on several accounts, and advocated by contrasting political ideologies. From the left, veil bans were justified by the concept of secularism or the exclusion of religion from the public sphere, and by the fact that these bans served to safeguard women's rights. From the right, Muslim veils were regarded as a symbol of Islamic fundamentalism and were thus a threat to national/regional security. In addition, legal bans were justified on the basis of cultural integration or assimilation of minorities to Western values and traditions, which in its extreme form may be interpreted as *Islamophobia*.<sup>3</sup>

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<sup>1</sup> Adriana Piatti-Crocker is Associate Professor at the University of Illinois, Springfield and is a comparative politics scholar on Latin America and gender and politics. Piatti-Crocker edited a book on diffusion of gender quotas in Latin America (Peter Lang, 2011) and co-edited two books on Same-Sex Marriage in the Americas (Lexington, 2010 and 2012). She has published several articles and case-studies on gender quotas in Argentina, Latin America, and Afghanistan, and more recently has published an article and a case-study on veil bans in Turkey.

<sup>2</sup> Laman Tasch-Rzayeva is an instructor at Columbia College (Chicago, IL). She grew up in the Soviet Union, received her master's degree in sociology from the Middle East Technical University (Ankara, Turkey) and doctoral degree in political science from Northern Illinois University (DeKalb, IL). She published several articles about conditions of ethnic and religious minorities in Russia and Turkey and rights of women in post-conflict societies. Currently she is working on the issues of minority women in Western Europe.

<sup>3</sup> The prospects for these extreme views may increase after significant political gains were made by such parties as the National Front (France), Independent Party (UK), and the Golden Dawn Party (Greece) in recent EU parliamentary elections.

This paper will examine the diffusion of full-face Muslim veil-ban laws in France, Belgium, Italy, and the Netherlands and will employ both external and internal determinants to explain this process. In the first case, it will examine factors that have influenced Western Europe systemically including immigration of people of Muslim origin; issues of regional/national security, particularly since 9/11; and a greater sense of a common European identity or *Europeanism*. Internally, this paper will analyze the political and social forces (political parties, institutions, and civil society) that have contributed to the adoption of policies in these four Western European countries. Overall, this integrative approach will shed light on how the external environment helped shape the internal policy-making processes in some countries but not in others.

### **Innovation-Diffusion Frameworks: Internal and External Determinants**

Among political scientists generally, policy diffusion is a well-known contemporary approach for studying public policy, as demonstrated in Paul Sabatier's *Theories of Policy Process*. Over time, the framework has been refined both conceptually and methodologically. In the fifth edition of *Diffusion of Innovations*, Everett Rogers defines diffusion as a process in which members of a social system communicate innovations (2003:11). Policy diffusion typically refers to the process by which policymakers learn from the experiences of others and attempt to imitate their innovations or avoid them (Guenther 2008:58). This process "involves a set of assumptions about the nature of systems, how they interact, and how the environmental context will affect the units studied" (Starr 1991:367). The framework also examines how policy spreads from one country to another, and involves geographic and other structural factors to help explain it (Freeman & Tester 1996:13). Emanuel Adler (1991:51) observes that "there is a dynamic relationship between historical and structural forces that helps explain the nature of the diffusion of values." Adler identifies this dynamic process as "cognitive evolution." The author suggests that because "our ideas, beliefs, and behaviors are learned from other people," collective learning will be closely related to the ability of groups to convey their experiences to other groups.

As to the level of analysis, earlier works on diffusion showed a divide between scholars that identified internal factors as critical in policy diffusion and those who placed greater weight on external influences or the contagion effect of diffusion (Gray 1994, McClendon and Hearn 2006). Yet, recent literature suggests that a comprehensive approach to studying the diffusion of norms, values and policy should include a combination of external and internal determinants, bridging the artificial gap between what occurs within a state and outside of it (True and Mintrom 2001, Mintrom and Vegari 1991). This literature employed both internal determinants—organizational resources, institutions, political actors—and external factors—regional or international trends or demands—to explain the processes leading to the diffusion of policy (Piatti-Crocker 2010 and 2011, Guenther 2008). Increasingly those perspectives have also claimed that states learn and become embedded in global norms, which help shape their domestic behavior and more particularly the conduct toward their citizens. Norms and practices are then transmitted from one individual to another or from one state to another with important political implications (Florini 1996).

Following this latter integrative interpretation, this paper will deal with both dimensions of policy diffusion by emphasizing the international/regional process through global and regional socialization and briefly describing the internal factors that led some Western European countries

to adopt full-face veil-ban legislation. Whereas political parties and public opinion in France, Belgium, Italy, and the Netherlands played a significant role in the adoption of bans on Muslim veils, immigration of people from Muslim origin and security concerns within the context of *Europeanism* helped shape the external process that led to the diffusion of full-face veil-ban policies in the region.

### **The Controversy over Muslim Veils**

There are different forms of Muslim veiling. Burqas (also spelled burkas) and niqabs refer to a piece of clothing which Muslim women wear to cover their faces. A burqa hides the entire face including eyes, while a niqab conceals the entire face but leaves the eyes exposed. Hijab refers to Muslim veils that envelop the hair and head, but not the face. In the literature it is sometimes refer to as “Muslim headscarf.” In this paper, “Muslim full face-veils” or “Muslim face-covering veils” refer to burqas or niqabs.

Muslim full-face veils are controversial even among European Muslims. Most of them believe that Sharia, or Islamic law, mandates women to cover their bodies, but allows keeping their faces, hands and feet uncovered (hijab). Only a few Muslim women wear full-face veils, and most Muslims and non-Muslims alike do not approve of face-covering veiling. However, as this paper will be show, burqa bans spread in some European countries and provoked heated debates about the nature of democracy, European identity, the rights of non-Christian immigrants and immigrant women in particular. Indeed, the adoption of full-face veil bans in Europe is puzzling. If these types of veiling are widely unpopular among European Muslims, why were they also the source of significant public debate and a key concern in European electoral campaigns? If wearing full-face veiling is not a requirement in Islam, why is there resistance on the part of the European Muslim community to implementing the ban? And if European governments claim that veil bans are aimed at providing security, then why are bans against other face-covering clothing not enforced with the same vigor? Finally, if these bans are enforced to maintain secularism, why do governments not implement these bans for all religious symbols or other forms of veiling? The next section will deal with these controversies and the normative and institutional factors that led four Western European countries to adopt full-face veil bans.

### **Diffusion of Muslim Veil Bans: External Determinants**

Several external factors have contributed to the diffusion of full-face bans in Western Europe. Indeed, the process of policy innovation in this case was shaped to a great extent by systemic and normative factors. This section will examine some of these most relevant factors, including Muslim immigration in Western Europe, the issue of security and the ensuing identification of Muslims with terrorism, and the normative ideology of *Europeanism* and full-faced veiling as a threat to such identity.

#### *Muslim Immigration: Recent Waves*

Within the past 60 years, Muslims began to migrate into Europe in massive numbers in response to economic problems at home and the post-World War II economic boom in Europe. Migrants from North Africa, South Asia, and Eurasia came originally as “temporary workers” rather than settlers and occupied labor positions rejected by Europeans that “otherwise would

have remained vacant or else commanded higher salaries” (Leiken 2012:92). The newcomers benefited employers and other European citizens wishing to maintain high standards of living and helped build railroads, mine coal, clean streets, and work on jobs that most Europeans did not want to perform (Ural Manço 2008).

Yet, the economic downturn of the 1970s made many immigrants jobless but also unwilling to return home. As a result, European officials began enforcing immigration policies that were more restrictive, introducing measures that by the mid-1970s were intended to deter newcomers and halt recruitment of foreign labor. Migration of foreign workers dwindled due to these measures; yet, migrants residing in Europe were able to sponsor family reunification. Ironically, in the decades after those restrictive policies on immigration were enforced, more migrants went to Europe, probably due to fear that these strict policies could become even harsher in the future (David 2009).

Since the 1970s, several strategies to slow immigration flows have been implemented in Europe. Some governments have sought to discourage new migrants from coming to Europe by improving the life conditions in their countries of origin through foreign aid or foreign direct investment. Others have tried to discourage immigration by portraying miserable conditions for newcomers in their potentially adoptive countries. For example, in 2007 Spain ran an ad campaign in West Africa warning Africans not to risk their lives in “futile illegal immigration” (BBC 2010).

More recently, policies of integration have been implemented in several European countries. The Netherlands now requires newer (less than 8 years) and younger (under 65 years of age) immigrants to take a course on “integration” and pay a fee of about 350 euros for the course. Additionally, unemployment benefits are denied to full-face veil wearers. According to Mostapha el-Filali, a government official in the Netherlands, “this is our best solution for people unemployed,” stating, “If these women are not open to the chance to find a job, then, they assume the consequences” (Kovacs 2006). Absorption has been difficult for Muslim immigrants as well. Immigration typically moves families, rather than individuals, and these carry attachments—customs, traditions, values, and creeds generally seen as *un-European*, as defined in the next section.

Some 20 million Muslims live currently in the EU or nearly 5 percent of its population. In France, the Muslim population (primarily Algerian and Moroccan) reaches 7 percent. Muslims are the majority of immigrants elsewhere in Europe, including Belgium, Italy, and the Netherlands. Even though mechanisms to absorb immigrants have varied throughout Europe, immigration of Muslims is viewed “grudgingly, even resentfully” throughout the region (Leiken 2012).

### *The Security Question: Muslims in Europe Post-9/11*

The terrorist attacks of 9/11 in the United States and later in London and Madrid highlighted and added a new dimension to questions regarding the presence of European Muslim communities across Europe (Ethnobarometer 2011). Since then, the issue of security has been at the top of the agenda for European policymakers including the adoption of full-face veil-ban laws, which were rooted, at least initially, in national security concerns.

Although not the sole cause of radicalization and terrorism, some experts believe that past failures to fully integrate Muslims into mainstream European society may have lead some Muslims in Europe to become more vulnerable to extremist ideologies. At the same time, European governments have also sought to strengthen security measures and tighten immigration

and asylum policies to prevent radicalization and combat terrorism. Throughout Europe, those in favor of the bans claimed that since face coverings hinder identification and have been used occasionally to commit crimes, banning them seemed a reasonable and efficient way to prevent criminal or terrorist activities. According to a Belgian MP, the introduction of a full-face veil ban in Belgium was not “about introducing any form of discrimination,” but “aimed at forcing people to make themselves identifiable.” After all, several countries have implemented laws that require visible faces in public, according to supporters of veil bans, and have nothing to do with burqas or indeed religion. As a Dutch government spokesman put it, “It’s a safety measure: you don’t see who’s in it” (Salton 2010). Some opposition to this security concern was evident in Europe, since women are not really seen as a threat to the community, and a law forbidding the wearing of full-faced veils seems too intrusive for European democracies (Salton, 2010).

Finally, as discussed later in the paper, a very small percentage of Muslim women wear face-covering veils in Western Europe; the majority of Muslim women, if veiled, wear hijabs. Yet, the issue of security particularly after 9/11 was appealing to a majority of Europeans and to government officials who used this discourse to justify veil bans in their countries.

### *Europeanism and Veil Bans*

The concept of “Europe” as a unique identity is very old; most historians placed it around the 5<sup>th</sup> century BC when the Greeks settled in the Ionian Islands. However, it was not until 1945 and particularly since the Maastricht agreement of 1993 that created the European Union (EU) when the concept of a European identity became a more cohesive term. John McCormick claims that there are political, economic, and social norms and values identified with Europe and Europeans. He argues that despite major hurdles associated with European integration and the work of the European Union, and persistent residual identities within states and nations, Europeans shared several common principles, primarily those identified with secularism and cosmopolitanism (McCormick 2012).

Secularism is probably the one quality most clearly associated with Europe. Indeed, whereas religion and religious fanaticism continue to grow in many parts of the world, in Europe religion is declining, and it plays an increasingly marginal role in politics and public life. It is this unique concept of secularism where European and Muslim identities are at odds. In France, for example, secularism or the principle of *laïcité* has a strong historical and republican tradition that goes back to philosophical views of French revolutionaries against those of the *ancien régime* (monarchists), the latter backed by the Catholic Church. Yet, *laïcité* does not impinge on one’s individual rights since freedom of religion in the private sphere is still protected; it merely seeks to regulate the presence of religion in the public sphere. Beyond France and throughout Western Europe, secularism with its varied interpretations is a shared European value, whereas the Muslim religion is regarded as a threat against this principle (Bowen 2010).

Cosmopolitanism, or the concept associated with universal ideas, is the belief that all Europeans, and possibly even all humans, belong to a single moral community that transcends state boundaries or national identities; thus, the local and the global cannot be separated or divorced (Habermas and Derrida 2003). According to this view, human rights are universal, rather than local or relative. Former president of the Czech Republic Václav Havel (1994) claimed that *Europeanism* included basic human rights such as “respect for the unique human being, and for humanity’s freedom, right and dignity, the principle of solidarity, the rule of law and equality before the law,” among others.

In this sense, both cosmopolitanism and secularism are prevalent European values. Indeed, according to *Eurobarometer*, when Europeans were asked which values best represented the European Union the list was topped by peace (39%), democracy (38%), and human rights (38%), whereas respect for other cultures was recognized by only 17%, tolerance by 10% and religion by 3% of Europeans (Standard Eurobarometer 2012). Concerning Muslim face-covering veil bans, European values were the normative justification for these policies; the principles of cosmopolitanism, or the belief in universal human rights and more particularly women's rights, and secularism, or the exclusion of religion from public spaces were used to justify full-face veil-ban policies.

Overall, the external determinants discussed in this section helped shape the internal processes that led to the adoption of veil-bans in certain countries. The section below will explore the internal factors contributing to policy adoption in Belgium, France, Italy and the Netherlands.

### **Internal Determinants: The Adoption of Muslim Veil-Bans in Belgium, France, Italy, and the Netherlands**

It is noteworthy that the debates leading to full-face veil bans in Western Europe were both substantively similar and well-synchronized, adding importance to the diffusion explanation and its timing. In 2003 debates over the new law to ban religious symbols (including Muslim full-face veils) in French public schools provoked Muslim veil discussions in other European countries (Ganley 2003, Borowiec 2004). In addition, when in October 2003 France considered a ban on Muslim veils in public schools, other European countries also debated whether they should adopt similar laws (BBC 2003). Italy was the first country to ban Muslim full-face veils through city ordinances. France was the first country to ban similar veils through a national law in 2010. In all cases, bills were initiated by the political right but later became popular among other parties and the general public. This section explores the internal factors (political parties, governmental branches, public opinion, and ultimately the legislature) that led to the adoption of veil bans in France, Belgium, Italy, and the Netherlands.

#### *Laïcité and Veil Bans in France*

France has the largest Muslim population in Western Europe, but a minute percentage of Muslim women wear full-face veils (Cody 2010, Davies 2010).<sup>4</sup> Yet, according to French authorities, the number of women wearing full-face veiling is growing in France; most of them are young, two-thirds of them are French citizens, and around a quarter of them are converts (The Economist 2010).

Veil bans in France are rooted in the principle of secularism or *laïcité* discussed in the previous section. Formally, France was secularized in 1905 with the adoption of legislation that sought to exclude religion to secure democracy. Since then, *laïcité* has been intended to regulate the presence of religion in the public sphere without impinging on the right of individuals to exercise their religious preferences in the private sphere.

Based on *laïcité*, France has been debating Muslim veils since the late 1980s, with these debates regaining prominence after 2001 when some Muslim girls were expelled from public schools for refusing to remove their veils (Ganley 2003). Yet, until 2004, the decision to allow Muslim headscarves in schools was left to the discretion of school authorities, and Muslim

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<sup>4</sup> Only around 700 women of a total 5 million Muslims wear full-faced veils in France.

headscarves for public servants were outlawed by an administrative regulation, but rarely enforced.

In 2004, the government introduced legislation that would ban wearing any religious symbols, including Jewish skullcaps, large Christian crosses and Muslim veils in public schools (Ganley 2003, Lewis 2004, Borowiec 2004). However, the law banned only large religious symbols, thus “discreet” symbols, such as small crosses were tolerated. The government argued that the goal of this law was to reinforce secular principles of the French Republic and to counter Islamic fundamentalists. Supporters of the ban claimed that the new policy would create a religiously-neutral educational environment for students of diverse backgrounds and was aimed at the classic French tradition of “assimilation” in an attempt to integrate students of different religious beliefs into French secular society (Lorentzen 2004). The law was controversial among religious faiths and the public but received the support of a majority of the French people. Indeed, a survey conducted soon after the law was adopted showed that 80% of those polled were in favor of the ban and this support included 44% of Muslim girls (BBC Monitoring International Reports 2006).

#### *Muslim Full-Face Veil Ban in Public Places: Policy Innovation Beyond Public Schools*

Driven by overwhelming public support, former President Nicholas Sarkozy set up a 32-member panel of experts to study a nationwide full-face ban in public spaces in 2009. The panel declared that face-covering veiling was “a sign of subservience [and] debasement” (Davies 2010). The committee recommended banning veils in public buildings, schools, and public transportation and denying public services to those who refused to abide by the ban. It also suggested refusing asylum or citizenship to full-face veiled women, considering coercion to wear face-covering veils as a reason for asylum requests, issuing a parliamentary resolution denouncing Muslim full-face veils and creating a national school of Islamic studies (“France MP’s report backs Muslim face veil bans” 2010, Davies 2010a, Bremner 2010). Less than a year later, the French Parliament issued a report recommending a ban on face-covering veiling in hospitals, schools, government offices and public transportation, although women were still allowed to wear full-face veiling on the streets. It was suggested that any person with visible signs of “radical religious practices” contradicted the “republican principles of French secularism” (BBC News 2010).

Similar to attitudes towards the ban in public schools, French opinion polls indicated that a majority of the French people supported a veil ban, and this included Muslim feminists (Ni Putes Ni Soumises) and prominent imams, as they regarded veils to be a sign of Islamic fundamentalism (Davies 2010, Cody 2010) and against *Europeanism*. Yet, French socialists and the Muslim Council and religious groups were opposed to the legislation. They feared that a ban would discriminate against Muslim women and would be regarded as an attack against the Islamic community (Crumley 2010).

Despite these concerns, the bill proposed by the government was adopted overwhelmingly by France’s National Assembly (335 to 1 votes in favor) and the Senate (246 to 1 votes in favor) and entered into force in April 2011. According to the law, forcing a woman to wear a veil is punishable by up to a year in prison or a 15,000-euro fine. However, French police have been cautious in enforcing the law fearing violent reactions. Indeed, “police admitted that

they feared being accused of discrimination against Muslims” and would not arrest women “in or around” mosques.”<sup>5</sup>

In 2013, a burqa-related incident led to two-days of rioting in a *banlieue* near Paris, when a woman wearing a burqa refused to lift her veil after a policeman’s request. Socialist Minister of Interior Manuel Valls stated that the law “must be enforced everywhere,” arguing that it is “in the interest of women to protect them from those who try to impose other values” (The Economist 2013). In the meantime, several Muslim women have challenged the law for violating their human and religious rights.<sup>6</sup> In the latter case, Muslim women have appealed to domestic and EU courts to review the law and their alleged constitutional right to wear Muslim veils.<sup>7</sup>

### *Veil Bans in Belgium: From the Bottom Up*

There are around 4% of Muslims in Belgium, and some sources report that only a few dozen women wear full-face Muslim veils in the country (Serbian 2012, Cody 2010a, and Washington Post 2010). Nevertheless, local authorities in some Belgian townships introduced veil bans even before a nationwide policy was considered. In 2004, the city of Maaseik banned full-face veiling in public places, even though only six women were known to wear burqas in the city. According to Mayor Jan Creemers, veils “scare many people” because “in our Western culture people see each other face to face” (Bryant 2006). Following Maaseik, several other Belgian towns and numerous Belgian public schools introduced bans on all kinds of Muslim veils (Bryant 2006).

Debates over a national Muslim veil ban began in 2009 when Filip Dewinter from the Vlaams Belang (right-wing) party of Belgium called hijabs “the propaganda weapon of choice for the establishment of Islamic society in Europe” and proposed to ban all veils in Flemish schools (West 2010). Dewinter claimed that unlike Christian crosses or Jewish yarmulkes, Muslim veils were “the flag of a political ideology” which aimed at “the realization of a theocratic society based on Sharia, or Islamic law” (West 2010).

Nationally, a full-face veil ban bill was introduced by the center-right Reformist Movement Party in 2010 with the support of the Socialist Party and was aimed directly at banning Muslim clothing (The Economist 2010). Similar to France and the other Western European countries, bans were justified on the basis of national security and on European identity and values. Culturally, the country is also divided between Dutch speaking and French speaking regions, the latter notably more in favor of banning Muslim clothing.<sup>8</sup> Despite voting almost unanimously in favor of a veil ban, parliament was dissolved before the bill became law.

<sup>5</sup> Adriana Piatti-Crocker and Laman Tasch. (2012). “Unveiling the Veil Ban Dilemma: Turkey and Beyond.” In *Journal of International Women Studies*. Vol. 13, 3:17-32 (July).

<sup>6</sup> See for example the article below, when French Muslim women decided to wear burqas in defiance of the French law. <http://www.telegraph.co.uk/news/worldnews/europe/france/8781241/Burka-ban-French-women-fined-for-wearing-full-face-veil.html>.

<sup>7</sup> In 2014, The European Court of Human Rights (ECHR) upheld France’s burqa ban; the court’s ruling said that France’s aim of improving social cohesion through the ban was legitimate. “The court was... able to accept that the barrier raised against others by a veil concealing the face was perceived by the respondent state as breaching the right of others to live in a space of socialization which made living together easier” <http://online.wsj.com/articles/european-human-rights-court-upholds-frances-burqa-ban-1404210496>

<sup>8</sup> These riots followed a shooting of a Muslim neighbor by a mentally-ill white Belgian in December 2002. The incident took place in the city of Antwerp where a third of the non-Muslim voters supported the anti-immigration Vlaams Block Party, while a majority of Muslims favored the Arab European League, a radical organization demanding recognition of Arabic as Belgium’s fourth official language (Henley 2004).

A majority of Belgian Muslims did not favor or wear burqas or niqabs, but they also rejected the legal ban. For example, the Association of Belgian Muslims asserted that women in burqas may be required to remove their veils in order to be identified by the police or to be issued a driver's license, but they argue that a ban would impinge on their religious or cultural freedoms (The Washington Post 2010). Isabelle Praille, Vice President of the Executive of Belgian Muslims, publicly condemned "both the notion of imposing and the notion of banning" (Daily News 2010). Other more radical organizations such as *Sharia4Belgium* supports Sharia law for Muslims,<sup>9</sup> but this group represents a very small minority of Muslims in Belgium.

In 2011, a second full-face veil-ban bill was introduced. As it had happened a year before, the bill was overwhelmingly supported by Belgium's parliament and became law in May of that year. Similarly to the French law, in Belgium the ban punishes with fines and/or up to seven days' imprisonment anyone caught in public places with their face completely or partially covered.<sup>10</sup> Since the law was implemented, several appeals were filed with Belgium's Constitutional Court. Claimants argued that the prohibition violated their constitutional rights including the principle of legality (or the requirement that laws should be clear, ascertainable and sufficiently precise), freedom of religion, and the right to non-discrimination. The Court rejected all these arguments save the proviso that the "burqa ban" "may not be applied in places of worship, as this would unduly restrict the freedom of religion" (Flo and Joghum 2013).

#### *The Northern League and Bans on Muslim Veils: The Case of Italy*

According to official data, there were only 1.5 million Muslims in Italy in 2005, or about 3% of its total population. In addition, unlike other European countries where most Muslims arrived after World War II, in Italy, Muslims immigrated in the 1990s; few of them speak Italian and only 10% of the Muslim immigrants are Italian citizens (Eyal 2005, The Guardian 2005).

As in Belgium, in Italy, full-face Muslim veil bans were debated within the framework of national security and were introduced primarily at local levels, in the Northern regions, where the country is politically controlled by the Northern League. Indeed, laws that ban covering the face in public (be it Muslim veils, Western veils, or motorcycles helmets) had been in place since 1975 and in response to domestic terrorism (Ganley 2003). Rarely enforced before, this legislation was used more recently against Muslim women wearing full-face-covering veils in Northern Italy (Hooper 2010, Pisa 2009).

Some Italian townships in Northern Italy began to adopt veil ban measures at the turn of the millennium. One such township was Azzano Decimo, where its mayor, Enzo Bortolotti, issued an ordinance banning anything that covered the face, including Muslim veils. The mayor's official reason for the ban was "public safety" and to prevent international terrorism though critics were concerned that the ban's real target were Muslim women wearing veils. Indeed, the mayor had used anti-immigrant and anti-Muslim discourse to justify the ban. He claimed, "I am not a racist...I only want to protect my own culture. I have no doubt that Italy's future will be one of a multiracial society. But people who come here must come with respect for our laws and traditions" (Johnston 2004).

Other Northern cities followed similar policies and, in some cases, teachers wearing full-face veils were required to remove them (Lewis 2004). The Northern League claimed that Muslim veils were unacceptable in Italy because Islamic culture was "historically antithetical" to

<sup>9</sup> See <http://www.shariah4belgium.com>. for more information on this organization.

<sup>10</sup> Ibid, 3.

Italian culture (Lewis 2004); once again, values became the overarching justification for a ban on Muslim veils.

As in the other three European countries discussed in this article, a national bill introduced in 2010 was supported overwhelmingly by the public, with more than 70% of those polled in favor of the ban. Yet, the Italian Muslim community was divided; some Italian Muslim groups opposed the ban as an attack on personal freedom, though they also encouraged women not to wear full-face veils (Daily Mail 2010). Others claimed that women should have the freedom to choose how to dress (Hooper 2010). Moreover, penalizing women for wearing Muslim veils was seen as discriminatory and as punishing the entire Muslim community (Hooper 2010).

The national bill amends the 1975 legislation adding specific provisions on Muslim full-face veil bans (Pisa 2009). The Minister for Equal Opportunities, Mara Carfagna, argued that the ban was aimed at protecting “the dignity and rights of immigrant women” (Daily Mail 2010). She claimed that full-face veils were not considered to be religious symbols by top Islamic authorities in Paris and Cairo. Italian supporters of the ban also claimed that even Middle Eastern feminists and intellectuals have viewed Muslim veils as a sign of women’s oppression.

As with other European veil bans, the Italian bill mandates women who wear full-face Muslim veils to remove their veils in public places when required by police (UAE 2010). The bill provides for both fines and imprisonment if veils are not removed. In addition, like the French law, the Italian bill punishes more severely those who “force someone to wear a burqa or face veils using either physical or psychological violence” (Pisa 2011). Less than a year after the national bill was introduced, the Italian parliamentary commission approved a draft of the bill that not only prohibits Muslim veils but also other face-covering items such as masks in public places (The Washington Post 2011). The question here is whether the ban will be fairly implemented against all who cover their faces or will target more often women wearing full-face Muslim veils as was the case with the 1975 law.

### *The Far-Right Party and “Burqa” Bans in the Netherlands*

In the Netherlands, Muslims account for about 6% of the population and, despite their diverse backgrounds, Muslims have been considered one single ethnic group since 2001 (Digital Journal 2012). Furthermore, among Muslims only between 100 and 400 women wear full-face Muslim veils (National Post 2012).

Until recently, Muslim full-face veils were legal in the country and were accepted or at least tolerated by most of the public (The Economist 2013). Yet, public attitudes towards Muslims began to change after the 2002 assassination of right-wing politician Pim Fortuyn, who had called Islam “backward” and expressed his opposition to Muslim conservatism; yet, his assassin was not an Islamic radical. Still, Dutch people were concerned whether Muslims could tolerate criticism and adapt to liberal values. As a result, Dutch imams were mandated to attend classes on freedom of speech and religion, and a general debate on veil bans ensued (Henley 2004).

Bans on full-face veils were introduced in some public schools beginning in 2003. The Dutch parliament issued a report in 2004, which, similar to the ones in France and Italy, asserted that efforts to integrate Muslims to Dutch society were proven inefficient as rising Islamic fundamentalism had been experienced in the country (Henley 2004). A veil ban bill proposal by right-wing politician Geert Wilders followed the report. Wilders stated that “women walking the streets in a totally unrecognizable manner were an insult to everyone who believed in equal

rights” and saw the bill as “a comfort to moderate Muslims” and a “contribut[ion] to integration in the Netherlands” (Digital Journal 2012). However, change in the government-coalition prevented this bill from becoming law.

Opposition to the veil-ban bill was made apparent by the justice ministry, among others, who discussed the discriminatory nature of the bill (Agence France Presse 2006). In addition, members of the Labor Party warned that a ban of this kind could be perceived as “Islam-bashing” (Max 2006, Doward 2006). Others, like Amsterdam’s Mayor Job Cohen, were also concerned that the ban could provoke a backlash among Muslims and lead to an increase in the number of women wearing full-face veils (Max 2006, Doward 2006, Hudson 2006).

By 2010, when many other European countries were considering veil-ban laws, the far-right Dutch leader Geert Wilders insisted on the need to ban Muslim full-face veiling (Daily News 2010). Wilders’ proposal was intended to ban only full-face Muslim veils and not other religious symbols. “This (ban) is not meant for crosses or yarmulkes because those are symbols of religions that belong to our own culture and are not—as is the case of headscarves—a sign of an oppressive totalitarian ideology” (West 2010). When the Freedom Party became the third largest party in the Dutch parliament, the Muslim veil-ban bill was considered once again (Waterfield 2011). In January 2012, the Dutch Cabinet of Ministers approved the bill and the law was adopted with overwhelming parliamentary support. The ban on full-face Muslim veils was first implemented in 2013.

### **To Ban or Not to Ban?**

The previous section shows that the discourses on Muslim-veil bans in Belgium, France, Italy and Netherlands echoed each other; policy-makers and public opinion in these countries seem to take notice of policies or events occurring in other countries. In most of these case-studies Muslim veils were initially banned along with other pieces of clothing covering the face and were rooted primarily on security concerns. At the same time, bans were enforced only against women wearing Muslim veils rather than other religious clothing. Additionally, bill proposals to ban Muslim veils were initiated by right-wing political forces, leading to link these veil-bans to growing racism and xenophobia. The center and center-left in most cases would later join forces to ban full-face veils, justifying these policies on women’s rights, on the fact that veils represent an unacceptable tradition that perpetuates women’s repression, and on secularism, or the exclusion of religion from public spaces. The Muslim community remained divided on this issue: although in all the countries discussed in this paper, Muslim authorities stated that Muslim veils were not required by Islam, most did not endorse the bans either. Besides, women with veils justify wearing them by reference to Islamic texts.

Despite this trend, it is also noteworthy that bans proposed around the same time in other Western European countries were rejected either by their legislatures or courts of law. This shows that despite similar external developments, internal factors are critical regarding whether policy innovation will or will not be adopted. For example, in 2010 the right-wing Progress Party introduced a full-face Muslim veil-ban bill in Norway’s Parliament. Yet, a coalition of opposition parties rejected the proposal and the bill was never debated. Jan Tore Sanner, deputy leader for the Conservative Party argued that “All repression must be combated but by means of open debate, not with sanctions that affect the victims” (The Foreigner 2010). Similarly in 2010, Denmark’s ruling party proposed legislation banning full-face Muslim veils with the explicit support of M. Lars Loekke Rasmussen, then Prime Minister, who argued that burqas and niqabs

did not have a place in Danish society. Yet, Parliament later rejected the legislation (Alaez Corral 2013). Furthermore, in the Spanish Northeastern region of Catalonia, more than a dozen cities adopted burqa bans in 2010 and there was also consideration of a nationwide ban during the same year. The national bill promoted by the Conservative *Partido Popular* (PP) was rejected by a majority of Spanish legislators (some of them from the PP) in the Lower House. Three years later, Spain's Supreme Court overturned local-level veil-ban legislation by ruling that such policies limited religious freedoms (Costa del Sol News 2013).

## Conclusion

Diffusion may be seen logically as an international process where external factors influence the domestic affairs of a state, and also as one subfield of linkage politics, where both internal and external determinants interact within a state. Thus, an appropriate explanation of diffusion should be given in terms both of the unit of analysis (e.g. states, individuals, or groups of individuals) and the social structures in which these units are embedded (e.g. world or regional systems). This research claimed that regional trends, such as a significant immigration of people of Muslim origin and regional/national security concerns after 9/11 within the normative framework of *Europeanism* were the "take-off point" for the sort of "bandwagon effect" that encouraged the spread of full-face Muslim veil bans in France, Belgium, Italy, and the Netherlands (Kingdon, 1998). In addition, various domestic factors, including right-wing political parties joined later by other parties and public opinion, were critical in shaping the internal processes leading to policy innovation in these four Western European countries. Yet, despite similar external developments, other Western European countries, including Norway, Denmark, and Spain, rejected national bans on full-face veils. These cases help demonstrate the significance of internal developments in the process leading to policy innovation.

Overall, European governments may be legally entitled to limit women's rights to wear Muslim veils, but banning them altogether may be an infringement of such individual rights as privacy, expression, personal identity, and freedom to manifest one's religion, which are also European traditions. Muslim organizations argue that women should have the right to express themselves freely and not to be discriminated on the basis of the religion and the symbols they wish to wear in public places and these principles should not be impinged even when secularism is a state goal. Furthermore, policies that intrude directly on freedoms of expression and religion may be seen as a threat to the growing Muslim community in Europe and may eventually lead to a violent, albeit unintended backlash. Perhaps, reaction against these bans might have been different if they had been initiated from clearly centrist and immigrant-friendly political forces; had been applied equally to everybody who wore some type of facial coverage (helmets, yarmulkes, Sikh hats, etc.); and were clearly based on identification requirements, rather than on cultural differences or values. But this has not been the case, thus far.

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