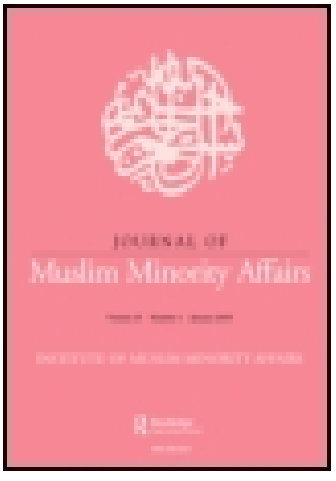
This article was downloaded by: [Washington University in St Louis]
On: 23 February 2015, At: 07:55
Publisher: Routledge
Informa Ltd Registered in England and Wales Registered Number: 1072954 Registered office: Mortimer House, 37-41 Mortimer Street, London W1T 3JH, UK



Journal of Muslim Minority Affairs
Publication details, including instructions for authors and subscription information:
http://www.tandfonline.com/loi/cjmm20

The Structure of Islam in Switzerland and the Effects of the Swiss Minaret Ban

Savannah D. Dodd

Published online: 19 Feb 2015.

Click for updates

To cite this article: Savannah D. Dodd (2015): The Structure of Islam in Switzerland and the Effects of the Swiss Minaret Ban, Journal of Muslim Minority Affairs, DOI: 10.1080/13602004.2015.1007665

To link to this article: http://dx.doi.org/10.1080/13602004.2015.1007665

PLEASE SCROLL DOWN FOR ARTICLE

Taylor & Francis makes every effort to ensure the accuracy of all the information (the "Content") contained in the publications on our platform. However, Taylor & Francis, our agents, and our licensors make no representations or warranties whatsoever as to the accuracy, completeness, or suitability for any purpose of the Content. Any opinions and views expressed in this publication are the opinions and views of the authors, and are not the views of or endorsed by Taylor & Francis. The accuracy of the Content should not be relied upon and should be independently verified with primary sources of information. Taylor and Francis shall not be liable for any losses, actions, claims, proceedings, demands, costs, expenses, damages, and other liabilities whatsoever or howsoever caused arising directly or indirectly in connection with, in relation to or arising out of the use of the Content.

This article may be used for research, teaching, and private study purposes. Any substantial or systematic reproduction, redistribution, reselling, loan, sub-licensing, systematic supply, or distribution in any form to anyone is expressly forbidden. Terms &

Conditions of access and use can be found at http://www.tandfonline.com/page/terms-and-conditions

Downloaded by [Washington University in St Louis] at 07:55 23 February 2015

Journal of Muslim Minority Affairs, 2015
http://dx.doi.org/10.1080/13602004.2015.1007665

Routledge
Taylor & Francis Group

The Structure of Islam in Switzerland and the Effects of the Swiss Minaret Ban

SAVANNAH D. DODD

Abstract

In order to understand the passage of the legislation against the construction of minarets in Switzerland in 2009, the historical and political context must first be elucidated. Historically, the internal religious and linguistic differences across the nation play a large role in the way the Swiss have come to conceptualize the "Other". In recent years, the processes of Muslim immigration to Switzerland since the 1960s, particularly in reference to the legislation that allowed for family regrouping in the late 1970s, have had a profound impact on the social and cultural composition of Swiss urban spaces, including the growing presence of Muslim institutions. This article aims to contextualize the minaret ban within these historical and political developments in order to offer potential explanations for its approval. Additionally, it attempts to explain the implications of the ban for the Swiss Muslim community and for the way that secularism is applied in the Swiss context.

Downloaded by [Washington University in St Louis] at 07:55 23 February 2015

1. Introduction

The Swiss people passed the minaret ban in a direct democratic vote in November 2009. This ban, which prohibits the construction of minarets countrywide, came as a shock to the rest of the world, as Switzerland has long been regarded as a neutral state. This article investigates the social and political structures, both historical and modern, which led to the passage of the minaret ban, and the effects of the ban on the Muslim community in Switzerland.

This research was conducted over the summer of 2012 while the author was living in Geneva. Although the majority of this research was conducted in the francophone part of Switzerland, the author also traveled to several cities in German-speaking Switzerland to interview leading politicians, scholars, and religious leaders who have been involved in the ongoing minaret debate. Of the Swiss People's Party, a leading political party in the push for the ban, politicians Ulrich Schlüer and Lukas Reimann were interviewed in order to explain the defense of the ban. To elucidate the Swiss government's opinion of the ban and its defense for allowing the ban to pass, Luzius Mader of the Federal Office of Justice who was responsible for the federal statement against the minaret ban was interviewed. Scholars Stéphane Lathion and Andreas Tunger-Zanetti of the Group of Researchers on Islam in Switzerland aided primarily in the analysis of the ban and of the results of the vote. In order to understand the Swiss Muslim perspective, two *imams* in Geneva, Hani Ramadan and Ziane Mehadjri, were interviewed in addition to a group of Muslim women in Winterthur. The author used these personal interviews to gain ground-level insights into the impact of the ban on Muslims in Switzerland.

© 2015 Institute of Muslim Minority Affairs

In the first section of this paper, the author begins by investigating the historical precedent for the Swiss understanding of the "other" by looking at linguistic and religious differences which have permeated Swiss history. Understanding how the Swiss have traditionally dealt with others different from themselves is essential to understanding how the Swiss deal with Muslims today. Linguistic differences are particularly important to note because Swiss French cantons and Swiss German cantons have different manifestations of secularism, which are more or less demarcated according to lines of linguistic distinction.

In the second section, the author explores the history of Islam in Switzerland over the past 50 years as Muslims have immigrated into the state and established Islamic institutions. A historical understanding of Muslims in Switzerland provides a foundation on which to talk about Muslims today in Switzerland, as when and why Muslims immigrated to Switzerland is important in understanding their current position within Swiss society.

In the third and final section, the author explains the Swiss minaret ban from its inception as a citizens' initiative through its passage as a piece of legislation. In this section, she explores the results of the ban in order to understand why the ban passed in such a landslide victory.

Downloaded by [Washington University in St Louis] at 07:55 23 February 2015

2. A Historical Overview

2.1. *Linguistic Differences*

Since the first-century BCE, Switzerland has undergone many linguistic transitions which each left a permanent mark on the country. The small pockets of modern Romansch speakers are vestiges of the Roman Empire.[1] After Roman occupation and until Napoleon's overtake, Switzerland's primary language was German, despite the small pockets of French and small Romansch speakers whom the urban aristocracy attempted to "Germanize".[2] Under the Napoleon's Helvetic Republic, the 1798 constitution was formed which, for the first time in Swiss history, gave speakers of German, French, and Italian equality with each other. Although the Helvetic Republic and its constitution only lasted for four years, they mark the first instance of official linguistic pluralism in Switzerland, though it was imposed by France rather than by Switzerland itself.[3]

Today, Switzerland recognizes four official languages: German, 63.7% of the population; French, 19.2%; Italian, 7.6%; and Romansch, 0.6%.[4] The Eastern half of the country speaks German, the Western half speaks French, cantons in the South speak Italian, and a few small valleys in the Eastern part speak Romansch. Switzerland is remarkable, in that the linguistic majority also learns French, a language of the linguistic minority.[5] McRae attributes this to the prestige attached to French because French was historically the language of the German aristocracy. Thus, the prestige of the French language compensates for its minority status.[6]

Linguistic diversity in Switzerland is also associated with differing characteristics between these two predominant linguistic groups. A study conducted by Hardi Fischer in the 1960s reveals that the Swiss French are broadly considered within Switzerland to be, "polished, active, young, rounded, gay, handsome, lively, and liberal".[7] Contrastingly, Swiss Germans are considered to be, "strong, rough, active, healthy, noisy, courageous, and constant".[8] It is, perhaps, these attributes that contributed to the Swiss French opposition to the ban on the minarets and the Swiss German support of the ban: the "liberal" nature of Swiss French to oppose the ban, and the "constant" nature of Swiss

Germans which influenced them to support the ban, as minarets are not part of the traditional Swiss landscape.

Another study conducted in 2010 investigates German-speaking Swiss attitudes and French-speaking Swiss attitudes toward the larger neighboring countries that share their respective languages. The scholars found that many Swiss believe that the larger neighboring countries, Germany and France, pose a threat to the collective identity of the linguistically similar groups in the smaller country, Switzerland, because France and Germany are perceived as superior. This is portrayed even in the description of the difference in the languages, where Swiss German is contrasted with Germany's "High German". In order to bolster their collective identities, Swiss Germans harbor a collective dislike of Germany and Swiss French harbor a dislike of France, in a way which undercuts the importance or the apparent desirability of the larger country. Often, this dislike is described in terms of arrogance on the part of the larger nation. Additionally, the linguistic groups try to distinguish themselves from Germany or France by rejecting the presence of many similarities.[9] For example, Swiss Germans perceive their language to be more dramatically different from High German than Germans perceive Swiss German to be.[10]

However, the Swiss French deal with a twofold threat to their collective identity: they are overshadowed linguistically by their neighbor to the west, France, and overshadowed domestically by the German-speaking Swiss majority to the east. Swiss French do not sever their ties with France to the same extent as the Swiss Germans do with Germany because it is in their interest to be allied to their larger linguistic counterpart for support against the Swiss German majority.[11] Therefore, while Swiss Germans deny their similarity to Germany, Swiss French accept their similarity to France, yet dislike that similarity.[12] One sees this clearly in Geneva, where crimes or general disturbances are often attributed to French rabble-rousers who cross the border for the weekend.[13]

2.2. *Religious Differences*

While language has been a point of contention for the Swiss, religious difference is an even more salient issue. From the beginnings of the Reformation in the 1500s through the 1800s, most Swiss cantons had been strictly defined as either Protestant or Catholic. During this turbulent period in Swiss history, a person's religion was determined solely by the canton of birth, and freedom of conscience did not exist. Should a person convert or marry someone of the "opposing" faith, his or her cantonal citizenship could be revoked. In some Catholic cantons, Protestants were not even allowed to settle.[14]

Following four civil wars of religion between 1529 and 1712, sectarian tensions ended with the creation of the Constitution of 1848. Under this constitution, all cantons, both Catholic and Protestant, became united under a federal government while still maintaining much of their autonomy,[15] turning Switzerland from a confederation into a federation and, thus, designating Switzerland as a political (as opposed to cultural) state.[16]

The Constitution of 1848 had certain limitations regarding religious rights. First, it imposed a prohibition on Jesuits "on the grounds that they wielded powerful political influence and thus were a menace to public peace".[17] This ban of Jesuits was reaffirmed in the 1874 Constitution even though this constitutional revision granted full religious liberty.[18] The ban on Jesuits was not repealed until more than a century later in 1973, when the repeal was passed with a meager 54.9% of public support.[19] Second, although the Constitution of 1848 promoted national welfare and protected the civil rights of Swiss

Downloaded by [Washington University in St Louis] at 07:55 23 February 2015

citizens, the civil rights of Jews were not protected until another revision of the Constitution in 1866.[20]

Switzerland's dealings with its Jewish community is particularly important for the purpose of the study because Jews were one of the first established non-Christian groups with whom the Swiss came into contact, and understanding Swiss relations with Jews will aid in understanding how the Swiss deal with other non-Christian groups, and in this case, Muslims.

During World War II, Switzerland remained ostensibly neutral, yet the Bergier Report, commissioned by the Swiss government in the 1990s, reveals that Switzerland made certain decisions during these years that bring into question its neutrality. In 1938, Switzerland requested that Germany label the passports of their Jewish citizens with a "J" so that Switzerland could regulate the number of Jews entering the country and prevent a mass-Jewish immigration. Then, in 1942, Switzerland sealed its borders for two years in the heat of the war. During the Holocaust, a total of 6300 refugees were either expelled from or denied entry into Switzerland.[21] Additionally, in the late 1990s, several lawsuits were filed in the US courts against three Swiss Banks, claiming that they "knowingly retained and concealed assets of Holocaust victims, and collaborated with and aided the Third Reich by accepting and laundering illegally obtained Nazi assets and profits of slave labor".[22] In 1999, a settlement agreement was reached in which restitution, amounting $1.25 billion, was distributed among those who had been affected by the Swiss banks' involvement with Nazi assets.[23]

Although Switzerland conducted the self-critical Bergier Report of its own volition, its findings display unquestionable anti-Semitic leanings on the part of the Swiss government during World War II. The anti-Semitic sentiments during the Holocaust were foreshadowed by a ban on ritual slaughter for Kosher meat that was instituted 50 years prior to the Holocaust.

Today, Switzerland's constitution includes clauses guaranteeing the freedoms of religion and of conscience to all people.[24] However, in addition to the federal constitution, each canton maintains its own constitution, and the separation of church and state falls within cantonal responsibilities. Therefore, there is great variance in the level of separation between church and state, in the extent of religious liberties, and in the dominant branch of Christianity from canton to canton.

Most cantons, except for Geneva and Neuchatel, officially recognize the Protestant and/or Catholic churches as *Landeskirchen*, or state religions viewed as public institutions, and financially support them through taxation. Approximately 75% of the population identifies as Roman Catholic or Protestant, but only a small percentage of these citizens actually attend church.[25]

In order to receive the economic aid provided to religious institutions, an institution must register with the government. However, there is not always equal opportunity across religious institutions to apply for this state aid. In the canton of Vaud, a piece of legislation in 2006 deemed the Roman Catholic Church and the Protestant Church as the two official cantonal religions to receive state funding. This legislation deemed Jewish institutions as institutions for public interest, gaining them certain tax breaks. Vaud's legislation leaves room for other denominations to receive such tax benefits, "provided these communities are committed to inter-confessional tolerance and respect of the Swiss legal order, namely the equality between the sexes".[26] This stipulation allows for the potential exclusion of Islamic institutions on the claim that Islam is oppressive of women, a belief which many Swiss right-wing politicians hold.[27]

Downloaded by [Washington University in St Louis] at 07:55 23 February 2015

Downloaded by [Washington University in St Louis] at 07:55 23 February 2015

3. Islam in Switzerland

3.1. *Muslim Immigration to Switzerland*

Over the past 50 years, Switzerland has experienced an influx of Muslim immigrants in three separate waves and all primarily from European countries. In the late 1960s, the first wave of Muslims, primarily men, arrived in Switzerland looking for work, with the intention of a short-term stay. This first wave of Muslim immigrants did not visibly alter the religious composition of Switzerland because they were primarily restricted to the business sphere of Swiss society. In the late 1970s, Switzerland revised their immigration laws to allow for family regrouping. This triggered the second wave of Muslim immigration which was primarily comprised of women and children, including the wives and children of the businessmen who arrived in Switzerland 10 years prior. This wave is particularly important because it shifted the demographics of the Muslim population from all male to family units. This shift had a notable impact on the visible presence of Muslims in Switzerland, particularly because some Muslim women wear head coverings, thus denoting their faith. The third wave of immigration began in the 1960s and continues today. These immigrants are politically driven asylum-seekers arriving primarily from Eastern Europe.[28] The census records demonstrate this steady increase of Muslims living in Switzerland. In 1970, the people who self-identified as Muslim numbered 16,300, and this number consistently grew to 56,000 in 1980, 152,000 in 1990,

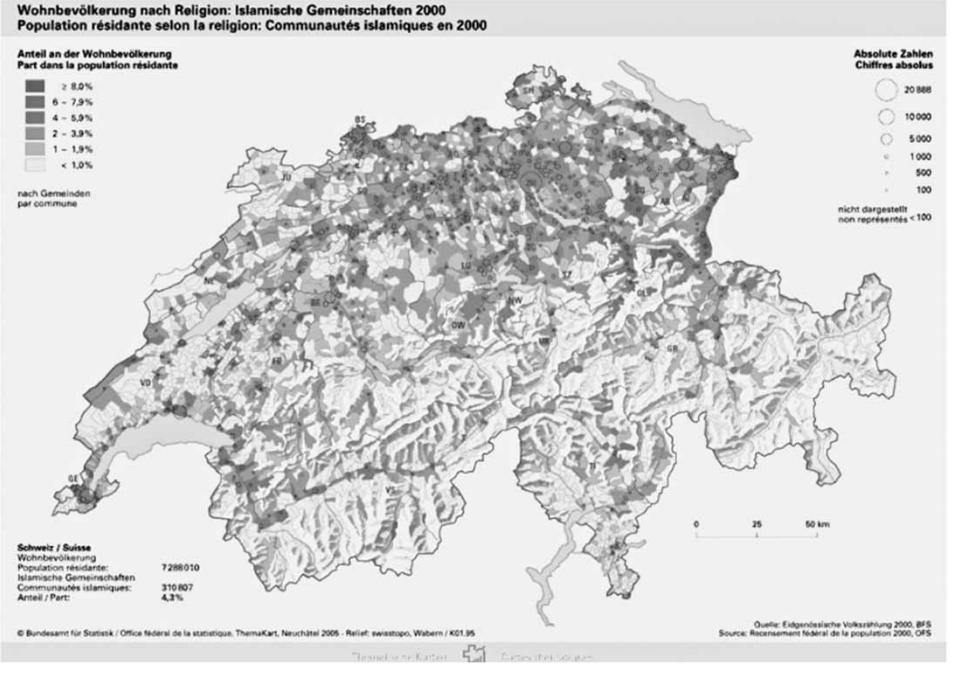


Figure 1. Map of the distribution of the Muslim population across Switzerland in 2000. Source: "Map Gallery Switzerland: Languages and Religions", *Swiss Federal Statistics Office*, 2005, Web, 29 January 2015, http://www.bfs.admin.ch/bfs/portal/en/index/regionen/thematische_karten/maps/bevoelkerung/sprachen_religionen.parsys.0007.PhotogalleryDownloadFile3.tmp/k01.95s.pdf

and 310,000 in 2000.[29] Muslims in Switzerland live primarily in large German cities in the northeastern part of the country, or in and around Geneva (Figure 1).

The current sex ratio among the Muslim population is 6:5, men to women, confirming that the Muslim community in Switzerland today is composed of family units, rather than a primarily male Muslim population as it was after the first wave of immigration.[30] As demonstrated in Appendix 1, the majority of Muslim immigrants to Switzerland come from the former Yugoslavia, and 175,374 immigrants, almost 90% of the Swiss Muslim population, are from European countries. With any problems Switzerland may have with Muslim integration, the issue is religiously based rather than racially based, as the majority of Muslims living in Switzerland are of European origin.

Today, 4.3% of Switzerland's population is Muslim, and 12% of the Muslim population is comprised of Swiss citizens. These Swiss Muslims comprise 0.5% of the total population.[31] It is the great diversity of origin of the Muslim immigrants, compounded by the decentralization of Islam itself, which sets the Islamic community in Switzerland apart from its neighboring countries. This diversity is due in part to the fact that Switzerland was never a colonial power, unlike France where the majority of Muslims are North or West African. Switzerland, contrastingly, displays a huge cultural variety, making the distillation of a single Islam impossible. Due to the cultural diversity among Muslims in Switzerland, Swiss Muslims tend to congregate according to nationality, hence the existence of several country-specific institutions, such as the Sri Lankan Muslim Association in Bern and the Turkish Cultural Association of Zurich.

3.2. *Islamic Institutions in Switzerland*

Switzerland has the second lowest number of mosques per Muslim inhabitant, with only one mosque to every 4000 Muslims in Switzerland, compared to the European average of one mosque per 1528 Muslims, see Appendix 2.[32] Although this number is surprisingly low, mosques have existed in Switzerland since the beginning of Muslim immigration to Switzerland when Zurich became the fifth city in Europe and the first city in Switzerland to have a mosque.[33]

The Zurich mosque, named Mahmud Mosque, was not founded in a context that was free of religious tension. The project began in 1957 when the Muslim community of Zurich filed a request to the canton for land on which to build a mosque. Two years later, the city of Zurich made a contract with the Muslim community to rent the land, 500m^2 in area, to the Muslims 3000 francs per year for 60 years. A Grand Council member representing the Swiss evangelical party at the time referred to this contract as an "unfortunate way of showing preference to a religious minority in attacking the religious sentiments of the majority of *Zurichois*".[34] Nevertheless, the inauguration of the Mahmud Mosque took place on 22 June 1963, and was presided over by President of the 17th Session of the United Nations General Assembly, Muhammad Zafrulla Khan, and the Mayor of Zurich, Emil Landolt.[35]

Five months following the inauguration of the Mahmud Mosque, Mr Baeschlin-Raspail wrote an article titled *Nervosité contre le mosquée de Zurich* in which he critiques Mayor Landolt for participating in the inauguration of the mosque and for respecting the customs of the Muslims (see Appendix 3). Baeschlin-Raspail notes in particular that the mayor removed his shoes, as Muslims do, upon entry to the mosque. Although this action indicates the mayor's respectfulness, the author implies that it was a sign of betrayal to the Swiss Christian majority.[36]

Downloaded by [Washington University in St Louis] at 07:55 23 February 2015

Fifteen years later, in 1978, the Islamic Cultural Foundation of Geneva was commissioned by and inaugurated under King Khaled of Saudi Arabia. Although this mosque was not the first in Geneva (the first being the Islamic Center at Eaux-vives), the Islamic Cultural Foundation of Geneva is the largest mosque in Switzerland. In attendance at the inauguration, in addition to King Khaled, were Federal Councillor Pierre Aubert, Councillor Guy Fontanet, Mayor Pierre Raisin of Geneva, Chancellor Justin Thorens of the University of Geneva, and the president of the International Committee of the Red Cross, Alexandre Hay. The attendance of high-profile individuals, in addition to the security provided by the Geneva police department, attests to the apparent acceptance of the Geneva mosque at the time of its inauguration. However, in 2009, three days before the national vote on the Swiss minaret ban, this mosque was vandalized with a bucket of pink paint.[37] The high-visibility campaign for the minaret ban seemed to draw new attention to the Muslim minority, creating tensions in Geneva where there previously were none.

Post-ban vandalism of Muslim property continued in 2011 when land belonging to a Muslim community in Solothurn was desecrated with pig carcasses and 120 liters of pig's blood. The land, intended for a mosque, was bought several years prior from a man belonging to an extremely conservative political party. The man fought the sale in court after the plans for the mosque were proposed, but he lost the case. Despite the hate crime, the construction of the mosque was not thwarted.[38]

In order to account for the staggeringly low number of mosques per Muslim inhabitant in Switzerland, Stefano Allievi suggests that it could be due to the low religiosity of refugees from ex-Yugoslavia, who constitute about 40% of the Muslim immigrant population.[39] Another plausible reason for the low number of mosques per Muslim inhabitant may relate to financial benefits due to state recognition. While most Swiss cantons recognize the Catholics and Protestant churches as public organizations, Islamic institutions are not legally recognized by any canton. This means that, as recognized organizations, Catholic and Protestant churches receive subsidies for construction and maintenance costs, yet Islamic institutions, unrecognized by the state, receive no federal aid. Instead, Islamic institutions are financed solely by funds the organizations raise themselves.[40]

Contrastingly, mosques in Great Britain and France are afforded the same privileges as other religious institutions. In Great Britain, where there are around 2000 Muslim inhabitants per mosque, mosques qualify for the same tax exemptions as any other religious organization when they register the site under the Places of Worship Registration Act of 1855.[41] Additionally, in France, mosques, like any religious organization, can register with the state as a religious institution under the 1905 law, allowing tax exemptions for registered religious institutions.[42]

4. The Swiss Minaret Ban

4.1. *History of the Minaret*

The minaret, a tower erected alongside a mosque, has been a part of Islamic architecture since the eighth century. Since then, it has come to signify different things at different points in history and has functioned as both a religious and a secular structure. As a religious structure, the minaret serves primarily as a symbol: pointing heavenward as a reminder of the presence and oneness of Allah. Given its high-visibility, the minaret also served as a symbol to demarcate a religious haven for travelers, because

Downloaded by [Washington University in St Louis] at 07:55 23 February 2015

often, the mosque was the premier destination to obtain room and board.[43] Traditionally, the minaret is furthermore the tower from which the *muezzin* projects the call to prayer five times a day. As a secular structure, the minaret has aided in battle as a watchtower and as a tower of fortification against invading armies.[44]

Attesting to the dual nature of the minaret, two Arabic words are used to describe a minaret: *ma'dhana* and *manâra*. *Ma'dhana* refers directly to the call to prayer, whereas *manâra* refers to a tall lookout tower.[45] Although historically the minaret served important and multifaceted societal purposes, it is important to note that there is no Qur'anic verse that obligates a minaret, as the minaret came into being after the life and death of the Prophet Muhammad.

Downloaded by [Washington University in St Louis] at 07:55 23 February 2015

4.2. *The Creation of the Citizens' Initiative*

For the nationalist party in Switzerland, the Swiss People's Party (SVP), both the religious and the secular understandings of the minaret pose a threat, even though there are only four minarets gracing the Swiss landscape, including ones at the Mahmud Mosque and the Islamic Cultural Foundation of Geneva. In January 2005, when a Turkish mosque in Wangen publicly announced their intention to construct a symbolic minaret, strong opposition overwhelmed the project with a petition of 400 signatures, effectively halting the project. In July 2006, canton authorities revoked the previous ruling to allow for the minaret project on the condition that it not be used to project the call to prayer, though this was a rather redundant ruling as minarets outside of Muslim-majority countries do not generally project the call to prayer. After a series of appeals intending to thwart the project, the Wangen minaret was finally inaugurated in June 2009.

Following the original announcement of the Wangen minaret project in 2005, three other minaret projects were announced in the towns of Winterthur, Wil, and Langenthal. In May 2005, the minaret in Winterthur was successfully erected without the public outcry experienced in Wangen. However, the Islamic communities in Wil and Langenthal were unsuccessful. In Langenthal, citizens petitioned the minaret, gathering 3500 signatures and 76 appeals to hinder the construction.[46] Contrastingly, a bright white Sikh temple crowned with a golden arrow was built in Langenthal in 2006, meeting no resistance from the community. Mayer points to this inequity as categorically Islamophobic rather than xenophobic.[47]

The Wangen minaret controversy and the surge of minaret building plans across Switzerland, along with the 2004 French headscarf debate, the 2005 London bomb attacks, and the fury over a Danish cartoonist's portrayal of Muhammad in 2006, were the kindling needed to garner public support. In September 2006, vocal opponents to minaret construction in Switzerland, primarily members of the SVP/UDC or the Federal Democratic Union (EDU/UDF), congregated in Egerkingen to join in what was called the "Egerkingen Committee".[48] Originally, this committee intended to broach a variety of issues, but soon their agenda was distilled down to one, making the minaret controversy their political platform. Thus, in May 2007, the Egerkingen Committee filed their citizens' initiative, which requested the addition of a third paragraph to Article 72 of the Federal Constitution to formally prohibit the building of minarets across Switzerland.[49]

Ulrich Schlüer, a past member of the Parliament and president of the Egerkingen Committee, explained that he and a few other members of parliament who were passionate about the minaret controversy first tried to pass similar legislation through the parliament, but it met with too much opposition. It was more effective for the right-wing political parties to pass the minaret ban as a popular initiative because of the strong

emotions evoked by this issue among the Swiss public. This tactical decision to approach the ban through the public would not have been successful outside of Swiss democracy due to the unique role of the citizens' initiative.[50]

Citizens' initiatives, although fundamental to Swiss democracy, rarely pass. In fact, of the 160 initiatives filed since 1891, less than 15 have passed.[51] Despite their low success rate, these initiatives help to influence Swiss politics and to raise awareness of certain topics of debate.[52] To attempt to pass a citizens' initiative, a proposal must first be filed at the Federal Chancellery. Then, the committee which filed the proposal must collect 100,000 signatures before the end of an 18-month period. If this number of signatures is met in the specified timeframe, the Swiss government reviews the proposal to verify that it does not broach an international treaty. Given that it does not, the proposal is submitted to a vote. When the proposal is at vote, it must win by a majority of votes and by a majority of cantons in order to be passed.[53]

4.3. *The Government's Response to the Citizens' Initiative*

Following the procedure of Swiss citizens' initiatives, the Egerkingen Committee successfully collected 115,000 signatures by July 2008, and the Federal Assembly soon verified that it was not in violation of an international treaty.[54] However, Giusep Nay, past president of the Swiss Federal Supreme Court, contests the legality of the initiative based on Article 9 of the European Convention on Human Rights (ECHR) which protects the freedom to manifest one's religion, for example with church spires or minarets.[55]

The Federal Assembly defends its reading of the ECHR in the "Message on August 27, 2008, Concerning the Popular Initiative 'Against the Construction of Minarets'":

> In their message on a new federal constitution, the Federal Council has cited among the norms of *jus cogens* the prohibition of torture, genocide, and slavery, the guarantees of the [European Convention on Human Rights], which suffer no derogation, … and the principles of international human law. The majority of international law is not mandatory and cannot be an absolute limit on the revision of the Constitution. A popular initiative cannot be declared invalid because it violates the non-mandatory standards of international law. If it is accepted by the people and the cantons, the federal government must consider terminating the international agreement in question.[56]

Assuming that Article 9 of the ECHR falls within "non-mandatory" international law, the government's statement presents valid justification for their ruling.

Although the government declared the initiative valid, the Federal Office of Justice released an official governmental statement on the 27 August, 2008, see Appendix 4, which condemned the citizen's initiative as violating religious freedom, contradictory to the Federal Constitution, ineffective against extremism, and an obstacle to peace between religions and to Muslim integration.[57]

Despite the compelling arguments put forth, much of the Swiss population remained unmoved by the press release—a phenomenon which Mader accounts for when he says: "Rational arguments have a relative weight in emotional affairs".[58] This initiative was, indeed, an emotional affair, for what was really a question of architecture became a matter of immigration, terrorism, and religious rights because of the highly symbolic nature of the minaret.[59]

The passage of the ban was also an emotional affair in the international community. Fearing negative repercussions in their relations with Muslim-majority countries, the

Downloaded by [Washington University in St Louis] at 07:55 23 February 2015

Swiss government initiated a dialogue on the international level to explain that Swiss government officials did not support this initiative, but that the decision is ultimately up to the people. Throughout the legislative process, this dialogue was instrumental in communicating the status of the bill to Islamic countries and maintaining amicability.[60]

4.4. *Religious Institutions' Responses to the Citizens' Initiative*

In the fall of 2009, before the article was put to vote, the Swiss Council of Religions rejected the ban stating: "For the members of a religious community, religious buildings are not only places to gather but also a symbol of their faith and an expression of their reverence for God. For many Muslims, therefore, mosques need to have minarets."[61] Similarly, the Catholic bishop of Basel, Kurt Koch, said that he "supported as a matter of principle the right of Muslims to 'have a minaret as a sign of identity'—a minaret being no more of a problem for him than a church spire, as long as building regulations were respected."[62] However, apart from individual support among clergy members, churches did not play an active role in opposing the ban, even though this ban was a blatant question of religious liberty.

Luzius Mader explains that the Catholic Church was reluctant to engage in the debate because the church leaders knew that a position against the ban would be unpopular among the congregants. Therefore, in order to avoid polarization between the clergy and the laypeople, the Catholic Church generally abstained from this political debate.[63]

The Muslim community was also quite inactive during the emergence of the initiative and did not play a major role in opposing the ban for fear of inflaming the controversy.[64] However, a handful of Muslim organizations across Switzerland held open houses for the public to learn about Islam and ignite candid conversation.[65] Scholar Jean-François Mayer reports that the attendance was lower than anticipated at these open houses; however, Hani Ramadan, director of the Islamic Center of Geneva, reports that the open houses held in the mosques in Geneva were very well attended.[66]

4.5. *Results of the Vote*

Before the ban was put to a vote, the Isopublic Institute questioned a sample group of 1000 Swiss citizens to ascertain reasons for supporting the ban. The three primary reasons for voting "yes" were: (1) that minarets are out of place in Swiss culture; (2) that Islam is intolerant of Christianity; and (3) that Islam is expansionist.[67] Luzius Mader contests that these presumptions are false, however, "they could not exist without a minimum support in reality … so it is easy to convince people that they are accurate".[68]

On 29 November 2009, such arguments as these won the debate, and the ban was passed with a 57.5% majority of the Swiss public, and with voter participation at 53.4%.[69] Completing the double majority necessary to implement a Citizens' Initiative, 22 out of the 26 cantons supported the ban (figure 2), far exceeding the necessary 14 cantons to constitute a majority.[70]

Figure 2 in comparison with the linguistic division across the country reveals that French cantons generally opposed the ban, and German cantons generally supported the ban. Since Swiss French are considered more liberal, it is not surprising that they were more inclined to oppose the ban. Additionally, it is not surprising that Swiss Germans opposed the ban because they are considered to be more constant, therefore less susceptible to change.[71]

Downloaded by [Washington University in St Louis] at 07:55 23 February 2015

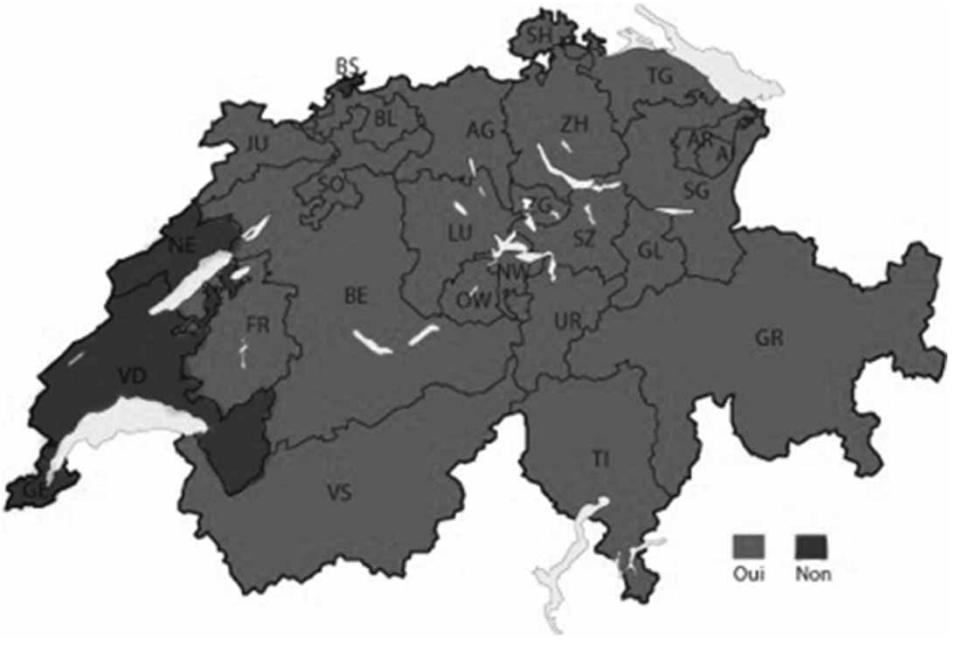


Figure 2. Map indicating which cantons voted against the ban.
Source: "Les Suisses refusent massivement les minarets", *Le Temps*, 29 November 2009, Web, 24 October 2012, http://www.letemps.ch/Page/Uuid/00c0f1b2-dcd8-11de-bc20-cbd5d36bc26f.

The four cantons which opposed the ban were Geneva, Neuchatel, Basel-Stadt, and Vaud. The cases of Geneva and Neuchatel are similar as they both maintain strict separation between religion and government in their cantonal government. Moreover, Geneva's self-perception is heavily influenced by its international image and by the French notion of *laïcité*,[72] a uniquely French term which John Bowen describes as a secular policy regarding the relationship between the state and society.[73]

However, the Swiss French seem to have interpreted *laïcité* differently than the French have. In France, it was the idea of *laïcité* that led to the ban on ostentatious religious symbols in public schools. This ban aided in removing the presence of religion from the public sphere. In Switzerland, the idea of *laïcité* deterred the Swiss French from supporting the ban because a ban against a specific religious symbol violates the *laïc* separation of the state from religious affairs.

The canton of Vaud was probably heavily influenced by its main city, Lausanne, which has a *laïc* mentality similar to Geneva. Additionally, only about 20% of the population of Vaud supports the SVP, one of the largest political parties in Switzerland and the main political party driving the ban.[74]

The opposition to the ban by the small canton of Basel-Stadt is more difficult to explain, yet it could be attributed to the high number of non-confessionals. In 2010, 44% of the population surveyed declared themselves as non-confessional, giving this canton the largest group of non-confessionals in Switzerland.[75] However, at the same time, Lukas Reimann of the SVP asserts that a certain organization of non-confessionals in Berne actually supported the ban on the basis that they oppose religion and religious practice of any kind.[76]

Downloaded by [Washington University in St Louis] at 07:55 23 February 2015

4.6. *Initial Reactions to the Vote*

Abroad, initial reactions to the passage of the ban were critical, and many political leaders publicly voiced disappointment in the weeks following the vote. The French foreign minister Bernard Kouchner said on French radio: "I am a bit shocked by this decision … It is an expression of intolerance, and I detest intolerance. I hope the Swiss will reverse this decision quickly".[77]

On the other hand, right-wing political parties across Europe were inspired by the Swiss decision. Filip Dewinter of the Vlaams Belang party in Belgium voiced his opinion that "[The ban is] a signal that they have to adapt to our way of life and not the other way around".[78] Additionally, Marco Borghezio of the European parliament encouraged Italy to take similar measures, saying, "the flag of a courageous Switzerland which wants to remain Christian is flying over a near-Islamised Europe".[79] Still, the majority of political actors agreed that this ban marked an undisguised breech of religious freedom.

Imam Mehadjri Ziane of the Islamic Cultural Foundation of Geneva related that the results of the vote saddened and shocked his congregants because they had believed Switzerland to be a neutral state.[80] Imam Hani Ramadan of the Islamic Center of Geneva posted on his blog a number of emails he received from Swiss citizens of all religious persuasions who personally apologized for the passage of the minaret ban. One of these letters came from a Swiss lawyer, Antoine Boesch, who volunteered his time to contest the minaret ban in the ECHR courts in Strasbourg.[81]

Mr Boesch did, in fact, bring the minaret ban to the ECHR courts. His case was one of five lodged against the minaret ban at the ECHR. However, the ECHR refused to hear the appeals of Mr Boesch and his appellants on the grounds that the appeals were not filed in connection with a specific case of application. However, should a case be brought to the ECHR in direct connection with a minaret project which is refused on the grounds of the Swiss ban, the ECHR would likely rule against Switzerland.[82]

Reactions from the Muslim community to the outcome of the vote were very mild. Luzius Mader attributes this to a national forum between the Muslim communities in Switzerland and the Federal government. Mader states that this forum "contributed decisively to the very moderate reaction of Muslims", as the forum inspired confidence in Swiss Muslims that the Swiss government is not anti-Islamic, but that there need to be compromises made in order to achieve peaceful coexistence. Unfortunately, this nation-wide forum ended because canton authorities were disgruntled that religion was being addressed on a federal level even though the Swiss Federal Constitution denotes religion as a cantonal responsibility.[83] The same point of contention can be used against the minaret ban, yet it was not halted in the same manner.

In the end, the nation was doubly surprised by the passage of the bill because surveys leading up to the vote indicated that the bill would be shot down by the same proportion with which the bill was passed. Andreas Tunger-Zanetti refers to this phenomenon as a "double spiral of silence".[84] He proposes that people base their opinions based on two sources: personal observation and media consumption. Moreover, he asserts that people fear social isolation, so, if they believe that their opinion is in the minority, they will stay silent. In the case of the vote on the Swiss minaret ban, people stayed silent because they believed that their opinion was in the minority, and also because support of the ban was not politically correct, therefore not socially acceptable.[85]

Dr Tunger-Zanetti also suggests that researchers needed to look more carefully at the responses to other questions in the pre-vote surveys to truly determine the implicit

Downloaded by [Washington University in St Louis] at 07:55 23 February 2015

sympathies of the group surveyed. He argues that the other answers given in the surveys suggest that the people sympathized with the ban, even if they claimed to oppose it when asked directly.[86]

4.7. *Defending the Ban*

Defenders of the ban point to three primary concerns: that the minaret is a symbol of Muslim expansion, that Islam institutes inequity, and that Islamic tradition and Swiss tradition do not mix. Addressing the first concern, Congressman Lukas Reimann points to the fact that the word "minaret" does not appear in the Quran, suggesting that the minaret is not a religious, but rather a political symbol.[87] Imam Mehadjri Ziane confirms that the minaret is not figured in the Qur'an, and that the minaret came into being after the death of the prophet Mohammed as a signpost for a mosque.[88] The second argument, that Islam institutes inequity, is multilayered. First, Reimann and like-minded supporters of the ban bring concern for women's rights within Islam into the minaret debate, as is demonstrated in pro-ban propaganda. Figure 3, a pro-ban poster designed by the SVP, depicts a burka-clad figure in the foreground of a Swiss flag which appears to have been pierced by a series of minarets, looking strikingly similar to missiles.

The use of a burka in the pro-ban poster was a strategic decision to appeal to liberal, in addition to conservative, ideologies by invoking a concern for women's rights. Stefano Allievi writes that, "for the West, the Muslim woman is by definition downtrodden, and the symbol of her oppression is the *hijab*", which, he explains, "is often imprecisely called the 'veil'".[89] He continues to explain that the word "veil" is used to amplify the idea of female oppression by referring to something that "separates, conceals, masks, or blocks the view".[90] He argues against this understanding of the veil, saying that the derogatory undertones of the word "veil" do not correspond to its Arabic counterpart, *hijab*. Allievi relates the ideas of some Muslim women that, not only is the *hijab* a personal decision in the vast majority of cases, but also that perhaps it is the "Western" women who are slaves to beauty and overt sexuality "on the pain of being rejected".[91]

Further on the concern of inequity in Islam, former parliament member Ulrich Schlüer explains that he often dealt with issues of female oppression when he was involved with his local school board. He expressed his concern that young girls from Muslim households are held home from school to do chores. He says that it is the mothers who do not understand that girls are expected to attend school the same as the boys in Switzerland, because the mothers stay at home and do not enter into Swiss society. Schlüer continues on to say, "… we do not want to have people here with a religious approach to establish inequality",[92] introducing a "slippery-slope" argument that once Islam has a foothold in Swiss society, for example by allowing minarets to be built, Islam will spread to a nation-wide religious epidemic, contaminating Swiss ideas of equality.

In regard to the minaret ban as legislation, Schluer stresses that the ban is a civil law, and that there are no church laws in Switzerland.[93] However, if it is a purely civil law, it would fit better under Article 78 on the Protection of Natural and Cultural Heritage than it does in Article 72 on Church and State. Additionally, it should be noted that both building regulations and church/state relations fall within cantonal legislative power, not federal legislative powers.[94] That the Swiss federal government did not dismiss the federal ban on this basis, leaving it instead to cantonal decision, suggests that the minaret ban is more than a simple issue of building codes and that the Swiss government could have done more to stop it from entering into legislation.

Downloaded by [Washington University in St Louis] at 07:55 23 February 2015

Figure 3. SVP Pro-Ban Poster.
Source: Geeta Dayal, "6 Posters on the Swiss Minaret Vote", *Print Magazine*, November 2012, Web, 9 August 2012, http://www.printmag.com/Article/6-Posters-on-the-Swiss-Minaret-Vote.

4.8. *Effects of the Ban*

Like any highly influential piece of legislation, there were immediate effects of the ban on Swiss society, both positive and negative. On the one hand, this ban has served to bring Muslims in Switzerland together into a Swiss Muslim community. Instead of perpetuating the fragmentation of the Muslim community based on country of origin, Muslims have begun to organize as one unified group of Swiss Muslims. With concept of a Swiss Muslim community, Muslims can start organizing to gain political agency.[95]

However, the birth of a Swiss Muslim community has its own risks, particularly to Muslim integration into Swiss society. The organization of Muslims across the country could evolve into a "Muslim versus Swiss" controversy, further hindering Muslim immigrants' integration into Swiss society.[96] Barbara Myhoubi, a Swiss convert to Islam as of four years ago, emphasizes this concern when she says that the ban put an "exception stamp" on Muslims in Switzerland, officially setting Muslims apart from other Swiss citizens with this law.[97]

As of yet, this "exception stamp" has not seriously impacted the lives of Swiss Muslims, as they can still practice their religion freely. Sumaya Mohamed, a Swiss woman who converted to Islam 28 years ago, explains: "Practical life is not so difficult for us Muslims, not yet. The problems are in the head, not in the logistics, but this freedom is in danger. We cannot take it for granted".[98]

Although widespread discontent resulted from this ban, Luzius Mader of the Federal Office of Justice suggests that this ban and, more importantly, the discussion leading up

Downloaded by [Washington University in St Louis] at 07:55 23 February 2015

to it, has been very necessary and very healthy. He says further: "Thanks to this initiative, we are much better able to deal with the growing importance of Muslims in Switzerland".[99]

5. Conclusion

The minaret ban is not an anomaly in Switzerland, but a part of a larger issue of understanding secularism in the Swiss context. Understanding Swiss secularism is not an easy task because of the linguistic and cultural differences across the country, and that have produced differing concepts of secularism within the nation. The idea of Swiss secularism is still in formation and Switzerland is at a crossroads, the result of which will determine how secularism will be understood in the future of the nation.

On the one hand, Swiss society can accept the growing numbers of Muslims and adapt to incorporate them into all spheres of Swiss society, including the political sphere. On the other hand, the right-wing parties could wield their emotional influence on the Swiss public, as they did last year in the Swiss referendum "against mass immigration" which reinstated quotas on residency permits for workers coming from neighboring nations in the European Union.[100] A turn in this direction would likely exclude Muslims from Swiss society, refusing to make accommodations for the various ways of living out an Islamic way of life.

Acknowledgements

I would like to thank Dr John Bowen of Washington University in St Louis for his advice and encouragement in the course of my research. Dr Andreas Tunger-Zanetti of the University of Lucerne was instrumental in facilitating contact with other researchers and politicians in Switzerland, and he offered me his tremendous insights into Islam in Switzerland. Lastly, I would like to thank some of the people I interviewed and the friends I made in the course of my research: Sumaya Mohamed, Conny Boscheri, Ziane Mehadjri, Hani Ramadan, Hera Hashmi, Barbara Myhoubi, Stéphane Lathion, Luzius Mader, Lukas Reimann, and Ulrich Schlüer.

ORCID

Savannah D. Dodd http://orcid.org/0000-0002-3076-9932

NOTES

1. "History of Switzerland". *Swiss University*, 24 October 2012, http://www.swissuniversity.ch/country-history.htm.
2. Kenneth D. McRae, *Conflict and Compromise in Multilingual Societies: Switzerland*, Ontario: Wilfrid Laurier University Press, 1983, p. 40.
3. *Ibid.*
4. Carine Matser, Jan Pieter van Oudenhoven, Françoise Askevis-Leherpeux, Arnd Florack, Bettina Hannover, and Jerôme Roisser, "Impact of Relative Size and Language on the Attitudes between Nations and Linguistic Groups: The Case of Switzerland", *Applied Psychology: An International Review*, Vol. 59, No. 1, 2010, p. 147.
5. Stéphane Lathion, Personal Interview, 8 August 2012.
6. McRae, *Conflict and Compromise in Multilingual Societies*, *op. cit.*, p. 72.
7. *Ibid.*, p. 95.
8. *Ibid.*

Downloaded by [Washington University in St Louis] at 07:55 23 February 2015

Downloaded by [Washington University in St Louis] at 07:55 23 February 2015

9. Matser *et al.* "Impact of Relative Size and Language on the Attitudes between Nations and Linguistic Groups", *op. cit.*, p. 147.
10. *Ibid.*, p. 155.
11. *Ibid.*, p. 148.
12. *Ibid.*, p. 155.
13. This is a personal observation while living in Geneva. Taxi drivers, neighbors, shopkeepers, and so on frequently blame crime on French youth who live across the border, but visit Geneva.
14. Carol Schmid, *Conflict and Consensus in Switzerland*, Berkeley: University of California Press, 1981, p. 5.
15. "Switzerland", *Encyclopedia Britannica*, 2012, 24 October 2012, http://www.britannica.com/EBchecked/topic/577225/Switzerland.
16. Wolf Linder, *Swiss Democracy*, *op. cit.*, p. 8.
17. "Swiss Prepare to Reaccept Jesuits", *Catholic Herald*, 21 July 1972, 29 September 2012, http://archive.catholicherald.co.uk/article/21st-july-1972/1/swiss-prepare-to-reaccept-jesuits.
18. "Switzerland", *op. cit.*
19. "Vorlage Nr. 236: Resultate in den Kantonen", *Federal Administration*, 24 September 2012, 29 September 2012, http://www.admin.ch/ch/d/pore/va/19730520/can236.html.
20. "Switzerland", *op. cit.*
21. "History of Jewish Refugees to Switzerland", *Claims Conference*, 1 November 2012, http://www.claimscon.org/index.asp?url=swiss/history.
22. "Swiss Banks Settlement", *Claims Conference*, 1 November 2012, http://www.claimscon.org/index.asp?url=swiss/settlement.
23. *Ibid.*
24. "Swiss Federal Constitution", *The Federal Authorities of the Swiss Confederation*, 18 April 1999, 20 July 2012, http://www.admin.ch/ch/e/rs/1/101.en.pdf.
25. "International Religious Freedom Report 2007", *Bureau of Democracy, Human Rights, and Labor, U.S. Department of State: Switzerland*, 21 October 2012, http://www.state.gov/j/drl/rls/irf/2007/90203.htm.
26. *Ibid.*
27. Discovered through personal observation and personal interviews.
28. Stéphane Lathion, "Muslims in Switzerland: Is Citizenship Really Incompatible with Muslim Identity?" *Journal of Muslim Minority Affairs*, Vol. 28, No. 1, April 2008, pp. 53–60.
29. GRIS and Religioscope Institute, "Islam in Switzerland: Figures", in *The Swiss Minaret Ban: Islam in Question*, eds Patrick Haenni and Stéphane Lathion, Fribourg: Religioscope Institute, 2011, p. 23.
30. Lathion, "Muslims in Switzerland", *op. cit.*, p. 54.
31. *Ibid.*
32. Stefano Allievi, "Mosques in Europe: Real Problems and False Solutions", in *Mosques in Europe: Why a Solution has become a Problem*, ed. Stefano Allievi, London: Alliance Publishing Trust, 2010, p. 20.
33. Baeschlin-Raspail, "Nervosité contre la mosquée de Zurich", *Journal de Genève*, 13 November 1963, p. 2, 10 September 2012, http://www.letempsarchives.ch/Default/Skins/LeTempsFr/Client.asp?Skin=LeTempsFr&enter=true&AW=1351874843342&AppName=2.
34. Baeschlin-Raspail, "Nervosité contre la mosquée de Zurich", *op. cit.*, p. 2.
35. "Mahmud Moschee", *Ahmadyya Muslim Jamaat*, 2 December 2008, 12 September 2012, http://www.ahmadiyya.ch/cms/ahmadiyya/mahmud-moschee.html.
36. Baeschlin-Raspail, "Nervosité contre la mosquée de Zurich", *op. cit.*, p. 2.
37. "Swiss Police: Geneva Mosque Vandalized", *The Guardian*, 26 November 2009, 12 September 2012, http://www.guardian.co.uk/world/feedarticle/8828776.
38. Brian Walker, "Muslims Outraged Over Pig Parts Dumped at Swiss Mosque Site", *CNN World*, 12 November 2011, 11 September 2012.
39. Allievi, "Mosques in Europe", *op. cit.*, p. 23.
40. Carolyn Warner, "Cemeteries and Mosques: Muslim Collective Action in Switzerland and France", April 2009, 31 October 2012, p. 18. http://citation.allacademic.com/meta/p_mla_apa_research_citation/2/7/9/7/7/pages279776/p279776-1.php.
41. Sophie Gilliat-Ray and Jonathan Birt, "A Mosque Too Far? Islam and the Limits of British Multiculturalism", in *Mosques in Europe: Why a Solution has become a Problem*, ed. Stefano Allievi, London: Alliance Publishing Trust, 2010. p. 137.

42. John Bowen, *Why the French Don't Like Headscarves*, Princeton: University of Princeton Press, 2007.
43. Imam Mehadjri Ziane, Personal Interview, 6 August 2012.
44. *Ibid.*
45. Rachid Benzine, "The Minaret in the History of Islam", *op cit.* p. 21.
46. Jean-François Mayer, "In the Shadow of the Minaret: Origins and Implications of a Citizen's Initiative", in *The Swiss Minaret Ban: Islam in Question*, eds Patrick Haenni and Stéphane Lathion, Fribourg: Religioscope Institute, 2011, p. 11.
47. *Ibid.*
48. *Ibid*, p. 13.
49. *Ibid*.
50. Ulrich Schlüer, Personal Interview, 10 July 2012.
51. Lathion, "Muslims in Switzerland", *op. cit.*, p. 18.
52. *Ibid.*
53. *Ibid.*, p. 17.
54. Mayer, "In the Shadow of the Minaret", *op. cit.*, p. 14.
55. Giusep Nay, Email Interview, 20 July 2012.
56. "Message relatif à l'initiative populaire «contre la construction de minarets»", *Feuille fédérale 2008*, 27 August 2008, p. 6930. http://www.admin.ch/ch/f/ff/2008/6923.pdf.
57. Luzius Mader, "Federal Council Opposes Building Ban on Minarets", *Federal Department of Justice and Police*, 27 August 2008, 18 June 2012, http://www.bj.admin.ch/bj/en/home/documentation/medieninformationen/2008/ref_2008-08-27.html.
58. *Ibid.*
59. Luzius Mader, Personal Interview, 20 June 2012.
60. *Ibid.*
61. "Swiss faith leaders oppose national ban on minarets", *Christian Century*, 6 October 2009, http://www.christiancentury.org/article/2009-10/swiss-faith-leaders-oppose-national-ban-minarets.
62. Mayer, "In the Shadow of the Minaret", *op. cit.*, p. 12.
63. Mader, Personal Interview, *op cit*.
64. Jean-François Mayer, "A Country Without Minarets: Analysis of the Background and Meaning of the Swiss Vote of 29 November 2009", *Religion*, Vol. 41, No. 1, March 2011, p. 16.
65. *Ibid.*
66. Hani Ramadan, Director of the Islamic Center of Geneva, Personal Interview, 11 October 2012.
67. Mayer, "In the Shadow of the Minaret", *op. cit.*, p. 16.
68. Mader, Personal Interview, *op cit*.
69. Mayer, "In the Shadow of the Minaret", *op. cit.*, p. 7.
70. "Switzerland Defends Ban on Mosque Minarets", *Fox News*, Associated Press, 30 November 2009, 9 December 2011, http://www.foxnews.com/story/0,2933,577668,00.html.
71. Swiss French and Swiss German descriptions are as according to Hardi Fischer's study, explained in the section titled "Swiss Views of the 'Other'" in this essay.
72. Andreas Tunger-Zanetti, Personal Interview, 14 June 2012.
73. Bowen, *Why the French Don't Like Headscarves*, *op. cit.*
74. Lukas Reimann, Personal Interview, 29 June 2012.
75. Tunger-Zanetti, Personal Interview, *op cit*.
76. Reimann, Personal Interview, *op cit*.
77. "Vatican and Muslims Condemn Swiss Minaret Ban Vote", *BBC News*, 30 November 2009, 3 April 2012, http://news.bbc.co.uk/2/hi/europe/8385893.stm.
78. *Ibid.*
79. *Ibid.*
80. Mehadjri Ziane, Personal Interview, *op cit*.
81. Hani Ramadan, *Les Blogs: Islam et engagement*, 30 November 2009, 25 October 2012, http://haniramadan.blog.tdg.ch/.
82. Antoine Boesch, Email Interview, 1 November 2012.
83. Mader, Personal Interview, *op cit*.
84. Reference to Elizabeth Noelle-Neimann's book *The Spiral of Silence.*
85. Tunger-Zanetti, Personal Interview, *op cit*.
86. *Ibid.*

Downloaded by [Washington University in St Louis] at 07:55 23 February 2015

87. Reimannm, Personal Interview, *op cit*.
88. Mehadjri Ziane, Personal Interview, *op cit*.
89. Stefano Allievi, "The Shifting Significance of the *Halal*/*Haram* Frontier: Narratives on the *Hijab* and Other Issues", in *Women Embracing Islam: Gender and Conversion in the West*, ed. Karin van Nieuwkerk, Austin: University of Texas Press, 2006.
90. *Ibid.*
91. *Ibid.*
92. Ulrich Schluer, Personal Interview, 10 July 2012.
93. *Ibid.*
94. Mader, Personal Interview, *op cit*.
95. *Ibid.*
96. *Ibid.*
97. Barbara Myhoubi, Personal Interview, 19 June 2012.
98. Sumaya Mohamed, Personal Interview, 19 June 2012.
99. Mader, Personal Interview, *op cit*.
100. "Initiative populaire fédérale 'Contre l'immigration de masse'", *Chancellerie fédérale*, 15 April 2014, http://www.admin.ch/ch/f/pore/vi/vis413t.html.

Downloaded by [Washington University in St Louis] at 07:55 23 February 2015

Appendix 1: National origin of Muslims in Switzerland

Table A1. National origin of Muslims in Switzerland

European	
Yugoslavia	108,058
Bosnia Herzegovenia	23,457
Macedonia	43,365
Croatia	392
Slovenia	102
Total	175,374
Turkish and Albanian	
Turkey	62,698
Albania	699
Total	63,397
North African and Middle Eastern	
Morocco	4364
Tunisia	3318
Algeria	2654
Egypt	865
Libya	489
North African and Middle	
Iraq	3171
Lebanon	1277
Syria	459
Total	16,597

Source: Stéphane Lathion, "Muslims in Switzerland: Is Citizenship Really Incompatible with Muslim Identity?" *Journal of Muslim Minority Affairs*, Vol. 28, No. 1, April 2008, p. 54.

Appendix 2: Table comparing the number of Muslims and mosques in European countries

Country	Population (million)	Immigrants (million)	Muslims (million)	Percent of Muslim population	Mosques	Muslims × mosque
Germany	81.9	7.2	3.2–3.4	4.0	2600	1269
France	65.4	4.9	4.2	6.5	2100	1571
UK	61.8	4.8	2.4	3.9	850–1500	2824–1600
Italy	60.2	3.9	1.3	2.2	764	1702
Spain	46.2	4.5	0.8–1	2.0	668	1347
The Netherlands	16.5	3.1	1	6.1	432	2315
Greece	11.2	1.2	0.2–0.3	2.2	<400	625
Portugal	10.7	0.3	0.04	0.4	33	1212
Belgium	10.6	1.0	0.4–0.5	4.2	330	1364
Sweden	9.4	1.2	0.4	4.2	>50	8000
Austria	8.4	0.9	0.3	3.6	>200	1500
Switzerland	7.3	1.3	0.4	5.4	>100	4000
Denmark	5.5	0.5	0.19	3.5	115	1652
Finland	5.4	0.09	0.04	0.7	30–40	1143
Norway	4.9	0.6	0.12	2.5	120	1000
Bosnia and Herzegovina	3.8	6	1.5	40.0	1867	803
Europe			16.79		10.989	1528
USA	310.0	37.5	5–6	1.8	1643	3348

Source: Stefano Allievi, "Mosques in Europe: Real Problems and False Solutions", in *Mosques in Europe: Why a Solution has become a Problem*, ed. Stefano Allievi, London: Alliance Publishing Trust, 2010, p. 20.

Downloaded by [Washington University in St Louis] at 07:55 23 February 2015

Appendix 3: Baeschlin-Raspail critiques Mayor Emil Landolt for participating in the inauguration of the Mahmud Mosque in Zurich

10/26/12 Article – Nervosité contre la mosquée de Zurich

Publication: Journal de Genève; Date: Nov 13, 1963; Section: None; Page: 2

Nervosité contre la mosquée de Zurich

(De notre correspondant de Zurich)

Le Conseil exécutif de Zurich vient d'être, une fois de plus, l'objet de critiques virulentes parce qu'il a mis à disposition un terrain de la ville pour la construction d'une mosquée.

Un membre du Grand Conseil — représentant du parti évangélique — a présenté une interpellation à ce sujet dans laquelle il parlait « de la regrettable manière de favoriser une minorité religieuse en brusquant les sentiments religieux de la presque totalité des Zurichois. »

Dans sa réplique, M. Landolt, maire de la ville, a expliqué une fois de plus pourquoi il avait participé au mois de juin dernier à l'inauguration de la mosqué et pourquoi il avait suivi les coutumes musulmanes (en enlevant ses chaussures dans le lieu de culte, par exemple). Il avait estimé de son devoir de maire d'aller saluer sir Muhammad Zafrulla khan, président de l'Assemblée des Nations Unies, qui était venu présider la cérémonie et il avait saisi l'occasion de représenter la ville à cette manifestation. M. Landolt a donné aussi un bref aperçu de l'histoire de la mosquée: en 1957, la municipalité fut saisie d'une demande de terrain pour la construction d'une mosquée. Cette demande fut transmise à l'administration des Domaines de la ville qui trouva un petit terrain de 500 m2 à côté de transformateurs électriques. La veille de Noël 1959, la ville passa alors un contrat avec les musulmans selon lequel elle cédait ce petit terrain pour une durée de soixante ans moyennant payement d'une somme de 3000 francs par an en vue de la construction d'une mosquée.

Depuis cet été, c'est la troisième fois que la présence de cette mosquée agite les milieux religieux zurichois.

Visite chez l'iman de la mosquée

En raison de cette nouvelle intervention au Grand Conseil municipal, j'ai décidé de prendre contact personnellement avec le chef même de la mosquée en question: Mushtaq Ahmad Bajwa. J'ai sonné à la porte d'un petit bâtiment surmonté d'un minaret élégant et d'une coupole plate. Un homme grand, mince, d'une quarantaine d'années, m'ouvrit la porte et me fit entrer dans une petite salle de réception accueillante, meublée « à la suisse » mais sans aucun tableau. C'était l'imam lui-même. Je lui demandai de me préciser sa position à l'égard des critiques. Tout en me répondant, il me servit du café et des petits fours sur une jolie table roulante. Il ne s'exprimait qu'en anglais.

Il se déclara très étonné par les critiques réitérées et me dit notamment: « Je ne comprends pas le pourquoi de toutes ces discussions sur notre mission musulmane. Comme les missions chrétiennes, nous travaillons dans le monde entier. Zurich est déjà la cinquième ville européenne à avoir une mosquée. Auparavant, j'ai été missionnaire pendant cinq ans à Londres, où la ville a mis à notre disposition un grand domaine et jamais je n'ai eu connaissance de réactions à ce sujet. En outre, nous travaillons aux Etats-Unis, au Ghana, Nigéria, Kénya, Tanganiyka, Ouganda, Malaya, Indonésie. Dans le monde entier nous avons 50 centres missionnaires dont dépendent 500 postes.

D'autre part au Pakistan, où se trouve le centre de notre mouvement, nous avons l'habitude des missions chrétiennes et personne ne s'étonne de leur activité. Elles sont même administrativement favorisées par rapport à la religion de notre peuple. Dans les principales villes du Pakistan, les missions chrétiennes construisent de très grandes églises dans les endroits les plus en vue.

D'ailleurs regardez la grande église protestante en face. J'ai pris immédiatement contact avec le pasteur et nous entretenons de très bons rapports. »

La réincarnation du Christ en Mahmud

Après l'entretien, j'ai demandé à l'imam la permission de visiter la mosquée. Elle se trouve au premier étage. C'est une pièce relativement petite. Elle semble grande parce qu'elle est entièrement vide. Le sol est recouvert d'un tapis rouge et la lumière vient de la coupole en verre irisé située au centre. Tous les vendredis, à treize heures, se tient ici un service religieux présidé par l'imam. A côté, une salle est réservée aux conférences auxquelles assistent les catéchumènes.

Dans le discours d'inauguration prononcé le 22 juin 1963, dont le chef de la mosquée me remet le texte au moment de mon départ, je constate qu'il s'agit réellement d'une mission: « Pour l'instant, le nombre de Suisses musulmans est encore très petit, mais notre mosquée ici est un message d'espoir pour l'humanité entière. Les fidèles de toutes les religions doivent être unis dans le seul Dieu pour prophétiser la vérité céleste. » Dans ce discours, l'imam parla en particulier du personnage religieux auquel est dédiée cette mosquée: Mahmud. Il est né le 12 janvier 1889 et sa présence signifie le retour de Jésus-Christ sur la terre.

Notre religion serait en quelque sorte, d'après les musulmans, une religion sous-développée ayant besoin d'être complétée par les enseignements de Mahomet, le dernier prophète en qui toutes les religions trouvent leur accomplissement.

En tout cas, il est intéressant de constater que, à l'époque de l'aide aux pays en voie de développement, les communautés musulmanes d'Afrique ont collecté assez d'argent pour la construction de la mosquée de Zurich afin d'apporter aux Zurichois un message religieux...

M. Baeschlin-Raspail

www.letempsarchives.ch/Repository/getFiles.asp?Style=OliveXLib:LowLevelEntityToSaveGifMSIE_LE... 1/1

Source: Baeschlin-Raspail, "Nervosité contre la mosquée de Zurich", *Journal de Genève,* 13 November 1963, p. 2.

Downloaded by [Washington University in St Louis] at 07:55 23 February 2015

Appendix 4: Federal council press release against the Minaret Ban

Federal Council opposes building ban on minarets: opinion on the popular initiative against the construction of minarets

Press Release, FDJP, 27 August 2008

Bern. The popular initiative against the construction of minarets has been submitted in accordance with the applicable regulations, but infringes guaranteed international human rights and contradicts the core values of the Swiss Federal Constitution. Such a ban would endanger peace between religions and would not help to prevent the spread of fundamentalist Islamic beliefs. In its Opinion, passed on Wednesday, the Federal Council therefore recommends that the Swiss parliament reject the initiative without making a counter-proposal.

The popular initiative against the construction of minarets was submitted on 8 July 2008 with 113,540 valid signatures. Its initiators wish to prohibit the building of minarets in Switzerland. They contend that such constructions symbolize a religious and political claim to power that calls into question the Federal Constitution and the Swiss system of law. In the view of the Federal Council, the initiative does not breach mandatory international law and is therefore permissible. Specifically, it does not infringe upon the core human rights that are recognized by all states and must be upheld by all. It is nonetheless irreconcilable with the various human rights that are guaranteed by the European Convention on Human Rights (ECHR) and by the UN Covenant on Civil and Political Rights (UN Covenant II)

Violates religious freedom and the discrimination ban

In particular, the initiative violates the principle of freedom of religion. Although the ECHR and the UN Covenant II permit religious freedoms to be restricted under certain conditions, those conditions are not fulfilled here. A general ban on the construction of minarets in Switzerland cannot be justified by the protection of public safety and order. It would rule out the necessary review of reasonableness on a case-by-case basis. Furthermore, the initiative disregards Switzerland's ban on discrimination. It targets an Islamic religious symbol in isolation while leaving the comparable symbolic constructions of other religions untouched.

Contradicts the core values of the Federal Constitution

In addition, this initiative, which purports to protect social and legal order in Switzerland, contradicts a number of the basic rights and principles that are rooted in the Federal Constitution: the principle of equality before the law and the ban on discrimination, the freedoms of religion and conscience, the constitutional guarantee of the right of ownership, and the principle of proportionality and the observance of international law. A ban on the construction of minarets would also represent a disproportionate degree of interference in cantonal power. Based on their applicable building and spatial planning laws, local authorities are best placed to determine whether or not a construction project should go ahead. There is no reason to deviate from this tried-and-tested system with regard to buildings for a specific religious community.

Ineffective in the fight against extremism

If the aim of the initiative is to put a stop to the growing influence of Islam in Switzerland, it will not achieve this with a general building ban on minarets. Neither does the proposal represent an appropriate means of preventing and combating violence on the part of extremist fundamentalist groups. Federal and cantonal regulations on both domestic security and non-Swiss individuals already provide for effective measures to prevent such activities and protect Switzerland's constitutional foundations. The provisions governing the activities of foreign imams in Switzerland are an example here.

Endangers peace between religions; hinders integration

A ban on minaret construction might endanger peace between religions and hinder the integration of the Muslim population—the overwhelming majority of whom respect Switzerland's legal and social order. Finally, the passing of this popular initiative would not only be met by consternation among the international community, but would also damage Switzerland's standing around the world. This might, in turn, have a negative impact on the security of Swiss facilities and the interests of the Swiss economy. Like members of other religious communities, Muslims in Switzerland cannot invoke their faith to justify non-observance of universally applicable laws. As such, the state has no cause to impose stricter rules on the practice of this faith.

Downloaded by [Washington University in St Louis] at 07:55 23 February 2015

Source: Luzius Mader, "Federal Council opposes building ban on minarets", *Federal Department of Justice and Police*, 27 August 2008, Web, 18 June 2012, http://www.bj.admin.ch/bj/en/home/documentation/medieninformationen/2008/ref_2008-08-27.html.

Downloaded by [Washington University in St Louis] at 07:55 23 February 2015