Immigration in the Context of Religion with Case Studies of France and Hungary

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IMMIGRATION IN THE CONTEXT OF RELIGION WITH CASE STUDIES OF
FRANCE & HUNGARY

by
Melissa L. Garand

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of the Requirements for a Degree with Honors
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ABSTRACT

In a backdrop of rising nationalism and far-right populism, the position of refugees and asylum seekers in the European Union (EU) since the 2015 immigration crisis has been placed under stress in both policy and practice. The identity of many of these recent immigrants as Muslim has further compounded the barriers faced in the immigration process as religiously motivated forms of marginalization through policy, practice, and rhetoric have been increasing in salience. This context allowed for the research question driving this thesis to develop as: How does the relationship between immigration and religion shape the experience for Muslims asylum seekers in France and Hungary? Policy analysis and its implementation will be the central focus of this paper.

The mainstream quality of Islamophobia is contributed to in France and Hungary, as well as across the rest of the EU, by the presence of far-right populist parties which stake their political motivations in highly exclusionary nativism which most frequently targets foreign-born populations. Though the populist leaders and groups in France and Hungary are not the causation of xenophobic sentiments, their existence has catalyzed the integration of radical right politics into the regular sociopolitical climate in the EU. Thus, the correlations examined in this paper are between the immigration and religious polices, practices, and sentiments in both France and Hungary as related to their citizens, Muslim immigrant groups, the EU system, and populism. The analysis and research findings are rooted in literature review of primary and secondary sources as well as quantitative data and value sets. Ultimately, this paper argues that the EU has been weak in implementing and enforcing immigration policy.
ACKNOWLEDGEMENTS

I would like to express my appreciation to Dr. Tijerina for his time, energy, and dedication to both this thesis and my own academic betterment as without him this project would not have been possible. Additionally, I also offer my special thanks to Dr. Vekasi for being a professor, mentor, and role model during my undergraduate career in International Affairs.
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INTRODUCTION

Spring of 2019 marks the eighth year of the ongoing Syrian Civil War which commenced as part of the Arab Spring socio-political revolutions in 2011.\(^1\) This violent conflict in Syria caused the formation of one of the largest humanitarian crises of this decade, with nearly 6 million people fleeing the nation as refugees, and an additional 6.6 million left internally displaced (UNHCR, Government of Turkey, 2019). The immigration of refugees and asylum seekers from not only Syria, but also Afghanistan, Iraq, Pakistan, Nigeria, and more (Migration Policy Institute, 2018) to the EU reached its peak in 2015, with 1.3 million people seeking asylum applications (Eurostat, 2019). This arrival influx of third-country nationals and stateless persons on the EU’s external borders created policy stress, inter-EU tensions, and a feeling of crisis among many citizens. Due to the majority of these immigrants’ identity as Muslim, religion and ethnicity become direct sources for anti-immigration groups to attack. The refugee crisis since 2015 has played key role in catalyzing both pro and anti-immigration sects of EU member-states, with pressures on immigration policies at all levels becoming one of the most important socio-political movements of the past five years.

The EU’s governmental, legal, and institutional structures bore massive stress as citizens and states both conformed to or rejected policy plans to cope with the large influxes of refugees. In particular, the immigration policies of the EU became

increasingly less popular as member states began to demonstrate their preference for domestically set systems of immigration rights. Though the EU has managed to maintain their top-down control of member states through this immigration crisis, key events such as Brexit and multiple refugee quota rejections, rooted in the distaste for the EU level policies, have highlighted the weaknesses of the EU in its ability to have complete enforceable control over its immigration policy.

While the party which controls France, la République en Marche, of current President Emanuel Macron, is centrist and pro-immigration, the main opposition party is from the far right, Le Rassemblement National, the National Rally. This is the political platform of prominent populist leader Marine Le Pen. Though Marine Le Pen has since renamed this famous populist political party of her father Jean-Marie Le Pen from the Front National to the RN, the messages and practices differ only slightly in order to distance herself and the party from its anti-Semitic roots. Anti-Immigration policy reform remains the key rallying point of the RN, stemming from the nationalism and Islamophobia which the RN has been propagandizing on since the time of Marine’s father (Kuru, 2008, p.13). For France, which has taken in an increasing number of asylum applicants since 2015 (Eurostat, 2019), the emergency response plans and reallocation schemes installed by the EU have been essential to the implementation of effective immigration, yet prominent Islamophobic sentiments have continued to rise in political attention and support. Compounded upon by the strong anti-immigration oppositional factions, the historically troubled relationship between church and state in France has furthered the tensions with which the highly secular nation viewed and reacted to its
increasingly large Muslim populations. Though Islam has been in France for hundreds of years, the outwardly more recognizable religious and cultural signals of dress deepened *laïcité* secularist tensions between these immigrants and the national Christian population. French ultra-secularists view Muslims as incompatible with their way of life. The *Rassemblement National* took hold of this tension and increased the salience of anti-immigration policy preferences via a nativist stance which targets Muslims.

Like many other EU states, Hungary experienced increased rates of immigrant arrivals to their direct external borders, as the nation is at the head of the Western Balkan Migration route for immigrants moving over land out of the Middle East. However, Hungarian political reactions to immigration waves took a more exclusive and controversial turn than those in France, with highly restrictive policies and refugee refusals becoming the norm. Far-right populist party *Fidesz – Magyar Polgári Szövetség*, *Fidesz*- Hungarian Civic Alliance, is the main proponent of anti-immigration policies in Hungary. This party is led by Viktor Orbán who, with his consistent position as Prime Minister since 2010, has directly aided in fostering the sociopolitical climate that favors the rights of the native Christian Hungarian citizen over all other groups, relying on the propagandized spreading of both nativist and Islamophobic sentiments and policy practices, even before the 2015 refugee influxes.

The uses of Christianity as a majority practice, secularly unifying system, and nationalist ideal by Orbán reflects a patterned historical use of Christian church groups as resistance strongholds against exterior forces in Hungary, such as the invocations of the

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Christian state during the inter-war period or more recently against Soviet communism. This utilization of Christianity as a unifying measure today furthers the rejection of Muslim immigrants and refugees across the nation as well as at the highest levels of state. Hungary’s relationship to the EU and other member states allows for the Orbán administration to have success in supporting legally unacceptable practices, to an extent, as Hungary and other Eastern European nations are equal members of the European Union, their position, especially in the economic sector, is inferior to that of Western member-states.

The Eastern European and ex-Soviet Union territories absorbed by the EU expansion of 2004 transformed these regions into cheap labor markets to benefit EU business interests (Bohle & Greskovits, p.10). Though manufacturing, agriculture, and other labor intensive, low-credential sectors employ many Eastern EU citizens, the factories, companies, and even banks remain predominantly foreign owned by citizens of Western member-states (Roubini, 2009). Therefore, Hungary is in an economically inferior yet essential position to support interests of western EU states like France, which allows for more leeway in what is considered liberally acceptable in their policies. However, this has begun to change slightly as Hungary has faced recent consequences for certain anti-immigrant and illiberal actions. With closed and exclusionary immigration policies, practices, and sentiments being rooted in the preference for ethnoreligious

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homogeneity among the government and citizens of Hungary, the nation is a case both of an analogous and oppositional to that of France and the larger EU.

The key political groupings which have been pushing for anti-immigration policies in both France and Hungary as well as across the EU are ideologically categorized as part of the right wing populist movement, and have been so viewed for decades (Pappas, 2013, and Mudde, 2013). While right wing populist political parties do not create anti-immigration sentiments or Islamophobia, their messages and platforms have noticeably enhanced the mainstreaming of such stances (Mudde, 2013). Though populism is an ideology utilized by many other political ideologies other than those that are right leaning, the prevailing populist groups of Europe have been majority right-wing in the past two decades. The dominant populist political parties of France and Hungary, the RN and Fidesz respectively, are no exceptions to this right-wing mainstreaming, and continue to function on their historical platforms. The RN and Fidesz, through their outspoken leaders, rely on populism’s quintessential ‘us’ versus ‘them’ Manichean style duality between the sovereign native population, and the elite who preferentially support foreign peoples (Mudde, 2004). Thus, the anti-immigrant and institutionalized Islamophobic policies are not surprising stances for Le Pen or Orbán to prefer. The eminence and publicity of anti-immigration sentiments since then have been increasing in part due to the prominence of these right-wing populist groups and their highly vocal leaders.

Based on this context, the research question which drives this thesis is rooted in the search for correlative synthesis of the relationships between immigration policy and practice in the context of religious laws and preferences for both the governments and
citizens of France and Hungary as related to third country nationals immigrating to the European Union, which is specifically focused on the refugees and asylum seekers who are Muslim. Research which addresses the utilization of religion as the main factor of marginalization of minority groups in the EU is the driving mechanism for the research question: How does the relationship between immigration and religion effect Muslim immigrants in policy, practice, and sentiment in France and Hungary?
METHODOLOGY

This paper is based near equally on both recent literature and quantitative survey data from sources such as Pew Research Center and Eurostat. Primary sources, such as domestic law and international treaties, are important to the legal foundations and understandings of the European Union and its hierarchical relationships to the member states and their sovereign policy practices. Secondary sources from academic journals, periodicals, working papers, and other texts are the theoretical and intellectual foundations of the ideologies, recent history, and discussions to come. As the political underpinnings this thesis are that of populism, the work of Dr. Cas Mudde on the subject was relied on as the crucial foundational literature and scholar on this ideology. By processing such materials with lenses focused on liberalism, secularism, and humanitarian concern, the research sources were selected with the goal of comprehension of these ideologies as well as synthesis with practical understandings of the highly recent and current relationships of the France and Hungarian lawmakers with their citizens and immigrant populations inside the EU.

When selecting the case studies of France and Hungary there were three important sources of variation the cases needed to provide for this research to demonstrate a level of generalizability in patterns to the scope of the larger EU. The member-states which were chosen for studying this relationship between immigration policy and religion in the EU were selected as to look at the implications in a more liberally compliant state, France, and one with more provocative and illiberal markers in policy, Hungary. This liberal-illiberal divide between the two states policies and practices is best understood by defining the two terms in this research context where liberal means support for ideals of
human dignity, freedom, democracy, equality, rule of law, and human rights (“The EU in Brief,” 2019) while illiberal references support for policies, practices, and norms which are oppositional to any of these EU values. The populist parties of the two nations capture this variation further as Le Pen of France’s RN has been attempting to remake the image of her party as more liberally acceptable via her rhetoric and public stances becoming less xenophobic and racist in appearance. However, this does not mean that Le Pen or RN supporters are leftist in the content of their policy preferences, just that the way in which the party is presenting its media image is attempting to conform to what attracts the most support in France (Froio, 2018). This differs entirely from Orbán’s populist platform as liberalism and political correctness are part of the ‘other’ group which Fidesz stakes their platform firmly against (Pappas, 2013).

The next source of variation which the case study selections of France and Hungary capture is in the east-west divide across Europe. As previously mentioned, the eastern nations of the EU are viewed and institutionally positioned to be inferior the western states, such as France, in economics, politics, and other norms. This western state superiority complex is reflected most deeply in the economic sector, however these differences extended into humanitarian policy and practice realms. The actions of eastern bloc EU-states such as Hungary, Poland, or Bulgaria are all heavily criticized among EU parliamentarians. However, these states are continually allowed to practice their less than favorable immigration policies as they secure the EU’s borders from the truly unwanted refugees from the Middle East and North Africa. This in turn benefits the western states who are not allowed to act outside of policy normalcy to the same extent as their eastern counterparts, and without member-states such as Hungary to block immigrants from
accessing EU and Schengen zones, the western EU states could not continue to maintain their more accepting policies on paper, no matter their practices.

While the east-west divide is highlighted best by the choices of France and Hungary, they also capture some north-south divide variance in the European Union. France, being grouped with the northern European states is due not only to geography but wealth and stability as the northern states are divided along the same lines of prosperity and superiority as those categorized western rather than eastern. While the gap between the economic variances in the east-west divide have been narrowing this is not true for the north-south economic divide which has been widening (Strupczewski & Guarascio, 2018). This is exemplified by the economic and humanitarian crises in Greece and Italy. While Hungary is certainly grouped with the southern states in this division of the EU, it is more accurately a reflection of eastern and central patterns, hence the north-south variance is the weakest capture in this case selection strategy.

The final sources of variation that were predicted to occur across the two cases, but were not actually selected for are the variances on immigration policies, the level to which the right-wing populist parties have governmental power in the nation, religious law variance, as well as Muslim population sizes. These are the dependent sources of variation in the case studies.
CHAPTER 1

IMMIGRATION & RELIGIOUS POLICIES

European Union

Though the roles and membership of France and Hungary in the European Union have varied over time, at the peak of the immigration crisis in 2015 both member-states were actively bound by the same legal norms and institutions. However, the ways in which the nations handled the increasingly prominent position of immigrants varied drastically over the next four years. France took a more proactive and liberally acceptable approach, attempting to meet EU mandated quotas, integrate immigrants, and promote multiculturalism. On the contrary, Hungary refuted quota plans, promoted ethnoreligious homogeneity of white Christians, and scapegoated Muslim immigrant groups for both domestic and international problems. Though France and the EU are not without their own struggles in regards to the handling of immigration and religion, the variances between the EU policies and those of these two member-states are notable.

While France has been a member nation of the EU since the original six nation group in 1958 (France: European Union, 2019), Hungary was only able to join in 2004 with eight other eastern European nations, and Malta (Hungary: European Union, 2019). Membership in the EU is marked by acceptance, compliance, and solidarity with all legal protocols, as well as other member states. As the EU is founded in legality on the international scale, a series of treaties which are foundational to the union are amended occasionally, such as the updates during the 2004 EU expansion (EU Treaties: European Union, 2019). However, these treaties as well as new legislation are adopted democratically with the European Parliament, thus, adoption and adherence to such
treaties, including the EU Charter of Fundamental Rights, are the most basic conditions of EU membership.

One of the foundational treaties which has explicit implications for unification on EU immigration policy is the Lisbon Treaty of 2007, in Chapter 2: Policies on Border Checks, Asylum and Immigration (Treaty of Lisbon). Since the goal of overarching unification of EU policy on immigration and asylum for third country nationals is legalized here, when the need for enhanced solidarity and competence during the immigration wave in 2015 was evident, this treaty was used as the guide to proceedings. Article 78 is most direct in asserting that the EU:

“shall adopt measures for a common European asylum system comprising: …a uniform status of subsidiary protection for nationals of third countries who, without obtaining European asylum, are in need of international protection; …a common system of temporary protection for displaced persons in the event of a massive inflow” (Consolidated Versions of the Treaty on the European Union).

The President of the French Republic and the President of the Republic of Hungary are both agreeing signatories to the Lisbon Treaty updates and reinforcement as of 2009 (Treaty of Lisbon). This and all EU enacted immigration policies are in accordance with international humanitarian law, especially noting the parameters of human rights outlined in the Geneva Convention.4

Additionally, foundational to the immigration policies set by the EU are the Treaty on the Functioning of the European Union, the Schengen Area, the Common European Asylum System, and the jurisdictions of the European Court of Human Rights and the European Court of Justice.5 With its installation in 2012 to help with the unified

climate of the Lisbon Treaty, the Treaty on the Functioning of the European Union, TFEU, solidified the legal and holistic approach with which the EU can set law within its institutions (Consolidated Version of the Treaty on the Functioning of the European Union). The Schengen Area, verified in 1985 (European Commission, 2015b), is heavily relied on in TFEU as the premises of the Schengen Area is a Europe without internal borders. Therefore, with all cross-border travel of EU Schengen states being deregulated, the need for common policy on all the external borders of the Schengen area of free travel was required. This is where the TFEU both relied on and built up the legal validity of EU capabilities regarding immigration policy at border controls. Both France and Hungary are non-island Schengen area states, meaning they share the common, physical external and internal border controls set by the EU legislative powers, as stated in TFEU, Article 67 (2) where member-states “shall frame a common policy on asylum, immigration and external border controls, based on solidarity between Member States …stateless persons shall be treated as third-country nationals” (Consolidated Version of the Treaty on the Functioning of the European Union). All third country-nationals are non-EU member state citizens.

The Schengen boundaries and polices on border check procedures for immigrants were set with the Common European Asylum System, CEAS, and its sub-regulations in 1999. While many forms of immigration law comprise CEAS, the most important legal agreements are the Dublin Regulations or Dublin III (“Common European Asylum System,” 2019). The Dublin Regulations established safeguards for the review and claim

Schengen Area and Cooperation Text: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM%3Al33020
European Court of Human Rights jurisdiction: https://www.echr.coe.int/Documents/Convention_ENG.pdf
making process of asylum in the EU, directing that the first EU member-state which the asylum seeker arrives in is the state that is domestically responsible for that asylum seeker’s application and review process for the right to immigration (European Parliament, 2013). While the Dublin Regulations were meant to insure equality in burden sharing of asylum applications, the regulations instead caused too large a burden to be bore by Greece and Italy during 2015 as the majority of asylum seekers entered the EU through these two nations Mediterranean coastlines. Due to the stress placed on these two states under CEAS Dublin, the reallocation schemes and refugee quota plans were created to cope with the unequal burden sharing of asylum seekers during the years of the immigration crisis.

Upholding the legislation of the EU are the European Court of Human Rights and the Court of Justice of the European Union, which both Hungary and France are within jurisdiction of. While these courts are international legal mechanisms for dispute settlement which have treaty laws, including punitive measures, to enforce their validity and existence. For example, when Hungary was mandated to be compliant with the EU Refugee Reallocation program in 2015, they failed their quota and passed laws “criminalising activities in support of asylum and residence applications” (European Commission, 2018). Thus the EU sent Hungary to the CJEU where they were found in violation of the Commission’s requirements (Court of Justice of the European Union, 2017). With a ruling in favor of the Commission program following, Hungary became the first EU member-state which Article 7 of the founding Treaty of the European Union was invoked against, via deeming Orbán’s Hungary a threat to the EU’s most precious values: equality, judicial practices, corruption, and freedoms, including that of the freedom of
religion, are key at-risk concerns (European Parliament, 2018). With the reality of sanctions or potential voting rights suspension built into the EU being actively utilized, the punishments for not acting with solidarity over immigration demonstrates the EU’s level of ideological commitment to equality. National compliance with international standards is a clear requirement of the European Union.

Under the refugee reallocation plans from 2015, France was set to receive between 11.87 - 14.17 percent, or a minimum of 2,375 persons, of the total immigrants needing reallocation services from Greece and Italy, while Hungary was set to receive between 1.53 - 1.79 percent, or a minimum of 307 persons (European Commission, 2015a, p. 22). France has completed 96% of their pledged immigration resettlement program from 2015, while Hungary did not pledge any reallocation under the July 20, 2015 plan (European Commission, 2018a, p.53). Notably, Hungary participated fully in their legal commitment to provide border guard officers for the European Border and Coast Guard Agency, FRONTEX, at a total of 65; France also fully complied with this requirement (European Commission, 2018a, p.25). The resource use choices by Hungary under reallocation schemes is reflective of the stigma that refugees need to be kept out of the nation rather than allowed in. Resettlement pledges were made again in 2018 under the frame work of the European Juncker Commission, with France pledging to relocate over 10,000 to this Resettlement and Legal Migration scheme, and Hungary pledging zero (European Commission, 2018a, p.31). Yet Hungary is not alone in the refusal of EU immigration reallocation schemes, as it was one of three member states to fail to respect their legal obligations with regular pledges and relocations in this most recent round (European Commission, 2018a, p.51).
While it is clear the EU has stark guidelines regarding immigration, they also have policies about religious freedom which are more broadly defined in treaties and foundational obligations. As the EU has no official religion and holds equality at the heart of its values, continual assurances of religious freedoms are the focus of any and all policy. In 2013, the EU adopted the Guideline on the Promotion and Protection of Freedom of Religion or Belief as a manifestation of the EU’s policy commitment to the Universal Declaration of Human Rights and International Covenant on Civil and Political Rights (International Cooperation and Development). The EU Charter of Fundamental Rights is foundational to this series of guidelines with Article 10 of the Charter ensuring the “freedom of thought, conscience and religion,” as well as Article 21 ensuring “non-discrimination,” and Article 22 addressing “cultural, religious and linguistic diversity.”

With such legal assurances made by the EU, the laws of each member state must be accordance with the larger international legal obligations to the EU which are maintain the solidarity on freedom of religion.

France

France has clear international legal obligations to meet as terms of EU membership, and the state further possess a national level immigration policy. These immigration policies are founded in the 1958 Constitution of the Fifth Republic of France, in Article 53-1 (“France's Constitution of 1958 with Amendments through 2008,” p.18). This dual sentiment article outlines that the French government will uphold asylum requests to the replicable standards of the other European states which partake in the same “protection of human rights and fundamental freedoms,” as a solidarity assurance

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6 See the Charter of the Fundamental Rights of the European Union, 2012 for the full legal text.
(“France's Constitution of 1958 with Amendments through 2008,” p.18). The second part of the article reserves France’s domestic right to extend asylum grants as they see fit, beyond the terms of the other European standards (“France's Constitution of 1958 with Amendments through 2008,” p.18). With France being party to CEAS and therefore the Dublin Regulations, the solidarity assurances of the national policies proved to be held true as France extended its compliance with the Refugee Quota system to ensure solidarity and equality in the en masse immigration since 2015.

More technical parts of French immigration policy were recently revised and enacted into law in September 2018 under la loi pour une Immigration Maîtrisée, un Droit d’Asile Effectif et une Intégration Réussie, the Law for a Managed Immigration, an Effective Right of Asylum and a Successful Integration (Loi no° 2018-778, 2018). While this law has been received with acceptance by the EU, it was not without criticism from leftist sects of the nation as well as sources such as Human Rights Watch. The HRW critique called French law makers “shameful” for weakening safeguards for asylum seekers with this bill through the curbed appeal rights brought on by decreasing the asylum application deadline to 90 days (Marquis, 2018). There was also a two-fold increase to the amount of detention time an illegal immigrant can face before deportation, now 90 days as well (Marquis, 2018).

This 2018 law is an update to a law from two-years, la Loi Relative au Droit des Etrangers en France, the Law Regarding the Rights of Foreigners in France,⁷ which was aimed at immigration for the retention of talent and business professionals as well as

⁷ For full legal text in French, see: https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000032164264&categorieLien=id
expanding some rights for temporary visa and work permits will maintaining irregular and illegal migration rules in accordance with preexisting EU directives (European Migration Network, 2016, p.3). While the 2018 revisions were also aimed at making immigration easier for those deemed ‘talented professionals’ in France, new implications for asylum seeker’s rights were added. For example, subsidiary protection recipients received an increase in their residence permit time from one to four years, and legality of practice was granted to those assisting undocumented migrants exclusively for humanitarian purposes (Marquis, 2018). However, asylum portions of French immigration law were most heavily redefined in the 2016 law. Here, the national penal code increased the level of criminality for the provision of false identity papers, and chose to “reintroduction of controls at the internal borders” of France on other Schengen zone nations (European Migration Network, 2016, p.2).

These internal borders controls in France were implemented as part of the national response plan to the irregular immigrating flows following 2015, though the late 2015 terror attacks in Paris were the catalyzing moment in this choice. These border checks were part of the national state of emergency which was set to last for two years from late 2015 through 2017 (Boring, 2016). These internal border controls were renewed in 2017, when they were originally set to expire with the national state of emergency, to last until the end of April 2019, reflecting still prevailing concerns about national security and migration flows (European Commission, 2019a, p.1). France is one of eight Schengen zone states set to have border controls expire this year, however France has not officially declared if they will renew these internal border checks (European Commission, 2019a, p.1). If they choose not to renew, all border check controls for immigrants entering
France would occur on exterior EU-Schengen borders. This leaves only direct arrivals, such as air and maritime arrivals, from third-countries in the control of French customs.

The relationship between religion and state in France has a long history of oppression as a source of conflict between an elitist bourgeoisie, which included a powerful cleric class, and a systematically repressed proletariat.\(^8\) Within this social context as a root cause of the French Revolution, the total removal of any linkage between governance and religion was enacted fully by 1905 in *la Loi Concernant la Séparation des Eglises et de l’État*, the Law Concerning the Separation of Church and State, now commonly known as the French secular principle of *laïcité* (*Loi du 9 décembre 1905 Concernant la Séparation des Eglises et de l’État*, 2018). This particular *laïcité* brand of secularism is not only legally adhered to over a century later, but is now a foundational element of the French republic and societal norms.\(^9\)

The principles of *laïcité* range from common secular-liberal values, with Article 1 ensuring the freedom of religion and thought or Article 2 formally renouncing any religion of the state being recognized, all the way to Article 26 dictating that places of regular religious service cannot hold political meetings (*Loi du 9 décembre 1905 Concernant la Séparation des Eglises et de l’État*, 2018). Following this deeply secular tradition, a 2004 banned all religious “clothing or other attire” from public schools, as they receive state funds and thus must be a totally secular system (“Secularism and Religious Freedom”). Additionally, the Parliamentary Commission to Study the Wearing of the Full Veil in France spurred the 2011 public national ban on the burka and niqab, the

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\(^8\) For additional historical background see: https://muse.jhu.edu.proxy.ursus.maine.edu/article/716768
\(^9\) For additional history of *laïcité* see: http://www.pewforum.org/2005/12/09/100th-anniversary-of-secularism-in-france/
full-face head coverings of deeply modest Muslim women. This direct attack on Islamic practices by the state is till justified by political elites and the French public alike, citing security concerns and incongruence with laïcité principles as legal reasons for the ban (Atwill, 2010). It was not until late 2018 that a UN committee decisively said the French government has violated Muslim women’s right to the freedom of religion, though nothing has yet been done to change the legal system (UN Human Rights Committee, 2018). While these practices may seem extreme or even reversely oppressive, the French view of their secularism is such that outwardly demonstrative religious practices infringe on the:

“freedom of conscience for everyone; this includes the freedom to believe or not to believe, to practice a religion, to be atheist, agnostic or to be an adept of humanist philosophies, to change religion or to cease to have any religion” (“ Freedoms and Prohibitions in the Context of ‘Laïcité’ ”).

Under laïcité principles, public society is not a religious setting in France in order to protect religious rights. For the French government, the total and complete separation of church and state and public society is essential to maintaining religious freedom, thus religions, especially Islam, which are not as easily conformist to this deep form secularism are viewed as posing threats to the French way of life and values. While formal restrictions on public religious display in France do exist and their immigration policies have faced a level of dissatisfaction, the laws and norms of Hungary deviate from this secularism and liberal immigration practice in more restrictive ways.

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10 See the full text of the law, in French here: http://www.assemblee-nationale.fr/13/pdf/rap-info/i2262.pdf
Hungary

Hungary maintains many of the same basic tenets of both France and the European Union as it continues to ensure the right of immigration and has no official national religion in any policy. The constitution, the Fundamental Law of Hungary, was rewritten in 2011 after Viktor Orbán was re-elected as Prime Minister the year prior after a near decade long absence from holding the position since 2002. While Orbán and his far-right party Fidesz have the reputation of perusing illiberal values which contradict the ideals of the EU, the 2011 updated constitution still holds, in Article XIV, that Hungary will:

“grant asylum to non-Hungarian citizens being persecuted or having a well-founded fear of persecution in their native country or in the country of their usual residence for reasons of race, nationality, membership of a particular social group, religious or political belief” (Ministry of Justice Hungary, 2018, p.11).

Yet, the legal and political actions of the current government have been near contrary to their own laws, and therefore the EU. In early 2018, a new series of immigration restrictions were passed by the Hungarian Parliament almost unanimously in the form of amendments to their: Constitution, Police Act, Act on Asylum, Criminal Code, Act on the State Border, and the Act on Misdemeanours (The Hungarian Government, 2018). Both the government and public referenced this as the ‘Stop Soros’ legislative package, referring to the Hungarian-American mogul George Soros and his liberal, pro-immigration sentiments. This bill included an amendment to Article XIV mentioned above stating that entering Hungary through a nation which is not posing direct threat to the immigrant or asylum seeker will not entitle them to asylum (Ministry
of Justice Hungary, 2018). This is a direct attack on the EU refugee quota system as Hungary has now domestically illegalized the moving of reallocation plan immigrants from their technically non-persecuted locations in Italy or Greece. This legislative packaged was the defining choice for the EU to move against Hungary in infringement procedures in September of 2018 (The Hungarian Government, 2018, p.73).

According to the unofficial English translation of this new legal package, provided by the Hungarian human rights organization and UN Refugee Agency Partner since 1998, the Hungarian Helsinki Committee and the Minister of Interior, both “facilitating unlawful residence” and “facilitation of illegal immigration” have been added to the Criminal Code (Pintér, 2018, p.5). The legal definition of facilitating illegal immigration was redefined in section 11 of the Criminal Code to include “anyone who provides financial means for committing the criminal offence specified in Subsection (1), or who regularly carries out such organisational activities, is punishable by a term of imprisonment of up to one year,” (Pintér, 2018, p.6). The first subsection now includes criminal offenses for all who are part of “unlawful crossing of the border barrier… damaging the border barrier… the obstruction of the construction work on the border barrier… [and] human smuggling” (Pintér, 2018, p.2). While these latter three additions are seemingly harmless, the wording enables the law to be applied to humanitarian providers of assistance to undocumented individuals, which is in exact opposition to the law which France just passed. Amidst this legal battle around immigration and the refusal to accept immigrants as part of the EU Commission Program, Hungary still reported accepting 36,453 immigrants in 2017, over 10,000 higher than their 2015 number at the peak of the immigration crisis (Hungarian Central Statistical Office, 2018b). Of these in
2017 immigrants, 3,397 were asylum applicants only 106 individuals were granted refugee status and another 1,100 were subsidiary protection recipients (Hungarian Central Statistical Office, 2018a). However, the immigrants whom Hungary chooses to grant asylum are often not those in the most need, with the nation’s practices of immigration being geared biasedly in favor of those who fit the traditional ethnoreligious composition of Hungary better than a refugee who is from the Middle East or is Muslim would.

The Fundamental Law of Hungary is also the basis and bias source of religious policies. The preamble beings with “God bless the Hungarians” and the National Avowal maintains outright four references to Christianity, including homage to a saint who “made our country part of Christian Europe,” as well as “we recognise the role of Christianity in preserving nationhood,” while the separation of church and state is simultaneously guaranteed in Article VII (3) (Ministry of Justice, 2018, p.2, 9). Additionally, “everyone shall have the right to freedom of thought, conscience and religion” is secured by the same article in section one (Ministry of Justice, 2018, p.9). Article XV also secures all fundamental rights “without discrimination on the grounds of race, colour, sex, disability, language, religion, political or other opinion, national or social origin, property, birth or any other status” (Ministry of Justice, 2018, p.11).

However, the Law on the Right to Freedom of Conscience and Religion, and on Churches, Religions and Religious Communities in 2011, part of Orbán’s constitutional reboot required all religious groups to reregister for ‘church’ status perks by process of Act C: “For an association to be recognized as a church, the vote of two-thirds of the Members of Parliament shall be required” (Ministry of Justice, 2018, and Hungarian
Parliament, 2011, p.5). This law placed direct control of church status benefits such as tax
breaks and religious representation in the military, in control of the government. The
outcome produced a serious hindrance to religious freedom as the total number of
‘church’ status religious houses was reduced from 350 to just 14 (United States
Department of State, 2012, p.8). Hungarian politicians still currently hold this right to
dictate which select religions receive benefits via the creation of an annex of recognized

The first annex of just 14 religions approved with the initial law consisted of 11
various Christian religions, and 3 Jewish groups (Hungarian Parliament, 2011, p.17).
Notably, there is no mention of Islam, Buddhism, Hinduism or any other Hungarian
minority religion as state recognized. When outrage ensued from the exclusion all non-
Judeo-Christian religious affiliations, an expanded annex of 18 more religions were
added two months later, which included two Islamic organizations (United States
Department of State, 2012, p.3). The annex now totals at thirty-two lawfully recognized
church status groups by the government, but the direct attempts by the Orbán government
to exile certain religions should not go unrecognized (United States Department of State,
2012, p.8). Thus, the official stance of the Hungarian government on religion is
technically secular, but religion, specifically in the form of Christian unity, is used as a
sociopolitical platform for a variety of parties, policies, and campaigns, including current
controlling party Fidesz.
CHAPTER 2

IMMIGRATION PRACTICES & SENTIMENTS

The implementation of all policies regarding immigration looks far different in practice than on paper for every nation. Unfortunately, even the best laid polices for safe and effective immigration often fall short in many ways ranging from health practices, timeliness of process, selection biases, and even human rights violations. Compounding the problem of policy implementation are the xenophobic sentiments of different far-right groups. With portions of France and Hungary’s populations maintaining staunch opposition to immigrants, continuous problems have unfolded across both nations even as the total number of immigrants has continuously declined since its peak, suggesting ideological opposition to immigrants is sourced from a deeper level of opposition than solely xenophobia.

France

Across France, immigrant slums such as the Calais Jungle, which at its peak was the largest “informal refugee camp [in France] with a population of 10,000 before its demolition in November 2016,” have been dismantled in an attempt to provide not only better policy practice but improve the image and reputation of the nation (Dhesi, Iskajee, & Davies, 2018, p.140). However, best practice of the immigration process is still not being fully implemented. The mal-practices at the Calais camp, including issues ranging from food scarcity and lack of safe water, to unsafe shelters and inadequate waste disposal systems, demonstrate a lack of effectivity in domestic immigration practices.
(Dhesi, Iskajee, & Davies, 2018). Though the Calais camp has been demolished, it was not the only refugee encampment in France with others, whether set up by the government or not, existing in Dunkirk at La Linière, multiple sites around Paris, and a many across the southern regions near the Mediterranean and Italy, such as the accommodations in Marseille.\(^\text{11}\) The government supplied shelter programs for asylum seekers come in five types, ranging from the most prominent called CADA, *Center d’Accueil de Demandeurs d’Asile*, which has 40,450 spots for regular reception, to emergency shelters programs such as AT-SA, *Accueil Temporaire – Service de l’Asile*, with just shy of 6,000 places or HUDA, *Hébergement d’Urgence Dédié aux Demandeurs d’Asile*, with over 18,000 (Saligant, 2017). The existence of these shelter programs is meant to diminish the existence of unofficial encampments, which are part of the ongoing problems due to the lack of capacity to receive and maintain large numbers of asylum seekers during the application process. Such contained settlement programs are contributing to failing sociocultural assimilations of France’s immigrants, as well as giving certain political groups highly visible reference points for why they are anti-immigrant.

Though there are distinct struggles for those living for months and even years inside these encampments, the forces driving immigrant masses to settling in both official and informal groupings is not only due to unprecedented influx numbers, but rather by the bureaucratic processing of these immigrants’ papers. Out of France’s 145,000

applicants for immigration papers in 2015-2016, 59% of those were still waiting for decisions on their submitted applications at the start of 2017 (Connor, 2017, p.10). It is this timely and costly waiting process for asylum applicants that gives rise to encampments and substandard living conditions. Additionally, Eurostat reports only 3% of those who are denied their asylum application are being returned to their state of origin (Connor, 2017, p.3), leaving them illegally residing inside the EU, mostly in poverty as they are now both undocumented and stateless.

The first time asylum applicant rejection rate in France was reported by the Ministry of Interior to be at 73.2% in 2017 out of the 100,000 applications received (Saligant, 2017, p.9). Demonstrated in figure 1 below, the 2017 the top six applicant nationalities were Albanian, Afghani, Haitian, Sudanese, and Guinean, and then Syrian (Saligant, 2017, p.9). While the correlation between Albanians being the top awaiting decision applicants across the EU at the start of 2017 is therefore an unsurprising statistic for the France, almost all Syrian applications were processed with only 20% still awaiting decision across the EU, while 89% of the total Albanian applications had not yet been responded to (Connor, 2017, p.8). Though appeal procedures exist, they are also timely and inefficient, with only 16.7% of appeal decisions being positively overturned to refugee status or protection grants (Saligant, 2017, p.10). The average wait time for a decision on an individual’s right to asylum over 2015-2016 was five to seven months in France, regardless of nationality (Connor, 2017, p.12).
Figure 1: This figure shows the rates of status reception by percent of total based on country of origin nationality in France during 2017 for: refugee status, rejection rates, and subsidiary protection.

While the conditions at immigration sites and the timeliness of the application processing for asylum seekers are the largest contributing factors to the less than prefect practice of immigration policy in France, there are larger sociotropic attitudes of portions of the French population which help build stigmas around refugees. Though these are not the majority sentiment or political alignment of the voting population of France as 79% support taking refugees (Connor, 2018), and 58% from another study conducted a year prior do not support the sentiment that immigrants place a burden on the welfare systems of the nation (Special Eurobarometer 469, 2018, p.77), there is support for far-right messages which stage themselves in populism, nationalism, and xenophobia.

Specifically nationalism as a majority preference on immigration is exemplified by 2018 survey data which showed that only 5% fewer people who approved of taking
immigrants in France disapproved of the EU handling (Connor, 2018), displaying the favorability of the domestic level policy rather than the EU legal policies. This is further supported by only 11% of those polled feeling that there are difficulties for immigrants in accessing national, long term residence permits, which directly contradicts the almost 2/3 rejection rate by OFII, L’Office Français de l’Immigration et de l’Intégration, the French Office of Immigration and Integration (“France - Visas: Long Stay Visa”, and Special Eurobarometer 469, 2018, p.101). On the national political stage of France, the RN leads the manifestation of this type of nationalism in their right-wing populism which thrives on extreme sovereign nationalism.

These public views combined with challenging access to the domestically provided residence permits highlights a relationship not uncommon in EU member states where there is overall disapproval for the international level polices on immigration, while the national level policies and practices are seen as less problematic. This has created “a perfect storm for populists” (Mudde, 2016) where platforms like the RN’s can thrive on these sentiments of taking back national control by manipulating the composition of population through immigration restrictions. Though the EU treaties on legal solidarity over immigration is foundational to the practices of the entire union, national level process preferences reinforce the reluctance of domestic governments to comply with international immigration solidarity (Hampshire, 2015, p.544). With the EU citizens possessing a majority negative view in regards to their handling of immigration, the political future of France could see favoring of less centrist candidates than Macron, or even a move towards further popularity for the RN and Le Pen.
The sentiments of anti-immigration in the RN are in contrast to the values of the EU and France national policies. This is demonstrated by 56% of RN supporters in 2017 agreeing that their culture is superior to others, specifically immigrant’s culture (Stokes, 2018). Islam in particular evoked enhanced culturally xenophobic sentiments as 66% of those RN supporters concluded Muslim culture was especially incompatible with French ways (Stokes, 2018). While 64% of French citizens identify as Christian even if they are not active practitioners (Sahgal et al., 2018, p.8), the nations has the largest Muslim population in Europe Union, at 8.8% of the total population or 5.7 million people as of 2016 (Hackett, 2017a).\(^{12}\)

For those adhering to RN style populism, Muslims, who have been directly correlated with immigration, represent a loss of civilizational identity (Brubaker, 2017), as the foundation of the platform around immigration is “not simply anti-immigration, but opposed to the immigrant as a symbol of loss of sovereignty” (Mondon, 2015, p.144) which top-down EU polices are further enabling (Hampshire, 2016, p.542). Of this same group of *Rassemblement National* supporters, 74% look favorably on the claim that “it is important to have been born here to truly be one of us,” highlighting the hybrid nativist, nationalist, and ethnocentric nature of anti-immigration stance among the French populist party (Stokes, 2018). Though the RN, under Marine Le Pen’s guidance, has been reshaping its image by using more widely accepted “sociocultural liberalism” (Brubaker, 2017, p.1195) as a rhetorical practice to gain more support in the mainstream, their anti-immigration platform is still rooted in a “nativist rhetoric…[of] sophisticated from[s] of

\(^{12}\) This number is actually second to Bulgaria (out of available data) which is 11% Muslim (Hackett, 2017a). While Bulgaria is an EU member, the nation is not part of the Schengen Area nor it is a Euro monetary state. Bulgaria has taken 50 refugees from the quota plan which falls far short of their 1300-person quota mandate.
exclusion referred to as new or neo-racism, cultural racism, or cultural differentialism,” (Mondon, 2015, p.144). Immigration practices and sentiments in this vein, though still minority held sentiments in France, have been gaining increased support and clearly influencing the experience of immigrants.

**Hungary**

The immigration compliances of Hungary are not within European Union regulation as the practices those seeking the right to immigration and especially asylum seekers are substandard. The Hungarian government’s strong nationalism and populist character has given rise to institutionalized anti-immigrant majority sentiments. This has been targeted directly at Muslim immigrants for years, with 72% of the population possessing an unfavorable view of Muslims (Hackett, 2017a). This is doubly demonstrated by Muslims being the main religious target of both nationalist political actors, parties, and social groups in the Hungary (Kishi et al., 2018, p.7), even though only 0.4% of the Hungarian population is estimated to be Muslim (Hackett, 2017a).

Such religiously motivated biases can be tied to the statistic that as of 2018 a majority of those polled, at 54%, still opposed taking refugees fleeing violence or war in their home countries (Connor, 2018), which is reflective of the opposition to taking immigrants from the Middle East and North Africa. In a nation where 64% “seldom/never” attend religious services (Cooperman et al., 2017, p.70), yet 76% of Catholics in the same year said that “their religious identity is mainly a matter of national culture/family tradition,” (Cooperman et al., 2017, p.56), evident is of the loss of religious practice but not identity in these post-communist regime decades. Orbán in
particular has revived political ties to religion in Hungary via purporting that “Christian politics [will be] able to protect people” (Kingsley, 2018) where the liberal politics of the EU fail. This attitude would not be able to maintain such popularity among the Hungarian citizens without the deeply rooted feeling that Christianity is tied to the nationalist Hungarian identity. The sentiments of the people match the vocalizations of the far-right populist party that Fidesz is, where their key characteristics as both “their opposition to immigration and to the EU,” (Hampshire, 2015, p.545).

This rejection of difference and preference for a homogenous society is a root of the larger anti-immigration practices in the nation. During the 2015-2016 period in Hungary, 94% of all asylum applicants still had not received a decision on their paper work as of the start of 2017 (Connor, 2017, p.10). Important to this statistic, the Immigration and Asylum Office of Hungary, Bevándorlási és Menekültügyi Hivatal, and Eurostat reported that over 66% of these applications were withdrawn for reapplication in other nations (Connor, 2017, p.10) as Hungary is not the ideal end location for immigrants and refugees seeking a new home in the EU. Hungary marks a milestone for refugees as it is the first Schengen zone country with other internal Schengen borders on the Balkan migration corridor. With applications not being processed and borders being blocked, including a $1.16 billion wall at the Serbian and Croatian border in 2015 (“We Stopped Migration with a €1 billion Border Fence”, 2018), moving towards better lives in more pro-immigration and non-xenophobic nations such as Germany or France have been stalled. This caused the main migration route to shift from the southern Hungarian borders to those of Slovenian, an even less equipped state to deal with en masse immigration (Kasparek, 2016, p.6). This reassertion of nation-state sovereignty through
anti-immigration practices is a consistent touchstone for the Hungarian government (Hampshire, 2015).

The top three nationalities of non-regional migrants using the western Balkan route in 2017 were Afghani, Pakistani, and Syrian, followed by Iraqis and Algerians according to the FRONTEX agency (2018, p.18). Shown in figure 1.1 below, this coincided almost exactly to the nationalities of top applicants for protection in Hungary in 2017, ranking: Afghani, Iraqi, Syrian, Pakistani, and Iranian (Pardavi, Matevžič, Iván, & Bakonyi, 2017, p.7), even though the most common nationalities for migrants actually allowed to live in Hungary in 2017 were all from other European nations (“Origins and Destinations of the World’s Migrants 1990-2017,” 2018).

Figure 1.1: Display of rates by percent of total for rejection rates, humanitarian protection status, refugee status, and subsidiary protection status recipients in Hungary, during 2017.
This data shows that 69.1% of total applications from 2017 were rejected (Pardavi et al., 2017, p.7). The ability of those in control of immigration practices to use support Islamophobia and homogeneity is shown best by the protection rates provided to the 6 applications for protection submitted by Georgian nationals, the only majority Christian nation in the top asylum seeker application nationalities. Georgians were the only nationality to receive any protection without rejection. Consistent xenophobia in the rhetoric of anti-immigration platforms in Hungary are founded on the non-Christian character of majority of those seeking asylum. The populist right in Hungary maintains these sentiments through “poaching…traditional conservative themes such as family, god, order, and the fatherland,” (Pappas, 2013, p.11) rooted in the fear of “the original population [being] defiled or destroyed,” (Mondon, 2015, p.144). Islamic practices have been institutionally rejected by attempting to limit their population in its entirety in Hungary.

While rejection based on ethnoreligious perceptions is a reality in Hungary, there are larger problems on the external borders of the nation in their transit zones. Application for asylum upon airport arrival is considered a crime suitable for detention, thus those who arrive and apply for asylum at Budapest International are procedurally detained in accordance with the national Asylum Act (Pardavi et al., 2017, p.41). Since very few people are detained this way and sent to Nyírbátor, the single functioning asylum seeker detention facility in Hungary, overcrowding is not an issue here, but overall conditions are poor (Pardavi et al., 2017, p.85). Basic medical care is provided, however Nyírbátor was infested with bed bugs, physical ill-treatment by guards is reported, and detained asylum seekers are treated as criminals via being “handcuffed and
escorted on leashes” to their court hearings (Pardavi et al., 2017, p.86). While these conditions are less than desirable, the situation at the transit zone facilities are of equally poor and often worse quality.

Röszke and Tompa, both on the Hungarian-Serbian border that tops the Balkan migration route, are transit zones that have effectively been made into detention facilities. Both locations have severe overcrowding, with Röszke housing almost three times more people than capable, with a reported capacity of 450, but currently detaining 1,252, and Tompa in a similar state reporting more than four times its capacity, at 855 with the facility only outfitted to hold 205 people (Pardavi et al., 2017, p.85). These are remote border locations, and the facilities are made from shipping containers surrounded by barbwire fences which managed by armed guards where asylum seekers are held as they try to enter the nation (Pardavi et al., 2017, p.82; McKinsey, 2017).

While there are varying reports on the transit zone conditions depending on sources, most agree on the basic facts that conditions are substandard and even in violation of human rights. During their time held in transit zones while waiting for application review, asylum seekers remain disconnected from the outside world due to lack of service connections, and the people are treated similarly to criminals, again with reports of detained immigrants being handcuffed when taken anywhere outside the transit zones, including hospitals (Pardavi et al., 2017, p.87). The medical care is minimal and limited to minor physical ailments, with a lack of almost any infrastructure to deal with psychiatric or emergency care, reflecting the same level of equipment at Nyírbátor (Pardavi et al., 2017, p.88). The Hungarian Helsinki Committee has currently submitted
eight cases for interim measure requests due to human rights violations at the transit zones to the European Court of Human Rights, with all cases being successfully ruled in favor of the asylum seeker’s rights by the ECHR (Hungarian Helsinki Committee, 2017).
CHAPTER 3

RELIGIOUS PRACTICES & SENTIMENTS

The European Union has been described the most secular region of the world, and while this does hold true in many regards, religious attachment for reason beyond practice of faith is still prominent. As exemplified by the rhetorical practices, policy initiatives, and surveys of domestic populations’ sentiments and values, freedom of religion with deep regard for the secular is prominent in France. Yet, there are distinct issues taken with Islam which underscores this. This same generalization is true in Hungary, however, it is more openly defiant in rejecting equality standards of people from differing ethnoreligious heritages. Though both practices and sentiments around religion do differ in nature and strength cross-nationally, there are similar patterns in the populist discourse around religion and immigration. There are distinct domestic undercurrents in both France and Hungary which suggest these guaranteed rights to freedom of religion are not always practiced or desired equally across the religious spectrum. Understanding religious practice as part of identity in both cases are essential in understanding why there is success in framing anti-immigration sentiments in a neo-racist context opposed to non-Christian practices.

France

The populations of those characterized as highly religious in France and Hungary are barley different in ratio, at 12% in France and 17% in Hungary (Evans & Baronavski, 2018). Regarding laïcité governance of the French socio-political system, this small group that practices religion most regularly is not a surprising outcome in a culture
defined by secularism. Notably, levels of strict religiosity in France is not a practice exclusively prescribed to by the majority Christian population. French Muslims are equally as secularized as their Christian counter parts, with weekly Islamic religious observation at 10-12% of the population, with only 5% weekly mosque participation (Kuru, 2008, p.3). While secularization has been a trend for more than a century and Muslims are the most rapidly growing religious population in the world (Lipka & Hackett, 2017), 64% of the French population still identifies as Christian (Sahgal et al., 2018, p.8).

Figure 2: This figure shows the religious demography of France as percentages of the total population, with Christians and Muslims highlighted as the two key variable religions for comparison. The areas in the chart are not in correct size-percentage proportion.

Yet, this Christian religious population does not hold a majority negative sentiment about Muslims or immigrants as 85% of people say they are willing to accept Muslims as a neighbor (Sahgal et al., 2018, p.65), and 79% know a Muslim personally (Gardner & Evans, 2018). In fact, only 29% of French respondents in a 2017 survey
viewed Muslims in a negative light, which was the second lowest score in the entire EU-28 data set (Hackett, 2017a). For France these perception between the traditionally Christian native population and the view of Muslims reflects the national sentiment that only 32% of people hold Christianity as important to French national identity (Diamant & Gardner, 2018). Additionally, the calculated NIM (Nationalist, anti-Immigrant and anti-Minority) scale score of France was a 2.5, on a 1 to 10 scale with 10 being the most negative in view point, and only 19% of respondents scoring over a 5.1 (Diamant & Starr, 2018). However, the overall trend for Western Europe was that, “both church-attending and non-practicing Christians are more likely than religiously unaffiliated adults in Western Europe to voice anti-immigrant and anti-minority views,” (Sahgal et al., 2018, p.20). Archaic religious rivalry can still be a motivator for sentiments about immigration, and it is this Christianism which is often exploited by right-wing populist parties (Brubaker, 2017, p.1198).

The political discourse in France which ties immigration to religion is supported by influential far-right groups aligned to the main political proponent of anti-immigration and anti-Islam policies, the Rassemblement National. Long before leader Marine Le Pen began efforts to revive the RN’s image as more acceptable to the liberal mainstream, the Le Pen party had been categorized as a far-right and populist. Using Mudde’s 2004 definition of populism, as follows, the stance of the RN on Islamic immigration can be more fully understood as:

“an ideology that considers society to be ultimately separated into two homogenous and antagonist groups, ‘the pure people’ versus ‘the corrupt elite,’ and which argues that politics should be an expression of the volonté générale (general will) of the

Based on this definition and the pathological normalcy of populist radical right parties, PRRPs, in Europe (Mudde, 2013, p.1) the position of the RN as a PRRP can be defined as being against the “corrupt, metropolitan, urban elite” who’s class supports progressivism and political correctness (Mudde, 2004, p.550, 561), while also being rooted in nativism and authoritarianism (Mudde, 2013, p.3). Importantly, the RN and its other European counter parts do not actually create anti-immigration or anti-Muslim sentiments, but rather provide a radicalizing voice to these already latent ideas (Mudde, 2003, p.14) by using common liberal rhetoric or values to attempt to make their marginalizing preferences appear more legitimate and conformist (Froio, 2018, p.705). In other words, the RN uses “illiberal invocations of liberalism” (Brubaker, 2017, p.1193) to mainstream anti-immigration and Islamophobic sentiments.

Understanding this political and ideological rhetoric is essential to discerning how and why there is enough support for RN candidates and messages so that party members have become highly involved in the French political scene. A 2018 study was designed to find which type of neo-racist framework provided the most visibility online in the network of the French far-right, demonstrating what both leaders and followers were most attracted to (Froio, 2018). The evidence found that an ultra-secular dimension based on religious neo-racism provided the most visibility (Froio, 2018, p.703). What this, and the small population of highly religious populations imply to the larger conversation around immigration linked to religion is that “Christianity is embraced not as a religion but as a civilizational identity understood in antithetical opposition to Islam” (Brubaker, 2017, p.1194). The practice of Christianity is not what makes it a foundational element to
nativists, nationalists, and Islamophobes, but rather the signal of Christianity as a common, cultural value allows for it to be propagandized as a secular ideal which other religious affiliations cannot conform to.

This convergence of secularism as a liberally acceptable value, which however excludes Islam because it is outwardly demonstrative and not the nativist religion of France, combined with (minority) popular religion-based racism, explains both the mainstream radical value of Islamophobia and the RN’s vocal role in purporting that Muslim immigrants are a negative influence on France as a whole. With Le Pen consistently citing Muslims immigrants as the key issue that threatens the French civilization (Agnew and Chassany, 2017), and the increasing popularity of xenophobic and more acutely Islamophobic sentiments and rhetoric across France, are directly correlated to the activism of the pro-RN populist as their ‘way of life’ is perceived to be challenged by this new population (Mudde, 2004, p.547).

**Hungary**

Religious practices, populations, and preferences remain dominated by variants of Christianity in Hungary, even as the sentiments, policies, and rhetoric of the nation, specifically its leaders, target Islam and Muslims. Christian identifying sects make up at least 76% of Hungary’s religious demography (United States Department of State, 2017, p.2), while Muslims are only 0.4% of the population (Hackett, 2017a), even after the immigrant influxes since 2015 from predominantly Islamic nations. Anti-immigration campaigns have increased Islamophobia, with 72% of Hungarian respondents viewing
Muslims in a negative light (Hackett, 2017a), which could be linked to the sentiment among 43% of Hungarians feeling that Christianity is important to their national identity (Diamant and Gardner, 2018). While attachment to national Christianity is still a minority preference, it is a strong one as well as a highly propagandized opinion as a minority almost as small as France’s are considered highly religious (Evans & Baronavski, 2018).

Religious Demography: Hungary

![Pie chart showing religious demographics of Hungary](source)

**Figure 2.1:** This figure shows the religious demography of Hungary as percentages of the total population, with Christians and Muslims highlighted as the two key variable religions for comparison. The areas in the chart are not in correct size-percentage proportion.

Yet, the outright preference of Christianity as a unifying culture for the Hungarian people, as well as the entire European civilization, has been a repetitive message for Orbán. The maintenance of Hungary’s Christian identity has be at the forefront of Orbán’s platform, making public statements such as “central Europe should be national and Christian” (Orbán, 2018), or referring to the 150 years of Ottoman rule over the region when explaining how Hungarians know they do not want to live with Muslims.
This rhetoric translating into policy has effectively eliminated the space for those who prescribe to a religious affiliation other than variants of Christendom, but this has been especially true for the followers of Islam. Since the 2011 ‘Church Law’ only two Islamic churches have gained recognition under the strict guidelines of the legal framework (United States Department of State, 2012, p.3). They are the Hungarian Islamic Community, which proudly displays its official letter of recognition from the state of Hungary on its website (Hungarian Islamic Community 2012), and the Hungarian Islamic Council, both of which are Sunni organizations. With the strong hybrid of Christian-nationalism in the highest levels of the Hungarian government, and the Islamophobic stance of nearly three quarters of national respondents, acknowledging the interrelated relationship of these two elements is key to exploring Orbán’s populist sociopolitical platforms.

As discussed in reference to France, the roots of the populist movement both inside Hungary and elsewhere are steeped in nationalism, the heartland people’s desires, and charismatic leadership (Mudde, 2004). For Viktor Orbán, his nationalist motives have strong ethnocentric roots which both support and condemn the practices of individuals based not only on their place of origin, exemplified through the ethnic rejection of Syrian and Iraqi refugees as 69% of Hungarian respondents seeing larger numbers of them as a major threat, but also their religion (Poushter, 2016). For Muslims in Hungary, cited as the most persecuted religious group by nationalist parties inside most of the European Union (Kishi et al., 2018, p.7), Islam’s existence props up the platform of parties such as Fidesz, that hail a white nationalist and Christian identity. Additionally,

\(^{13}\) The Ottoman Empire ruled over the area of modern day Hungary from 1549-1699 C.E.
homogeneity is the preference of not only Orbán, but a majority of the population, as 56% of Hungarians “say it is better if society consists of people from the same nationalities, religions and cultures,” (Cooperman, A. et al., 2017, p.43). Orbán has been a linchpin in mainstreaimg the Fidesz party as the “defender of the cultural nation, the traditionalist rural and religious social strata” since 1993 (Pappas, 2013), leading up to the institutionalization of anti-Islam and pro-Christian discourse. Evident in Orbán’s now three-decade prominence in the Hungarian political scene, the salience his party has brought to anti-immigration is spurred by the practice of “re-redefining of the people in a manner that they had always been implicitly denied in the pre-multicultural society – namely ethnically homogenous” (Mudde, 2013, p.10), as well as religiously homogenous.

With Hungary being characterized as an illiberal, populist democracy due to the government dominance by Fidesz and the Jobbik Party, which is also of the far-right populist persuasion, the civilizationist framing of ethno-religious issues has become common place (Pappas, 2013). The “keep Europe Christian” (Mackey, 2015) ideals of Orbán highlights the ‘us’ versus ‘them’ divide well beyond national boundaries, but towards a civilization based threat from Islam and immigrants much like notorious work of Samuel Huntington\textsuperscript{14} or Edward Said’s\textsuperscript{15} orientalist scholarship (Brubaker, 2017, p.1200). The larger civilizationist identity of Hungarian populism relates distinctly to Christianism which, like in France, is not rooted in practice or religiosity, but rather in the value of “secularized Christianity-as-culture” (Brubaker, 2017, p.1199). To keep Hungarians united in this way requires Orbán to root his discourse in these longstanding national themes while excluding liberalism. This causes Orbán and Fidesz to differ from

\textsuperscript{14} For S. Huntington’s work see: The Clash of Civilizations and the Remaking of World Order. (1996)
\textsuperscript{15} For E. Said’s work see: Orientalism. (1994)
France’s RN or even the Jobbik party, which practice liberal value signaling inside their rightist rhetoric (Brubaker, 2107, p.1208). By Fidesz leading a “systematic attack on liberal institutions,” (Pappas, 2013, p.19), the differences between France and Hungary as well as a larger east-west divide in European populism is exemplified. This division occurs over the value of liberalism where it is not a civilizational identifier in Hungary or eastern Europe, but rather another hallmark of foreign rule and Euroscepticism (Brubaker, 2017, p.1208). While the civilizational unification of Hungarians can extend to Europe in a larger sense based on white secular Christianity, Orbán’s illiberalism, manifested outright in anti-multiculturalism and Islamophobic propaganda, is a divergent point in the rhetoric and practices of populisms the RN and Fidesz.

Between France and Hungary, a level of dysfunction in policy implementation in both EU-level and domestic policies is highlighted. Failures in timeliness, compliance with regulations, and routine inefficiency in the asylum and refugee process make the already difficult transition for these immigrants wholly more difficult. The sentiments of both majority and minority sects of the two case study nation’s populations have seen rising negativity around immigration and Islam in particular, which has become a politicized mainstream topic due to decades of PRRP presence. While the policies remain open and free in France more so than Hungary, the far-right and populist sociopolitical persuasion has been forming a marginalizing “religio-civilizational” identity (Brubaker, 2017, p. 1212) where those who are not identified as the native people of Europe are excluded.
CONCLUSION & SYNTHESIS

The case studies of France and Hungary, as related to each nation’s relationship between immigration and religion in policies, practices, and sentiments have exposed key links between the two. Analysis of each nation’s power relationship with the European Union and its policies reveals that the EU maintains top-down control of the legal and institutional systems inside the Union, however citizens are less approving of its international policies which appear to infringe upon rights which are held close to a sense of national sovereignty, such as immigration policy. The policy hierarchies in the EU have unique implications in the realm of immigration because of this, even though the EU has set decisive and legally binding expectations for solidarity on immigration policy through decades of treaty law. However, these standards have been undermined and disregarded by Hungary and other member-states with increasing frequency.

The lack of accountability of member-states to the EU has allowed for policies which are exclusionary to increase in prominence, demonstrating a level of dysfunction in the EU rooted in domestic immigration practice prevailing over parts of internationally agreed upon treaties. This decreased accountability in the realm of immigration policy in Hungary is however unsurprising as the nation is designed to have less prominent position in the EU which is used for the western states’ economic betterment. This is underscored by average household wages in France being over double what they are in Hungary (OCED, 2018a, 2018b). With EU deregulation and the turning of a blind eye to certain practices being utilized as norms in Hungary, the neo-racism in Orbán’s polices are given more leeway to behave in this illiberal manner. Though power of EU law
remains dominant over member-states, upholding and furthering the ability of its parliament and commissions to override certain sovereign boundaries is a process with which the EU continues to grapple with when it comes to administering legal solidarity on immigration. Immigration is and will mostly likely remain a divisive topic both domestically and internationally, which has depended the north-south, east-west, and left-right divides across the EU.

Less contested is the ability of the EU to dictate policy on its member nations over religious freedoms, as unanimously supported by all member states are the human rights of religious freedom, thought, and conscience. However, Hungary again is an outlier to aspects of religious policy as exemplified by the restrictive move to tighten government controls of church status recipient religions via the 2011 ‘Church Law’. Though this law as well as laïcité legality and practices in France do not break any EU mandated treaties or human rights enough for intervention, both nations and especially the Hungarian laws are reflective of pervasive, undermining currents through which member-states reflect their disapproval of top-down command via domestic laws on immigration and religion as they are viewed as infringing upon the sovereignty of the native populations. While policy and legal norms of the European Union maintain their international and superior status to that of domestic state level law, there are certain sections in their policies which are held in higher validity and regard than others.

The immigration practices of France and Hungary vary more significantly than inter-EU policy norms do. Though the conditions and treatments which asylum seekers face at borders, in detention centers, and in slum settlements of both nations are substandard, the largest inhibitors of effective immigration practice in the EU lies in the
bureaucratic processes. Policies aimed at retention of business and ‘talented’ professionals maintain priority in new laws, as the immigration strategy of both the EU and its member states is aimed at retention of high-credential individuals. This economic priority comes at the cost of processes to better practice for asylum seekers’ attainment of visas and residence permits being inhibited or remaining unchanged. While the EU, France, and Hungary all desire immigrants for specific purposes, it is not necessarily a desire to attract refugees, low credential workers, or asylum seekers to their state to offer better quality of life. This is reflected in new laws, old traditions, and the level of accessibility of the different types of immigration and residence visas depending on immigration status.

The lack of timeliness of application response in Hungary has led to extensive stays at transit zones while waiting to hear asylum cases. As anti-immigration remains a dominant propaganda platform for PM Viktor Orbán, the results of this are reflected in the all-time high of xenophobia among Hungarians, reaching 53% in 2016 (Simonovits et al., 2016, p.42). Similar happenings have been occurring with the process delays in France at the CADA and other asylum housing scheme sites or informal settlements. Further contributing to less than ideal immigration practice for asylum seekers has been the political biases in pro versus anti-immigration stances. Due to such large portions of the populations of the member-states disapproving of the EU handling of the immigration crisis, the ability of local governments to maintain their domestic practice preferences on immigration has been bolstered by the majority support for domestically set norms.

Generalizations about religious groupings are often inaccurate and do not reflect larger influences which actually shape the sociotropic perceptions of the majority
Christian population of the EU; however, the perception remains clearly aligned to a negative views of Muslim immigrants. The dominance of increasingly secular Christianity over Europe for nearly two millennia has allowed for its use as cultural signal which many Europeans can identify with. Due to this, far-right populist political groups in France and Hungary have used Christianity as a value signal of traditionalism and xenophobia to attract the nativist populations.

Religion is further being propagandized as a dividing mark to display allegedly inherent differences between the civilization of Christian European and the threat posed by the Islamic civilization. The exploitation of archaic religious cleavages as a tool of populist right-wing parties has increased the use of rhetoric about socio and ethnoreligious differences between Christians and Muslims being valid reasons to support Islamophobic actions. While this is not a majority sentiment in France, secular religion as a culturally divisive marker is the most frequently utilized form of anti-immigration framing. In Hungary, larger portions of the population already prescribe to Orbán led misconceptions about white Christians being the rightful population of Europe. With France continuing to have the largest population of Muslims in the EU, and the Muslim population continuing to grow even if net migration could be zero for the next decade, far-right politicians cannot simply close borders and expect the population of over 25 million EU Muslims to disappear (Hackett, 2017b).

An essential character to the recent state of immigration and religion has been the role of populist parties and leaders from the far right. Exemplified by the Rassemblement National and Marine Le Pen in France as well as Fidesz lead by Orbán in Hungary, these

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16 Except for Bulgaria which is 11.1% Muslim, and not part of the Schengen Area or Eurozone portions of the EU.
parties increase the salience of anti-immigration desires of portions of the national
populations which prescribe to a highly traditionalistic views of who has the right to be in
their nation. Such far-right parties are the unifying measure of xenophobicly founded
sentiments and policy priorities which prioritize the culminated identities of far-right
populist’s heartland supporter as firmly against: immigrants, non-secular religions
(specifically non-Christian religion in the case of Hungary), and therefore Islam and its
followers. While these parties take different approaches in how they spread their
messages, such as liberalism being a unifying value in the rhetoric of the RN whereas it is
rejected by Fidesz, the modes of the rightist populist movements have been marked in
both nations by civilizationist, nativist, and religious cleavages drawn between the
supporter of “‘the pure people’ versus ‘the corrupt elite’,” (Mudde, 2004, p.543). By
providing high salience to this sociopolitical mindset, populist parties and leaders in both
France and Hungary have bolstered the anti-immigration movement with special force
since the institutional frenzy around Islam began in the west.

As in many other parts of the world, the rejection of immigrants is rooted in the
fear of heterogeneity across society. This causes the beneficial nature of practice of
immigration, especially the western world which is grappling with aging populations,
decreasing birth rates, and reduction of willingness to partake in low-wage or low-
credential labor, to be lost in the prevailing rhetoric of immigrant discrimination. With
demographic growth no longer being a reality for the native populations of France and
Hungary (“Populations Age 65 and Above (% of total)”; Banerji & Betcherman),
immigrants who decrease the overall age of the population, attend universities, and
participate productively in the economy via employment and taxes, are a long-term answer to the woes of such demographic stagnation across sectors.

This gap between immigrant and native populations is exemplified by economic indicator statistics. In Hungary, foreign born unemployment is lower than native born unemployment, at 3.4% and 4.2% respectively, with a greater labor force participation from immigrants to Hungary by more than 6%, yet declines in gross domestic product and population are predicted (OECD, 2017, and OECD, 2018b). Perhaps increasing the evidently productive immigrant population in Hungary would benefit their economic and demographic stagnation. For France, the overall trend of declining GDP is congruent to that of Hungary, however population is rising and the foreign born population of France does have higher unemployment and lower participation rates than the native born population (OECD, 2018a).

Important to the population growth in France is that average immigrant age is 36 as opposed to the national median age of 41 (United Nations, 2017, p.29, and CIA, 2018), and though native and foreign born women have children at roughly the same rate, the number of children with at least one foreign born parent is rising (OECD/European Union, 2015). For France and Hungary this means a less white, less Christian, and more diverse population will increasingly become the norm, and this is where the oppositional messages of right-wing nationalists take root and reject any positive influence immigrant populations bring. When regarding increasing religious diversity brought about by immigration in the traditionally uniform religious demography of Europe, the already secularized Christian churches feel their position is further weakened and threaten by the
social, ethnic, and allegedly moral differences, even from a religion such as Islam which is part of the same Abrahamic family of Christianity and Judaism.

In a speculative view on the future on immigration policy across the European Union, the topic will remain in its status of divisive and highly salient. Without some form of policy change at the international level, member-states will remain dissatisfied with the EU level policies and move increasingly towards a return of their sovereign preferences on immigration, though this may not be as restrictive a turn in France as it will likely continue to be in Hungary. As decreasing immigration or decreasing heterogeneity is not a reflection of reality without an authoritarian turn right in political dominance, the norm of an increasingly multicultural society will hopefully be met with the continuation of equality, acceptance, and effective integration among national populations. Additionally, with populist parties from the far right continuing in their mainstreamness throughout the European Union, the voices of nationalism, nativism, Christianism, and Islamophobia will not be going away anytime soon. As the prominence of populist rightists exemplified by “Orbán's success [which] has inspired and emboldened many other right-wing populists in the EU… [such as] Marine Le Pen in France” (Mudde, 2016) continue on their policy crusade against immigrants, refugees, asylum seekers, and Islam in particular, other sects of society will need to rise to the occasion to protect human rights and freedoms, as illiberalism is a reality, but may not be the threat to liberal policy hegemony that some scholars make them out to be.
UPDATE ON THE CURRENT SITUATION

For Emanuel Macron, his pro-immigration stance is continuing to be strained and rejected by oppositional factions from inside France and the European Union. To start the year, Marine Le Pen announced far-right selectees for the European Parliament elections coming in May of 2019, and is hopeful to win the French people’s support as Macron has becoming increasingly unpopular during the end period of 2018 due to the gilets jaunes protests (Vinocur, 2019). This comes as the question of the migration quota scheme from the EU has regained public attention in the Le grand débat national17 public meetings and surveys set up in response to the gilets jaunes, with direct questioning about the issues of immigration and integration in separate concluding section (République Française , 2018, p.11-12). This productive and democratic approach to the issue of immigration and other contested topics will hopefully yield beneficial results when the public debate results are synthesized and published in April of 2019 (Le grand débat national, 2018). While immigration remains contested, good news had stemmed from integration projects in France, with the UNHCR highlighting one French town’s success in particular, that of Pessat-Villeneuve and their Nigerian and Chadian refugee population (Schmitt & Lebas-Joly, 2019). This is a story of acceptance, resettlement, successful socio-cultural integration, and relief for the African refugees who now find this French town to be their

17 Official site of Le grand débat national (in French): https://granddebat.fr/media/default/0001/01/8bbebb4269cf29d6e96ba4de52dd0450116661c3.pdf
home. For the current status of immigration in France, less news seems to be a positive development as negative scenarios have unfolded to start 2019 in Hungary.

While Viktor Orbán may agree with Macron’s proposition that the EU needs to have serious debates about immigration (Dunai & Peto, 2019), he certainly doesn’t support the pro-immigration stance of the French president (Schaart, 2019); “[Hungarians] don’t see these people as Muslim refugees. We see them as Muslim invaders,” (Barry, 2019). Though Viktor Orbán said this to a German news outlet in 2018, his messages, propaganda, and Islamophobic anti-immigration platform has experienced no change of heart, expect perhaps that of a hardening of this oppositional stance to Muslim immigrants.

In late March of this year, the cross continental center-right European Peoples’ Party went so far as to suspend Fidesz’s membership based on Orbán and his comrades’ recent actions and public sentiments which include alleged censorship and a variety of ethnoreligious racisms (Baume & Bayer, 2019). This decision came as the European Court of Human Rights had to intervene for the eighth time to condemn the practices of the Hungarian Government in the Röszke transit zone for starving those who were detained as asylum seekers (Than, 2018; Hungarian Helsinki Committee, 2019). When the ECHR Council Commissioner, Dunja Mijatović, made a five-day country visit this year, she noted a variety of concerns in Hungary, touching on “human rights challenges” ranging from gender inequalities, refugee rights and protections failures, and systematic xenophobia in government practice and rhetoric (Commissioner for Human Rights, 2019b).
Additionally, the ‘Stop Soros’ legislative package, which criminalizes those who help asylum seekers, was officially approved by the Hungarian Constitutional Court, though those who “selflessly assist” will not be penalized (Hungarian Helsinki Committee, 2019a). The judicial system of Hungary is under scrutiny for being politically biased, especially since the late 2018 approval by the Hungarian Parliament of a parallel court system to the current judicial sector which will allow for executive control of judicial seat selection, as well as place all “public affairs” matters including “electoral law, corruption and the right to protest” within this new system’s jurisdiction (Novak & Kingsley, 2018). Thus, this constitutional decision is an unsurprising result as it is entirely in line with the disinformation narrative of Fidesz and Orbán as the party continues to tighten its control over the nation. Evidently, policy practice and sentiment have experienced no turn away from the populist, far-right in Hungary.

Finally, it is within the continued rising backdrop of nationalism, nativism, and far-rightism that the Islamophobically motivated massacre of 50 Muslims at two mosques was committed on March 15th in New Zealand. These people were targeted for their religious identity, with the perpetrator referencing Norwegian Anders Breivik as a source of inspiration for this heinous act of far-right terrorism; both men acted against a perceived “Muslim invasion” (Ravndal, 2019). Though anti-immigration sentiments and the existence of far-right populists are in no way the key contributing factors in motivating terroristic acts against Muslims (Ravndal, 2019), it is important to remember that tolerance of social hatreds as acceptable norms anywhere is no way forward in the hope of peaceful coexistence for all ethnoreligious groups.
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AUTHOR’S BIOGRAPHY

Melissa Garand was born on October 16, 1997 in Maine, where she has lived her entire life. She graduated from Maranacook Community High School in 2016, and choose to attend the University of Maine to continue her education and passion for international relations through a B.A. in International Affairs with concentration in International Security and a minor in French. As part of her French degree, she studied abroad in Paris at La Cours de civilisation française de La Sorbonne. She is concurrently a candidate for a M.A. in Global Policy at the University of Maine School of Policy and International Affairs, with an expected graduation date for May of 2020. Following undergraduate commencement in May 2019, she will be interning as the International Student Services Intern at the American University in Bulgaria.