

MUSLIMS IN EUROPE

alexandru **balas**

THE EUROPEAN UNION
SOLVING SOCIAL CONFLICTS

COLECȚIA POLITICĂ

Alexandru BALAŞ

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Iaşi, 2008

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European Union's conflict transformation approaches are best known in the framework of the Europeanization process of Central and Eastern Europe. Little is known about the European Union's 3rd party structural transformation intervention into the social conflicts taking place inside the European Union.

Many Member-States of the European Union experienced over the last decade an increase in the social conflict involving Muslim communities. The E.U.'s bodies and institutions are the most suited to address such an European-wide conflict.

As a 3rd party, the European Union uses a structural transformation approach to address this conflict, through legislation and policies aimed at changing the structures of the Member-States. However, the 3rd party intervention of the European Union depends on the capacity of the Member State's political structures to adopt the requested legislation and policies which address the conflict.

The research question is: Do political opportunity structures impact the process of 3rd party intervention in the context of the European Union? Political opportunity structures refer to institutional arrangements (centralized vs. decentralized) which allow for an easier or more difficult filtration of 3rd party intervention mechanisms coming from above the state level. Political culture is also taken into account in relationship to the institutional arrangements. The process of 3rd party intervention has two phases: transposition of EU legislation to national level and implementation of the EU legislation.

The research methods used were comparative case studies (France and Spain) and secondary data analysis. The conclusion is that political structures impact the process of 3rd party intervention at the level of transposition and implementation of EU legislation but not as strong as expected. Thus, the European Union conflict resolution actions regarding conflicts with the Muslim communities in Europe are modified to a certain degree by how centralized or federalized the EU state in question is.

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INTRODUCTION

All across the European Union, part of the Muslim communities seem to find themselves in a state of tension and conflict with non-Muslims or the states in which they reside. There have been a number of high-profile incidents involving Muslims (Madrid bombings, London bombings, the killing of Theo van Gogh, Paris suburbs' riots), as well as a number of less known incidents (mosques being burnt, Muslims being beaten or harassed, hate speeches against Muslims). The levels of the social conflict involving Muslim communities have been rising steadily for the past years, since 9/11, in Europe, as well¹.

Considering that this is an European-wide conflict, the European Union seems to be the most appropriate actor for a 3rd party role. Evidence suggests that some EU member states deal with the conflict better than others. For example, France witnessed higher levels of the conflict than Spain. In the case of France the riots of fall 2005 have just been the pinnacle of the conflict in that country. The levels of discrimination in France are also higher than in the case of Spain. This difference in the levels of conflict, even though the Muslim communities in France and Spain share many commonalities, determined me to search for a possible explanation. Thus, I am researching the European Union's attempt to address the conflict and understand if the political structures of the member states have an impact on the process of 3rd party intervention, at the levels of transposition and

¹ In France, during the fall 2005 riots, over a period of 20 days, 8,973 vehicles were torched, 2,888 people were arrested and 126 policemen were injured.

“Nicolas Sarkozy sort renforce de la crise des banlieues”, *Le Monde*, November 17, 2005 <http://www.lemonde.fr/web/articleinteractif/0,41-0@2-706693,49-710990@51-704172,0.html> (accessed on November 17 2005)

implementation. The research question is: Do political opportunity structures impact the process of 3rd party intervention in the context of the European Union? This research is part of the larger body of literature, which attempts to understand the factors influencing the process of 3rd party intervention. More specifically, the research tries to understand if structural factors (political opportunity structures) impact the 3rd parties in inter-religious conflicts.

Political opportunity structures are represented by the institutional arrangements (decentralized vs. centralized). I will also pay attention to the political culture not as an independent variable, but only in relationship to the institutional arrangements. By the process of 3rd party intervention I understand two distinct actions: transposition and implementation. Transposition refers to the adoption into national legislation of the European Union requirements, while implementation refers to the policies which put in practice the requirements of the EU after it was transferred into national legislation.

The importance of this research cannot be emphasized enough. First of all, it allows a better understanding of the challenges a 3rd party could face in intervening in a social conflict of these proportions which affects several European countries. Secondly, there is a lack in the literature of research on the impact of political structures on 3rd parties. This thesis aims to bridge this gap existent in the literatures on 3rd party intervention, political opportunities structures and Europeanization. Through this research I want to bring within the boundaries of the field of conflict analysis and resolution some conflicts, studied in the above mentioned literatures, which have not been analyzed from a conflict resolution perspective until now. The major focus of the research is to determine if the political opportunity structures influence the process of a 3rd party's structural transformation attempt when the 3rd party is a supra-statal entity (the European Union) and the states in which it intervenes, to deal with

communal conflicts (Muslims vs. non-Muslims), are fully functional political entities (EU member states). The only other possible case which could be studied, besides the one of the European Union, is represented by India with the federal government as 3rd party, the different states of India as the political structures and the communal conflicts (Muslims vs. Hindus). I chose to study the European Union case because the differences between the political structures are sharper, and secondly, the levels of the conflict require a better understanding of the factors influencing effective 3rd party intervention.

The methodology I will use is comparative case study. I chose to analyze the impact of two political opportunity structures (those of France and Spain) on the 3rd party intervention of the European Union, represented by legislation and funds, into the conflict involving Muslim communities in Europe. Secondary data analysis was the method used to analyze the legislation of the European Union as well as that of France and Spain. I chose France and Spain as my case studies because from the cases available they fit best the most similar system design (MSSD) approach as I explain in the methodology chapter. The major differences are about the political opportunity structures, centralized in the case of France, quasi-federal in the case of Spain. The similarities are about membership to the European Union, the characteristics of the Muslim communities and characteristics of the social conflict involving the Muslim communities. Another similarity is the fact that in both countries membership to the nationality is gained through *jus solis* and not just *sanguinis* as in the case of Germany. This is an important similarity in respect to the second and third generations of Muslims, the sons and daughters of the initial waves of immigrants, living in France and Spain.

Chapter 1 of the research analyzes the characteristics of the European-wide social conflict involving the Muslim communities and draws parallels with the cases of France and Spain. Chapter 2

puts this research on the map of conflict analysis and resolution, highlighting the particularist and structuralist approaches to conflict intervention. Chapter 3 explains in detail the methodology used and how this research was conducted. Chapter 4 and 5 present the 3rd party intervention mechanisms of the European Union and the political structures of France and Spain affecting the implementation of the EU requirements. In chapter 6, I will analyze the data gathered and present the findings, while chapter 7 portrays the conclusions of the research.

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